



**EXCLUSIVE SEMINAR**  
**for participants of Grain Academy 2023**

**Challenges in the Black Sea Trade: Case Study**

**25 October 2023**  
**Varna, Bulgaria**

## GENERAL INFORMATION ABOUT THE SEMINAR

**Date:** 25 October 2023

**Time:** 13:00-18:00h ( registration starts at 12:30h, coffee break around 15:30h)

**Place:** International Hotel Casino & Tower Suites, Front Beach Alley, 9007 Golden Sands, Bulgaria

**Fee:** 150 euro + VAT

**AGA Partners**, a leading law firm in international trade and arbitration, will hold a seminar in Varna exclusively for the participants of **Grain Academy 2023**. This seminar will be dedicated to **the recent challenges encountered in commodities trade** in the Black Sea region.

The participants of the seminar will be able to obtain practical knowledge of the main rights and obligations under commodities contracts, the peculiarities of the application of **English law**, the most common mistakes of the parties and the possible ways of how to avoid them, the consequences of non-fulfilment of the contract and many other matters which arise in their everyday trade.

The speakers will share **the practical insights** from their unique experience gained during +20 years of advising the leading Black Sea companies.

The seminar is based on **the analysis of real cases** with a special focus on the main challenges arising for agribusiness these days.

This event will be held in the format of **interactive communication** between the speakers and the audience during which the participants are encouraged to ask questions and discuss the matters they face in their day-to-day work.

## SPEAKERS

	<p><b>Ivan Kasynyuk, Partner at AGA Partners.</b></p> <p>Ivan specializes in consulting clients in the area of international trade and representing their interests in commercial arbitration at GAFTA, FOSFA, and LMAA.</p> <p>Due to his extensive knowledge of English law and the peculiarities of commodities trade, Ivan is regularly involved in English court proceedings as an expert.</p> <p>Ivan contributed to developing the unique GAFTA Contract No. 78UA designed particularly for trading in the Black Sea region. Ivan is a founding member of the GAFTA Black Sea Region Trade Committee.</p> <p>Recognition:</p> <ul style="list-style-type: none"><li>• Best Lawyer in International Arbitration – Legal Award 2020, Legal Practice</li><li>• Lawyer of the Year in Trade Law – Best Lawyers 2021</li><li>• Leading Lawyer in Dispute Resolution – The Legal 500 (2015-2019)</li><li>• Recommended Lawyer for Dispute Resolution – Chambers Europe and Chambers Global (2018-2023)</li></ul>
	<p><b>Pavlo Lebediev, Senior Associate at AGA Partners</b></p> <p>Pavlo specializes in international commercial arbitration, international trade, and cross-border litigation.</p> <p>His expertise includes representation of the client's interests in high-profile arbitration disputes at GAFTA, FOSFA, and LMAA. Within the last years, Pavlo has advised the clients on more than 30 arbitral proceedings and enabled them to succeed in the claims amounting to +30 mln US dollars.</p> <p>Pavlo regularly represents clients in complex settlement negotiations aimed at the efficient resolution of disputes at a pre-arbitral stage. He also handles the contracts of the largest companies in the Black Sea region.</p> <p>Recognition:</p> <ul style="list-style-type: none"><li>• Recommended Lawyer in International Trade – The Legal500 (2022)</li><li>• Nomination for the Best Young Lawyer Award – Ukrainian Bar Association (2021)</li><li>• Admitted to the Bar (2023)</li></ul>

## **PROGRAM OF THE SEMINAR**

*25 October 2023, Wednesday*

### **CONTRACT CONCLUSION: MY WORD IS MY BOND!**

- Preparation for the transaction
- How to properly enter into a sale contract?
- Incorporation of GAFTA/FOSFA standard contracts
- Why should English law be applied?
- Essential terms of the contract (conditions, warranties, innominate terms)

**Case study:** Was there a contract?

### **FOB CONTRACTS**

- Pre-advice
- Delivery period
- Extension
- Carrying charges

### **CPT/DAP CONTRACTS**

- Peculiarities of GAFTA 78 and FOSFA 28
- Delivery basis: CPT v DAP
- Documentary instructions. Shipping documents
- Shipment period and its extension. Despatch notice
- Payment for the goods

### **GOODS, DESCRIPTION, QUALITY, CONDITION**

- Description
- Quality and specification. Condition
- Quality certificate – final and binding?
- What to do in the case of non-contractual quality?

**Case study:** Minor defect or not?

**FORCE MAJEURE: DETAILS MATTER!**

- What should be included in your force majeure clause?
- How should force majeure and war risk clauses be invoked?
- When do you have a right to cancel the contract?
- How to react to a force majeure declaration?

**Case study:** Very difficult or impossible to perform?

**DEFAULT AND DAMAGES**

- What to do if your counterparty breached the contract?
- How to establish the default price?
- What else can be claimed as damages?
- How to mitigate the losses?