

# *Sąd Arbitrażowy* przy Nowotomyskiej Izbie Gospodarczej



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*Program of an international conference from the series:*

*Arbitration and mediation in theory and practice*

*Under the title: „Building trust in arbitration and mediation”*

**Nowy Tomyśl , June 8, 2018**

*Under honorary patronage of:*

*Head of the Nowy Tomyśl County*

*Ireneusz Kozecki*

*Mayor of Nowy Tomyśl*

*Dr. Włodzimierz Hibner*

*The Polish Bar Council*

*District Chamber of Legal Counsels in Poznań*

*District Chamber of Legal Counsels in Wrocław*

**8.30 - 9.00 REGISTRATION OF PARTICIPANTS**

**9.00 - 9.10 OFFICIAL CONFERENCE OPENING**

**Włodzimierz Brych** – lawyer, international arbitrator, mediator, Chairman of the Arbitration Court at the Nowy Tomyśl Chamber of Commerce

## **9.10-9.40 SPEECHES BY PATRONS AND INVITED GUESTS**

### **9.40-11.20 PANEL I. BUILDING TRUST IN ARBITRATION**

**Moderators - Włodzimierz Brych** – lawyer, international arbitrator, mediator, Chairman of the Arbitration Court at the Nowy Tomyśl Chamber of Commerce **Robert Cichórz** – PhD, lawyer, arbitrator and mediator, member of the Nominating Committee of the Arbitration Court at the Nowy Tomyśl Chamber of Commerce

1.  
**Swiftness and obstruction in commercial arbitration – Andrzej Szumański** – Professor of Law, Holder of the Chair of Private Commercial Law at the Jagiellonian University in Krakow (Poland)
2.  
**“Public Policy” (Ordre Public) as a Defense against Recognition and Enforcement of Foreign Arbitral Awards-Article V(2)(b) – Ergun Özsunay** – Professor of Law, Legal Counsel to the Istanbul Chamber of Commerce (Turkey) / **Murat Özsunay** – Attorney at Law (Germany/Turkey), arbitrator at the Arbitration Court at the Nowy Tomyśl Chamber of Commerce
3.  
**Procedural justice: what makes users trust arbitration? Lessons for arbitration practitioners – Joanna Kraus-Kolber** – adwokat w dziale litigation & arbitration w kancelarii Strelia w Brukseli (Belgia)
4.  
**Main aspects of building trust in ADR in Georgia – Nikoloz Pitskhelauri** – doctor of laws, arbitrator at the Arbitration Court at the Nowy Tomyśl Chamber of Commerce, Head of the Scientific-Research unit at Guram Tavartkiladze Teaching University (Georgia)
5.  
**Component parts of trust – the experience of Ukraine – Tatyana Gennadyevna Zakharchenko** – Vice-President of the International Commercial Arbitration Court at the Chamber of Commerce and Industry of Ukraine in Kyiv (Ukraine)
6.  
**How to build trust in an arbitration institution? – Piotr Nowaczyk** – Attorney at Law, Independent International Arbitrator and Mediator, arbitrator at the Arbitration Court at the Nowy Tomyśl Chamber of Commerce (Poland)
7.  
**Arbitration in Belarus – facts and trends – Alexander Korsak** – Managing Partner at Arzinger Attorneys-at-Law, Minsk, arbitrator at the Nowy Tomyśl Chamber of Commerce (Belarus)

8.

**Rules on the taking of evidence in international arbitration based on inquisitorial model of proceedings – Alexander Khrapoutski** – advocate, MCIArb, partner at “Susouev, Bondar Khrapoutski SBH” Minsk (**Belarus**)

## DISCUSSION

### 11.20-11.40 COFFEE BREAK

### 11.40-13.10 PANEL II. BUILDING TRUST IN MEDIATION

**Moderator – Piotr Nowaczyk** – Attorney at Law, Independent International Arbitrator and Mediator, arbitrator at the Arbitration Court at the Nowy Tomysl Chamber of Commerce

1.

**Mediation in civil-law disputes between treatment institutions and patients – Kinga Flaga-Gieruszyńska** – prof. dr hab., head of the Department of Civil Proceedings of the Faculty of Law and Administration of the University of Szczecin (**Poland**)

2.

**E-mediation as a way of building trust in mediation – Magdalena Wasylkowska-Michór** – Attorney at law, law firm Kancelaria Radcy Prawnego European Legal Service Center, Wrocław (**Poland**)

3.

**Information obligations of the mediator as a way to build trust in mediation – Magdalena Skibińska** – PhD in legal sciences, adjunct professor in the Department of Civil Law, Civil Proceedings and Comparative Law, University of Zielona Góra (**Poland**)

4.

**Mediation in administrative proceedings– Grzegorz Lorych** – legal adviser, secretary of the District Chamber of Legal Advisors in Poznań, Plenipotentiary of the Mediation Center at the District Chamber of Legal Advisors in Poznań (**Poland**)

5.

**Mediation in the administration one year after changes in the Code of Administrative Procedure. Evaluation and perspectives – Aurelia Puchala** – mediator, lawyer at the Municipal Office in Wieluń (**Poland**)

6.

**Information meeting as a legal instrument affecting adherence to ADR in Poland – Tomasz Antoszek** – PhD in law - lecturer at the Faculty of Law. A. Mickiewicza in Poznań, mediator in DOM MEDIACYJNY at the Institute of Law Development (**Poland**)

7.

**Building a strategic advantage by introducing a mediation standard – Patrycja Dorsz vel Drózdź – mediator at the District Court in Wrocław (Poland)**

8.

**Mediation is not a value in itself – Stanisław Kaczmarek** – independent engineer-consultant, court expert on the list of the District Court in Poznań, member of the Association of Engineers of Advisers and Appraisers (SIDiR), arbitrator of the Arbitration Court at SIDiR and WIB, arbitrator at the Court of Arbitration at the Nowy Tomyśl Chamber of Commerce (**Poland**)

## DISCUSSION

### 13.10-14.00 LUNCH / COFFEE BREAK

### 14.00-16.00 PANEL III. BUILDING TRUST – DIVERSE COMMON ISSUES OF ALTERNATIVE DISPUTE RESOLUTION

**Moderator - Krystian Mularczyk** – attorney at law, Krystian Mularczyk Law Office, member of the editorial board of the ADR quarterly Arbitraż i Mediacja, Deputy President of the Court of Arbitration at the Nowy Tomyśl Chamber of Commerce

1.

**Building trust in ADR: know-how of DIS e.V.; a Polish-German case study – Patryk Kulig** – Counsel of the German Arbitration Institution DIS in Cologne / Berlin, mediator (**Germany**)

2.

**The arbitration clause *versus* the autonomy of EU law - some remarks on "Achmea" case (judgment of the Court of Justice of the European Union of 6 March 2018, case C-284/16) – Aleksandra Włosińska** – PhD in legal sciences, Scientific Association of Civil Proceduralists in Krakow (Poland)

3.

**Application of the prohibition of abuse of the arbitration clause as a way of building trust in arbitration - Aleksandra Budniak-Rogala** – Attorney at law, PhD in law, LL.M., Wrocław (Poland)

4.

**ADR in Azerbaijan – Niyazi Mammadov** – arbitrator of the International Arbitration Court in Baku (Azerbaijan), arbitrator of the Arbitration Court at the Nowy Tomyśl Chamber of Commerce (**Azerbaijan**)

5.

**Possibilities of applying alternative dispute resolution methods in new Ukrainian procedural codes – Svitlana Maksymova** – arbitrator at the Court of Arbitration at the Nowy Tomyśl Chamber of Commerce, member of the Higher Qualification Commission of Judges of Ukraine, Kiev (**Ukraine**)

6.

**Confidentiality in arbitration – Włodzimierz Głodkowski** – prof. dr hab., Adam Mickiewicz University in Poznań, Faculty of Law and Administration (**Poland**)

7.

***De lege ferenda* to strengthen arbitration and mediation in Poland – Jerzy Śliwa** – President of the Association of Professional Mediators, mediator, Kraków (Poland)

## **DISCUSSION**

### **16.00-16.15 Summary and closing of the conference**

***On June 8, starting from 18:00 the conference Participants will have the opportunity to take part in a jazz concert at the Nowy Tomyśl Cultural Center at Tysiąclecia Street, 3.***

***On June 9 the Organizers invite the conference Participants to take part in a Shooting Competition of Arbitrators and Mediators for the Cup of the Chairman of the Arbitration Court at the Nowy Tomyśl Chamber of Commerce, which will take place at 10:00 at the LOK shooting range in Nowy Tomyśl, 30, Piłsudskiego St.***