

INTERNATIONAL ARBITRATION

SAYENKO KHARENKO



ABOUT THE FIRM

Sayenko Kharenko enjoys global reputation as a leading Ukrainian transactional and dispute resolution law firm. We specialize in complex cross-border and local matters, regularly handling the largest and most challenging projects involving Ukraine.

Sayenko Kharenko was named Law Firm of the Year in Ukraine by *International Financial Law Review European Awards 2011*. The firm was highly commended by the most prestigious legal awards in Europe *The Lawyer European Awards 2010* and named among the two best law firms in Russia and the CIS. Our excellent reputation has been recognized by all major local and international legal directories and publications, including *The Legal 500*, *Chambers Global*, *IFLR 1000*, *PLC Which Lawyer?* and *Ukrainian Law Firms* by *Yuridicheskaya Praktika*.

Sayenko Kharenko advises multinational corporations, banks and other financial institutions, including Fortune 500 companies, international non-governmental organizations, and individual investors. Our core practice areas are:

- Antitrust/Competition
- Banking and Finance
- Capital Markets
- Debt Restructuring
- Intellectual Property
- International Arbitration
- International Trade
- Labour and Employment
- Litigation
- M&A
- Real Estate
- Tax

ARBITRATING WORLDWIDE

Sayenko Kharenko International Arbitration practice group is a unique team of arbitration lawyers who are experienced in handling international commercial and investment arbitration under all major arbitration rules worldwide, including the CIS region.

Our arbitration lawyers have unprecedented insight into the arbitration proceedings, both in Ukraine and abroad, stemming from their experience of serving as party-appointed arbitrators, sole and presiding arbitrators, legal counsel to parties to arbitral proceedings as well as expert witnesses in Ukrainian law matters.

Our arbitration group members have extensive experience of arbitrating and hearing disputes in all major spheres of international business, including trade finance and banking; international sales of goods and services; transport, infrastructure and construction; agency and distribution; insurance and reinsurance; joint venture agreements; energy and natural resources; telecommunications and pharmaceuticals.

We have specific expertise in corporate, sport, maritime and trade commodities arbitrations.

Among the seats of arbitration conducted under both institutional and *ad hoc* rules are Geneva, Kiev, Lausanne, London, Moscow, Paris, Prague, Riga, Stockholm and Vienna.



SERVICES

Our team advises clients on all aspects of international arbitration, developing efficient solutions tailored to the specific features of clients' business.

Our services include legal support starting from pre-dispute stage during the negotiations of arbitration clauses, to post-award stage of enforcing final arbitral awards.

We are ready to promptly deal with clients' requests and step in the process whenever necessary.

We have an impressive record of settling disputes to the benefit of our clients at the early stage of the dispute resolution process.

We devise an individual dispute resolution strategy for each client, which includes arbitration and related litigation proceedings, both in Ukraine and abroad.

We successfully collaborate with international and local law firms from other jurisdictions and coordinate multi-jurisdictional proceedings, including those aimed at obtaining appropriate security and award enforcement.

In particular, our services include:

Pre-dispute stage

- pre-arbitration advice
- advice regarding choice of arbitration forum and rules
- advice regarding the choice of applicable law
- structuring arbitration clauses in complex international transactions
- drafting and negotiating arbitration clauses and agreements

Dispute stage

- early dispute assessment
- negotiating dispute settlement
- negotiating and drafting settlement agreements
- conducting arbitration proceedings
- handling complex multi-party and multi-jurisdictional disputes
- providing expert opinions on Ukrainian law issues

Post-arbitration stage

- setting aside arbitral awards rendered in Ukraine
- recognition and enforcement of foreign arbitral awards in Ukraine
- enforcement arbitral awards rendered in Ukraine

RECENT EXAMPLES OF OUR EXPERTISE

Acting for:

Construction and Infrastructure

one of the major Ukrainian industrial groups in a dispute related to the stadium construction against its Turkish general contractor in an ICAC (MKAS) arbitration in Moscow.

Corporate disputes

a BVI shareholder of a construction project in Ukraine in a UNCITRAL arbitration.

Project Finance

leading European financial group in several ICAC (MKAS) arbitrations in Kiev and Moscow in a dispute arising out of suretyship agreements securing performance of the finance leasing agreement.

Shipping and Maritime

Ukrainian charterers in an arbitration in London under the LMAA Rules against Turkish ship-owners.

Sports

Ukrainian basketball club Azovmash in a series of BAT and CAS arbitrations in Lausanne.

Telecommunications

leading Ukrainian telecommunication company in an SCC arbitration in Stockholm in a multi-contract dispute with a global information and communications technology solutions provider.

Trade Commodities

major Ukrainian agri-industrial holding in several GAFTA arbitrations in London against one of the leading international trading companies.

Seating as arbitrators in:

ad hoc investment treaty arbitration under the UNCITRAL Rules (chair)

ICC arbitrations (institution-appointed)

SCC arbitrations (institution- and party-appointed, sole and chair)

VIAC arbitrations (party-appointed)

ICAC (MKAS) Kiev arbitrations (institution- and party- appointed, sole and chair)

ICAC (MKAS) Moscow arbitrations (institution- and party- appointed, chair)

MAC Kiev arbitrations (institution- and party-appointed, sole and chair)

MAC Moscow arbitrations (institution- and party-appointed)

arbitrations under the rules of Arbitration Court attached to the EC and AC of the Czech Republic (institution- and party-appointed)

Acting as experts in Ukrainian law in:

LCIA arbitration on corporate disputes arbitrability and the choice of applicable law issues

SCC oil and gas arbitrations

ICC arbitration on damages issues

ICSID arbitration on maritime law issues

KEY CONTACTS

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Mrs. Slipachuk is internationally recognized as a market-leading expert in handling sophisticated arbitration cases in various capacities. She is a Chartered Arbitrator and Vice Chair of the IBA Arbitration Committee for 2011-2012, listed as an arbitrator in major international arbitral institutions in Europe, USA and Asia.

Dr. Slipachuk expertise has been recognized by all major local and international directories (*Chambers Global, Best Lawyers International, The International Who's Who Commercial Arbitration, The International Who's Who of Business Lawyers, Ukrainian Law Firms*).

Languages: Ukrainian, Russian, English, German.



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