



**Russian  
Arbitration  
Center**

at Russian  
Institute  
of Modern  
Arbitration

20

ANNUAL REPORT

05



**Russian Institute  
of Modern Arbitration**

# 2020

## CHRONOLOGY

### JANUARY

New Board of the Russian Arbitration Center was formed



### FEBRUARY

III Arbitration Conference under the auspices of XVII Kovalyov Readings



### MARCH

First online Pre-moot for Willem C. Vis International Commercial Arbitration Moot



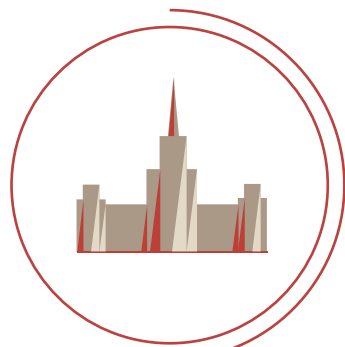
### MAY

Online conference "Arbitration on the Eve of the New Era"



### APRIL

Online arbitration in the Russian Arbitration Center



### SEPTEMBER

Business meeting "Private Law and Arbitration" in Kaliningrad



### AUGUST

Russian Arbitration Day 2020

### NOVEMBER

RAC and RIMA have undergone a full compliance review and a comprehensive examination of the RAC Arbitration Rules and procedures



### DECEMBER

IV Corporate Arbitration Moot Court named after Professor V.P. Mozolin





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## Dear colleagues!

Undeniably, 2020 proved to become truly challenging for many of us. Hopefully, arising asperities have made us stronger and showed the new paths of development.

During this year the need in our work – both as a forum for dispute resolution and the platform, bringing together Russian and foreign professionals, – has crystallised even brighter. We sincerely believe that despite the restrictions, we more than ever approached our main goal – creating a union of specialists in Russia and abroad with the aim of popularisation of arbitration and strengthening its position as one of the means of dispute resolution.

In 2020 we have worked extensively to further develop simultaneously the quality of administration or arbitration and organisation of events, aiming at promotion of arbitration in Russia. Therefore, the report consists information on the activities of both Russian Institute of Modern Arbitration and its structural division – Russian Arbitration Center.

During the 2020 the team of the Russian Arbitration Center has perfectly accomplished the task of administration of arbitration online and conducting virtual hearings. This year the Online System of Arbitration, allowing easy exchange of procedural documents from any part of the world, has played an even greater role than ever before. Meanwhile, the Russian Institute of Modern Arbitration has managed to host and take part in plenty of online and offline events and to launch entirely new projects about which you may read in this report.

We would like to thank everybody who supports our activities. We will do our best to ensure that with each new year our ideas become even more ambitious, and their implementation – stupendous.

Yulia Mullina,  
Director General of the Russian  
Institute of Modern Arbitration

# RUSSIAN ARBITRATION CENTER

The Russian Arbitration Center (RAC) is the leading Russian arbitral institution with international status.

The right to perform the functions of a permanent arbitral institution by the RAC at the RIMA was granted by the Order of the Government of the Russian Federation No. 799-p dated 27 April 2017.



## INTERNATIONAL ARBITRATION IN RUSSIA

- More than 400 experts from 37 countries are included into databases and the Recommended List of Arbitrators of the RAC
- Memorandums of Understanding are concluded with the leading international institutions: SIAC, HKIAC, KCAB, JAA, ADGM, HAC, AIFC Court, QAC et al.



## REPUTABLE BOARD

- The Board consists of two subcommittees: on arbitration of domestic disputes and on international arbitration
- The Board's members are leading Russian and international arbitration experts



## QUALIFIED ARBITRATORS

- More than half of arbitrators in the United Recommended List have at least 10 years of experience in dispute resolution, while 40 % of arbitrators possess an academic degree
- 10 databases of specialists ensure the consideration of a dispute by a competent arbitrator



## FOCUS ON THE PARTIES' NEEDS

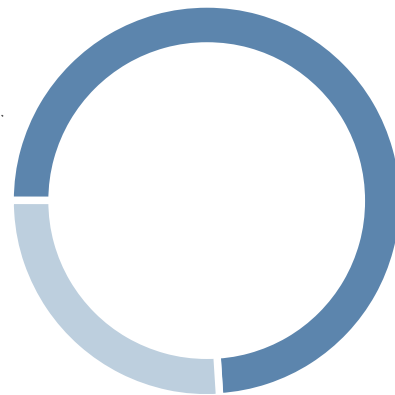
- The divisions of the RAC are located in six Russian regions
- Depending on the nature of dispute and parties' agreement dispute resolution is governed by different arbitration rules

# RAC IN FIGURES

**318** submitted to RAC in 2020

**234**  
under the Arbitration Rules  
for the Disputes in Nuclear Field

**84**  
under the Arbitration Rules

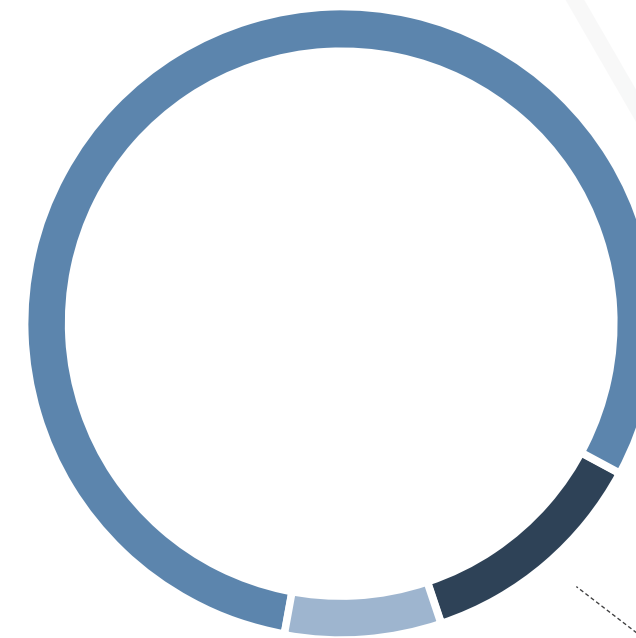


**394** was considered in 2020



**39 %** by means  
of videoconferencing

**229** finished arbitrations



**183**  
arbitral awards

**28**  
arbitral awards  
on agreed terms

**18**  
terminated without an arbitral  
award being rendered

**8,2** Aggregated value  
in dispute in 2020  
BILLION ₺  
\*only considering the claims that were filed in 2020

# THE BOARD OF THE RAC

The Board is the primary collegial body of the RAC that performs functions of the appointment committee, including those on appointment, challenge and termination of the arbitrator's duties.

The Board is elected by the persons included into the Recommended List of Arbitrators of the RAC and is subject to partial rotation every three years.

The last rotation of the Board took place in 2019.

The RAC Board has formed two subcommittees performing functions of the Board with regard to arbitration of domestic disputes and international commercial arbitration



**Andrey Gorlenko**  
President of the Board



**Anna Grishchenkova**  
President of the Subcommittee on Domestic Arbitration



**Francis Xavier SC**  
President of the Subcommittee on International Arbitration

## THE SUBCOMMITTEE ON ARBITRATION OF DOMESTIC DISPUTES

### **Anna Grishchenkova**

Partner at Korelskiy, Ischuk, Astafiev and Partners Law Firm, MCI Arb

### **Anton Asoskov**

Professor at the Department of Civil Law of the Law Faculty at Lomonosov Moscow State University

### **Andrey Gorlenko**

Partner at Ivanyan & Partners Law Firm

### **Mikhail Ivanov**

Partner at Dentons Law Firm

### **Dmitry Stepanov**

Partner at Egorov, Puginsky, Afanasiev & Partners Law Firm

### **Elena Uksusova**

Professor of the Department of Civil and Administrative Procedure at Kutafin Moscow State Law University

### **Andrey Panov**

Counsel at Allen & Overy Legal Services

### **Yury Pilipenko**

President of the Russian Federal Chamber of Lawyers

## THE SUBCOMMITTEE ON INTERNATIONAL ARBITRATION

### **Francis Xavier, SC**

Partner at Rajah & Tann (Singapore)

### **Anton Asoskov**

Professor at the Department of Civil Law of the Law Faculty at Lomonosov Moscow State University

### **Prof. Dr. Klaus Peter Berger**

Chairholder Professor at University of Cologne (Germany)

### **The Right Honourable Dame Elizabeth Gloster, DBE, PC**

International commercial arbitrator at One Essex Court (London, UK)

### **Anna Grishchenkova**

Partner at Korelskiy, Ischuk, Astafiev and Partners Law Firm, MCI Arb

### **Mikhail Ivanov**

Partner at Dentons Law Firm

### **Neil Trevor Kaplan, QC, JP, CBE, SBS**

Independent International Arbitrator

### **David W. Rivkin**

Partner at Debevoise & Plimpton LLP (New York, USA)

# ARBITRATORS OF THE RAC

The Russian Arbitration Center is actively working on the engagement of reputable specialists from Russia and abroad into the Recommended List of Arbitrators and various databases



424

practitioners are included into the databases and the Recommended List of Arbitrators of the RAC



10

databases of specialists: international arbitration, corporate disputes, financial disputes, IP disputes, IT disputes, transport and aviation disputes, insurance disputes, real estate and construction disputes, agricultural disputes and disputes in the nuclear field



3

territorial databases of specialists (Far East, Kaliningrad, Ural)



37

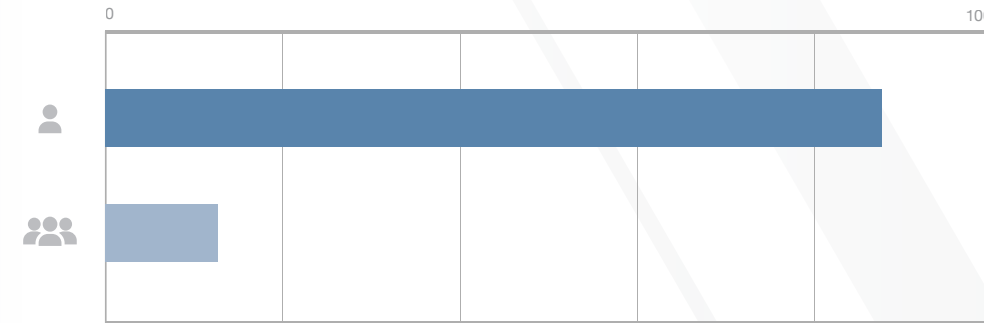
countries are represented in the Recommended List and arbitrators' databases



122

specialists are included into the Recommended List of Arbitrators

## DISPUTE RESOLUTION IN 2020



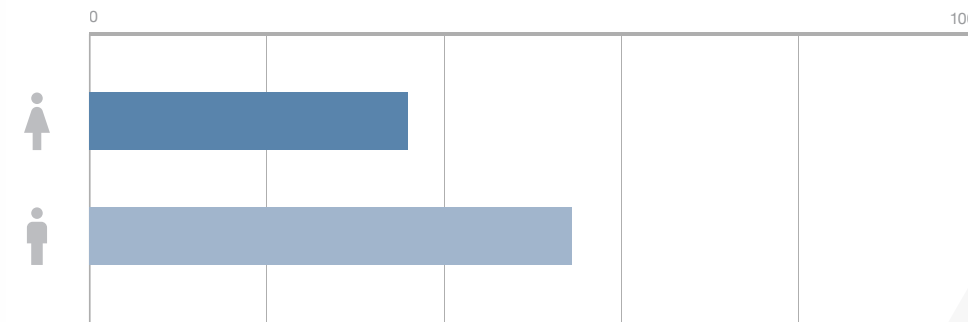
87% cases considered by sole arbitrator

13% cases considered by a panel of arbitrators

\*considering the arbitration that were commenced in 2019, if the constitution of arbitral tribunal took place in 2020



## PARTICIPATION OF MEN AND WOMEN AS ARBITRATORS



Amongst the arbitrators, considering the disputes in 2020

36% women

64% men

\*considering the arbitration that were commenced in 2019, if the constitution of arbitral tribunal took place in 2020



# RUSSIAN INSTITUTE OF MODERN ARBITRATION

Russian Institute of Modern Arbitration (RIMA) is a non-profit organisation aimed at promoting and popularising arbitration in Russia, as well as increasing attractiveness of Russia as a place for business and dispute resolution.

Russian Institute of Modern Arbitration regularly hosts conferences, launches educational project and organises moot courts for the purposes of development of alternative dispute resolution in Russia.

# POPULARISATION OF ARBITRATION IN RUSSIA



## III Arbitration Conference “Arbitral Award: Voluntary or Compulsory Enforcement” at the XVII Kovalyov Readings

📅 13-14 February 2020 📍 Yekaterinburg

📖 [Read more](#)

Annually research-to-practice conference “Kovalyov Readings” dedicated to the memory of the Russian legal scientist, Doctor of Law Mitrofan Ivanovich Kovalyov, brings together leading lawyers in Yekaterinburg. This is the third time the Russian Arbitration Center is hosting the Arbitration Conference at the Kovalyov Readings. This year’s Arbitration Conference was devoted to voluntary and compulsory enforcement of arbitral awards.

The conference was moderated by **Andrey Panov** (Counsel,

*Allen & Overy*) and **Yulia Mullina** (Executive Administrator, RAC).

Experts from Russia, Poland, Germany and Great Britain discussed the advantages and disadvantages of voluntary enforcement of arbitral awards, as well as the factors contributing to and hindering the voluntary enforcement.

The Russian Arbitration Center was the general partner of the conference.



## Conference “Arbitration on the Eve of the New Era”

📅 15 May 2020    🗣️ Online

📖 [Read more](#)

In May the RAC held the first online conference “Arbitration on the Eve of the New Era” that addressed the hottest issues concerning procedural issues of online arbitration and functioning of the arbitral institutions around the world during the current pandemic seizure.

The first session “Procedural Issues of Online Arbitration” focused on issues related to the conduct of remote arbitration proceedings. Among speakers: **Alexander Grebelsky** (Managing Partner, Grebelsky & Partners), **Roman Khodykin** (Partner, Bryan Cave Leighton Paisner LLP), **Dame Elizabeth Gloster** (International commercial arbitrator, One Essex Court), **Andrey Panov** (Counsel, Allen & Overy, Board Member, RAC), **Kathleen Paisley** (Counsel, Ambos Lawyers). The session was moderated by **Mohamed Abdel Wahab** (Founding Partner, Zulficar & Partners).

During the second session “Arbitral Institutions: Challenges and Changes” the representatives of the world’s leading arbitration institutions spoke

about the changing role and functioning of arbitration institutions in the new realities. The discussion was attended by **Gary Born** (President, SIAC), **Kevin Nash** (Deputy Registrar & Centre Director, SIAC), **Sarah Grimmer** (Secretary-General, HKIAC), **Miroslava Schierholz** (Assistant Vice President of International Centre for Dispute Resolution, AAA), **Jacomijn van Haersolte-van Hof** (Director General, LCIA), **Patricia Shaughnessy** (Former Vice Chairperson, SCC). The session was moderated by **Andrey Gorlenko** (President of the RAC Board, Partner, Ivanyan & Partners).

The conference concluded with a special interview with **Klaus-Peter Berger** (Chairholder Professor, University of Cologne) on “Force Majeure and Hardship in the Age of Corona” by **Andrey Shirvindt** (Associate Professor, MSU).



## RAD 2020

📅 25 August 2020    🗣️ Online

📖 [Read more](#)

RAD is one of the most successful arbitration conferences in Russia. In 2018 it resumed its activities and this year it was held for the sixth time. The conference was organised by the RAC and LF Academy. The partner of the event was Bryan Cave Leighton Paisner LLP.

This year’s RAD was held for the first time in an online format and was the largest arbitration event of the year, with over 800 participants connected to the broadcast. The conference program included three main sessions devoted to investment arbitration, general issues of arbitration, and procedural issues of arbitration. Traditionally, the sessions were moderated by **Roman Khodykin** (Partner, Bryan Cave Leighton Paisner LLP), **Alexey Zhiltsov** (Professor, Private Law Research Centre under the President

of the Russian Federation named after S.S. Alekseev) and **Anton Asoskov** (Professor, Lomonosov Moscow State University).

The RAD moderators did a great job in selecting papers from the applications received. All of the papers have been published in a special volume entitled “**New Horizons of International Arbitration. Issue 6**”.

Continuing a good tradition, this year RAD moderators chose the best research in the field of arbitration. **Alexey Igorevich Zaitsev** became the winner of the **RAD Award 2020** for his work “**The History of Arbitration and Courts Proceedings in Russia (XIV – early XX century)**”. The winner was awarded a prize of 150,000 rubles.



## Translation of Gary Born Book “International Arbitration: Law and Practice”

📅 25 August 2020    🗣️ Online

📖 [Read more](#)

On August 25, 2020, the Russian Arbitration Day conference hosted a presentation of the translation of the book “International Arbitration: Law and Practice” by **Gary Born**, one of the world’s most renowned experts in international arbitration. Gary Born spoke about the contents of the book and the importance of translating it for the Russian arbitration professionals.

This publication touches upon the theoretical part: basic principles, foundations and doctrines, as well as practical aspects of international commercial and investment arbitration. The publication is intended for the students studying international arbitration, and also can be useful for practicing lawyers and advocates.

## Business Meeting “Private Law and Arbitration”

📅 24-25 September 2020 📍 Kaliningrad

📖 [Read more](#)

On September 24-25, 2020, the Russian Institute of Modern Arbitration organised an offline event “Private Law and Arbitration” in Kaliningrad in the format of a business meeting.

Loys Attorneys at Law became a general partner of the event. The partners of the event – Monastyrsky, Zyuba, Stepanov and Partners and Solntsev and Partners law firms.

On the first day of the meeting, two sessions dedicated to general issues of private law and arbitration were held.

During the first session speakers talked about the prospects of development of property law, the current trends in tort law, the issue of liability of a controlling person and the need to reform the instrument of legal fees’ recovery. During the second session, speakers discussed the peculiarities of drafting arbitration clauses and their possible

defects, the impact of bankruptcy procedures on arbitration, the attitude of state courts to arbitration in the context of enforcement and annulment of arbitral awards in Russia, the issue of enforcement of arbitral awards against the state and the perspectives of resolving disputes in foreign arbitration institutions without PAI status in the Russian Federation.

The second day of the business meeting consisted of two sessions that addressed topical trends in arbitration. During the first part, speakers talked about the development prospects for interim measures in arbitration, cross-border energy supplies and the opportunities for the Russian PAIs in relation to them and the present, past and future of sports arbitration in Russia. Finally, the speakers of the second session discussed possibility of transfer of corporate disputes to arbitral institutions, arbitrability of corporate disputes, indirect claims in arbitration and practical aspects of re-domiciliation in Russia.



## Webinar “Due Process as a Limit to Discretion in International Commercial Arbitration: Focus Russia”

📅 12 November 2020 📺 Online

📖 [Read more](#)

On November 12, 2020, a webinar entitled “Due Process as a Limit to Discretion in International Commercial Arbitration: Focus Russia” was held by the RAC in cooperation with New York University, Center for Transnational Litigation, Arbitration and Commercial Law.

The discussion was moderated by **Franco Ferrari** (Professor, New York University). Among speakers: **Friedrich Rosenfeld** (Partner, Hanefeld), **Mikhail Batsura** (Assistant legal counsel, Permanent Court of Arbitration), **Natalia Gulyaeva** (Managing Partner, Hogan Lovells CIS), **Yulia Mullina** (Executive Administrator, RAC).

## Webinar “Construction Disputes in International Arbitration. Advantages of Russian Permanent Arbitral Institutions”

📅 3 December 2020 📺 Online

The RAC in cooperation with Egorov, Puginsky, Afanasiev & Partners law firm held an online discussion on construction disputes in arbitration.

The speakers discussed the problems of negotiations with the contractors when drafting arbitration clauses; most common disputes arising from construction contracts in the current economic conditions; statistics of construction disputes arbitrated in Russia; advantages of Russian arbitration institutions.

Among speakers: **Ilya Nikiforov** (Managing partner at Egorov, Puginsky, Afanasiev & Partners), **Yulia Mullina** (Executive Administrator, RAC), **Tatiana Neveeva** (Counsel at Egorov, Puginsky, Afanasiev & Partners), **Denis Dunaev** (Head of Legal and Contract Support at NIPIGAZ JSC).

# SUPPORT AND PARTICIPATION IN ALTERNATIVE DISPUTE RESOLUTION EVENTS

The Russian Arbitration Center and the Russian Institute of Modern Arbitration actively support initiatives related to the spreading of knowledge about alternative dispute resolution in Russia. Representatives of the Russian Arbitration Center and the Russian Institute of Modern Arbitration also regularly participate in Russian and foreign events where they share their views on the prospects for further development of arbitration in Russia and abroad.



## Educational Program “Mediation, Negotiation and Resolution of Business Conflicts”

The RAC supports the educational program “Mediation, Negotiation and Resolution of Business Conflicts”, developed by Soft Skills Law Academy. The program aims to train professional mediators and negotiators in Russia. Program cases are deliberated together with the experts of the RAC.



## Online St. Petersburg International Legal Forum “LF 9 ½ Rule of Corona”

On April 11, 2020, **Andrey Gorlenko** (President of the RAC Board, Partner, Ivanyan & Partners) took part in the session “New World after Coronavirus, From Creative Destruction to Renaissance?”. The speakers discussed issues relating to the changes in the structure of the economy due to the virus, and whether there will be a place for lawyers in this structure.



## Webinar “Major Trends in Alternative Dispute Resolution in Russia During Lockdown”

On April 10, 2020, **Yulia Mullina** (Executive Administrator, RAC) participated in a webinar hosted by Deloitte. Yulia shared how the Russian Arbitration Center has adapted to the new dispute resolution environment.



## Online Conference “Paperless Arbitration: The New Trend?”

On April 24, 2020, an online conference “Paperless Arbitration: The New Trend?” organised by Betto Perben Pradel Filhol was held.

**Yulia Mullina** (Executive Administrator, RAC) highlighted current trends in online arbitration from the point of view of arbitration institutions, as well as shared the experience of the RAC in this sphere.



## Bishkek Arbitration Days

On June 4 and 5, 2020, the conference “Bishkek Arbitration Days: Dispute Resolution in Times of Pandemic” was held, where **Yulia Mullina** (Executive Administrator, RAC) told about the ways of adaptation of arbitration agreements to reduce the time and expenses of arbitration proceedings.



## Webinar “Online Arbitration in the Russian Arbitration Center: How to Resolve Disputes Remotely and with Minimal Cost”

On June 18, 2020, **Yulia Mullina** (Executive Administrator, RAC) discussed the topic “Online Arbitration in the Russian Arbitration Center: How to Resolve a Dispute Remotely and with Minimal Costs” during a webinar at Zakon.ru.

Yulia told about the key advantages of remote proceedings, arbitration procedure under the rules of the RAC, the main tools available for the parties in arbitration today (RAC online system, expedited procedure, virtual hearings) and shared her practical recommendations for presenting positions and participating in virtual hearings.

# MOOT COURTS

## IV Frankfurt Investment Arbitration Moot Court (FIAMC) Pre-Moot

📅 7-8 February 2020 📍 Moscow

9 teams participated in the preliminary rounds — from the United States, Austria, Slovenia, Germany, Belarus and Russia.

On the eve of the rounds, an international conference dedicated to topical issues of investment arbitration was held on February 7, 2020. Among speakers of the Conference were the leading experts, including: **Stanimir A. Alexandrov** (International Arbitrator), **Evgeniya Rubinina** (Partner, Enyo Law), **Tuyana Molokhoeva** (Lawyer, Bryan Cave Leighton Paisner LLP), **Egor Chilikov** (Partner, Petrol Chilikov Law Offices), **Tomas Vail** (Founder, Vail Dispute Resolution), **Pierre Trippel** (Lawyer, Morgan, Lewis & Bockius LLP), **Gavin Chesney** (International Counsel,

*Debevoise & Plimpton LLP*), **Sebastiano Nessi** (Counsel, Schellenberg Wittmer) and **Elena Burova** (Senior Associate, Ivanyan & Partners).

Following eliminations rounds, teams from the University of Ljubljana and Lomonosov Moscow State University qualified for the final.

The arbitral tribunal consisting of **Evgeniya Rubinina** (Partner, Enyo Law), **Stanimir A. Alexandrov** (International Arbitrator) and **Tomas Vail** (Founder, Vail Dispute Resolution) awarded the 1<sup>st</sup> place to the team of the University of Ljubljana.



## XI Moscow Pre-Moot for XXVII Willem C. Vis International Commercial Arbitration Moot

📅 14-15 March 2020 📺 Online

24 teams participated in the Pre-Moot's rounds in an online format, including from Russia, Germany, Austria, France, Belarus, Moldova, Poland, the Netherlands and Finland.

Based on the results three teams were given the following awards based on the highest average score:

- 1<sup>st</sup> place — Team of Lomonosov Moscow State University, Russia;
- 2<sup>nd</sup> place — Team of Lazarski University, Poland;
- 3<sup>rd</sup> place — Team of the Higher School of Economics (Moscow), Russia.

The Best Speakers of the Pre-Moot:

- 1<sup>st</sup> place — **Alexander Später**, University of Bonn, Germany;
- 2<sup>nd</sup> place — **Luisa Movsisyan**, Lomonosov Moscow State University, Russia;
- 3<sup>rd</sup> place — **Roman Shpuntenko**, Lomonosov Moscow State University, Russia.

The RIMA sponsored the team of the Higher School of Economics (Moscow).

## IV Foreign Direct Investment (FDI) Saint Petersburg Pre-Moot

📅 30-31 October 2020 📺 Online

The event was organised by St. Petersburg State University, International and Comparative Law Research Center and the RIMA.

On October 30, 2020, a traditional conference was held on the correlation between the international investment law, sustainable development and complex corporate structures. The conference speakers were leading experts, including **Hans Van Houtte** (Member, Iran-United States Claims Tribunal), **Eva Kalnina** (Partner, Lévy Kaufmann-Kohler), **Loukas Mistelis** (Professor, Queen Mary University of London), **Mohamed S. Abdel Wahab** (Partner, Zulficar & Partners), **Jeswald Salacuse** (Professor, Tufts University), **Yarik Kryvoi** (Director, Investment Treaty Forum), **Andrea Bjorklund** (Professor, McGill University) and others.

The conference was moderated by **Dmitry Mednikov**, one of the members of the 2020 FDI Case Committee, and **Ksenia Koroteeva**, FDI Moot Alumna. Prizes for the

best questions of the conference were awarded to **Elena Burova** (Senior Associate, Ivanyan & Partners) and to **Dmitry Mednikov**.

In 2020, the Pre-Moot gathered 12 teams.

The arbitrators of the Final Round — **Hans van Houtte**, **Mohamed S. Abdel Wahab** and **Andrea Bjorklund** – recognised the Saarland University team as the winner.

**Bianca Bohm** was recognised as the best speaker.

**Nicolas Pralica** (Tribunal Secretary — Prof. Bernard Audit, Dr. Robert Gaitskell QC, Prof. Bernardo Cremades) was awarded with the best arbitrator prize.

The partner of Pre-Moot – Ivanyan & Partners, the media partners – Global Arbitration News (GAN) and Transnational Dispute Management (TDM).

## IV Corporate Arbitration Moot Court named after Professor V.P. Mozolin

📅 4-6 December 2020    🗨️ Online

A record number of participants registered for the Moot Court: more than 100 teams from 36 universities located in 18 different regions of Russia.

This year's participants had to establish whether the arbitration clause in the charter (articles of association) of a company had a binding effect on former shareholders; to prove whether it was possible to bring the controlling shareholder to responsibility; to deal with the issues of invalidation of significant transactions made for the purpose, contradicting the foundations of the law and order, and of morality.

Corporate Arbitration Moot Court named after Professor V.P. Mozolin is held in two stages: the qualifying rounds (selection stage), where all the registered teams take part, and the final oral rounds, in which only the best teams are invited to participate.

This year, the Organising Committee has improved the selection stage of the Moot Court. In addition to preparing the procedural documents, the teams had to take part in online hearings. For such modernisation, the team of the Russian Institute of Modern Arbitration has developed a special system.

The final rounds of the Moot Court consisted of the preliminary rounds (December 5) and the play-off rounds (December 6). The teams' performances were scored by more than 70 arbitrators specialising in corporate law and arbitration.

A good tradition of the Moot Court is a conference on the issues of the Problem in the run-up to the oral rounds. Speakers of the event were: **Yury Babichev** (Counsel, Bryan Cave Leighton Paisner LLP), **Olesya Petrol** (Partner, Petrol Chilikov Law Offices) and **Roman Bevzenko** (Partner, Pepeliaev Group). The speakers deliberated on the extension of arbitration clauses to participants of corporate disputes, discussed the impact of the cause and motive on the invalidity of transactions, and considered the most problematic issue of the Problem — the correlation between public interest and fiduciary duties.

The speakers of the conference also acted as arbitrators of the final round of the Moot Court.

The best teams of the Moot Court:

- 1<sup>st</sup> place — **Team No. 190**, Higher School of Economics (Moscow) (team members: Maxim Rapoport, Polina Subbotina, Ekaterina Konik, Elsa Bayanova, Vladimir Sivets, Aidar Barakov, Vitaly Kochetov, coach — Artem Evseev);
- 2<sup>nd</sup> place — **Team No. 144**, Higher School of Economics (Moscow) (team members: Daria Kuraksa, Arseny Shevelev, Dinara Yusupova, Rafael Nagumanov, coaches — Margarita Adadurova and Margarita Drobyshevskaya);
- 3<sup>rd</sup> place — **Team No. 999**, Kutafin Moscow State



Law University (MSAL) (team members состав команды: Artem Ermakov, Yulia Aleynikova, Daria Ilyina, Anna Ledneva, Anna Vereshchagina and Olga Manaenkova, coach — Zasemkova).

**Artem Ermakov (Team No. 999**, Kutafin Moscow State Law University (MSAL)) was recognised as the best speaker of the Moot Court.

The best procedural documents were prepared by the **Team No. 190**, Higher School of Economics (Moscow).

Best procedural documents for Claimants — **Team No. 190** (Higher School of Economics (Moscow)).

Best procedural documents for Respondents — **Team No. 653** (Higher School of Economics (Moscow)).

**Vladimir Kostsov** (Counsel, Sirota & Partners) was recognised as the best arbitrator of the Moot Court.

The Russian Institute of Modern Arbitration expresses its gratitude to the general partner of the Moot — Ivanyan & Partners.

# YOUNG INSTITUTE OF MODERN ARBITRATION

Young Institute of Modern Arbitration (Young IMA) is a professional platform, uniting young practitioners in arbitration and alternative dispute resolution under the auspices of the RIMA



## Education

Young IMA together with the RIMA organises conferences, lectures, webinars in order to promote arbitration amongst young practitioners.



## Practical orientation

The results of the work of Young IMA members, obviously, may be applied in the arbitration and alternative dispute resolution practice. In turn, RIMA will do its best to achieve it.



## Institutional support

RIMA provides organisational support of the Young IMA – administration of its activities. It helps young specialists to focus on research projects and proposals on development of arbitration and pro-arbitration approaches, therefore substantively enriching the Young IMA.



## Promotion of arbitration in regions

There are no territorial borders for arbitration. The role of the young specialists in popularisation of arbitration in Russian regions is extremely important, as well as their views on the ways of promotion of arbitration in Russia in general.

2020 saw the first rotation of Young IMA co-chairs and committee heads.

## CO-CHAIRS OF YOUNG IMA



**Dmitry Andreev**  
Attorney, Monastyrsky, Zyuba,  
Stepanov & Partners



**Nikita Kondrashov**  
Attorney, LL.M. (Bucerius,  
Hamburg), Axioma



**Nataly Kislyakova**  
Associate,  
BGP Litigation



**Elena Burova**  
Senior Associate,  
Ivanyan and Partners



**Pavel Sementsov**  
Senior Associate,  
Regionservis

## COMMITTEES

### Committee on moot courts



**Ays Lidzhanova**  
Senior Associate,  
Egorov, Puginsky, Afanasiev and Partners



**Valeriya Teslina**  
Project Manager, Russian Arbitration Center

### Committee on the regional development of arbitration



**Pavel Sementsov**  
Senior Associate, Regionservis



**Sabina Ganieva**  
Legal Counsel, Russian Arbitration Center

### Committee on investment arbitration



**Elena Burova**  
Senior Associate, Ivanyan & Partners



**Nikita Kondrashov**  
Attorney, LL.M. (Bucerius Hamburg), Axioma

### Committee on mediation and ADR



**Sergey Morozov**  
Counsel, International Center  
for Legal Protection



**Anastasia Lavrentieva**  
Junior Associate,  
Tomashevskaya & Partners"

### Committee on sports arbitration



**Nataly Kislyakova**  
Associate, BGP Litigation

### Committee on corporate arbitration



**Sergey Kononov**  
Senior associate,  
Saveliev, Batanov & Partners

### Committee on the interaction between state courts and arbitration



**Dmitry Andreev**  
Attorney, Monastyrsky, Zyuba,  
Stepanov & Partners

# YOUNG IMA PROJECTS

## Court Practice Reviews

For the past three years, the Committee on the interaction between state courts and arbitration has been preparing reviews of worth-reading and landmark positions of the Russian Cassation Courts and the Supreme Court.

In 2020, the Committee headed by **Dmitry Andreev** (*Attorney, Monastyrsky, Zyuba, Stepanov & Partners*) issued 4 reviews of court practice:

- “Partial” awards, constitution of arbitral tribunals, arbitration and bankruptcy<sup>1</sup> // Q4, 2019
- “Foreign Arbitration” from Russia, Interim Measures and Bankruptcy<sup>2</sup> // Q1, 2020
- Sanctions, Lists of Arbitrators and Arbitration<sup>3</sup> // Q2, 2020
- Notices, Expenses and Sanctions in Arbitration<sup>4</sup> // Q3, 2020

## Young IMA Summer Drinks

In August 2020, Young IMA held an offline event dedicated to reelection of new co-chairs and heads of Young IMA committees. The informal meeting was held with the support of the Monastyrsky, Zyuba, Stepanov & Partners Law Firm. In a pleasant informal atmosphere, the young specialists had an opportunity to discuss the future direction of Young IMA and the further development of arbitration in Russia.

## Public Talk on Private Law and Arbitration

On September 26, 2020, a Public Talk with **Roman Bevzenko** (*Partner, Pepeliaev Group*) and **Andrey Panov** (*Counsel, Allen & Overy*) took place at the Law Institute of Immanuel Kant Baltic Federal University as a part of the Business Meeting “Private Law and Arbitration”. The event was organised by the Young IMA Committee on the regional development of arbitration.

<sup>1</sup> Ayvar Malikov (*Senior Associate, Integrites*).

<sup>2</sup> Leyla Kanametova (*Student, Queen Mary University of London*), Victoria Kotkova (*Associate, Capital Legal Services*), Ayvar Malikov (*Senior Associate, Integrites*), Tatiana Shlenchakova (*Associate, Dechert*).

<sup>3</sup> Anna Aktanaeva (*Associate, FBK Legal*) and Ayvar Malikov (*Senior Associate Integrites*).

<sup>4</sup> Vladimir Bepalov (*Lawyer, Russian Legal Alliance <Russkiy Pravovoi Al'yans>*), Olga Kamenskaya (*Associate, Mozgo & Partners*), Erdem Smagulov (*Trainee, Infraclex*), Yuri Khandkarov (*Trainee, Infraclex*), Sergey Khukhorev (*Attorney, Infraclex*).

## Young IMA webinars

This year, the Committee on moot courts together with the Committee on corporate arbitration, organised a series of webinars for the participants of the IV Corporate Arbitration Moot Court named after Professor V.P. Mozolin and all the other interested ones.

- “Drafting Procedural Documents”

The webinar was moderated by **Ays Lidzhanova** (*Senior Associate, Egorov, Puginsky, Afanasiev & Partners*). Among the speakers: **Sergey Konovalov** (*Senior Associate, Attorney, Saveliev, Batanov & Partners*), **Stepan Sultanov** (*Senior Associate, KIAP*) and **Kirill Sakhin** (*Associate, Saveliev, Batanov & Partners*). The speakers shared their recommendations for drafting procedural documents, discussed the macro and micro-organisation of memoranda and analysed typical mistakes made by participants in Russian moot courts.

- “Drafting Procedural Documents: Competence”

The webinar was moderated by **Ays Lidzhanova** (*Senior Associate, Egorov, Puginsky, Afanasiev & Partners*). Among the speakers: **Tatiana Neveeva** (*Counsel, Egorov, Puginsky, Afanasiev & Partners*) and **Egor Chilikov** (*Partner, Petrol Chilikov*). During the webinar, the speakers discussed in detail the issues related to indirect claims and parallel proceedings.

- “Drafting Procedural Documents: The Material Part”

The discussion was moderated by **Sergey Konovalov** (*Senior Associate, Attorney, Saveliev, Batanov & Partners*). Among the speakers were **Sergey Lysov** (*Senior Associate, Kulkov, Kolotilov & Partners*) and **Mikhail Krotov** (*Associate, Ivanyan & Partners*). The speakers considered the institutes of controlling shareholders and significant transactions.

- “Oral Hearings: What is Important to Know for a Successful Presentation”

The webinar was moderated by **Ays Lidzhanova** (*Senior Associate, Egorov, Puginsky, Afanasiev & Partners*). Among the speakers were **Nikita Kondrashov** (*Attorney, Axioma*) and **Vladimir Kostsov** (*Counsel, Sirota & Partners*). The webinar participants talked about the secrets of successful oral presentations and shared their tips.



# EDUCATIONAL PROJECTS



**CI Arb**  
evolving to resolve

## Introduction and Advanced Courses on International Arbitration by CI Arb and the Russian Institute of Modern Arbitration

 Online

 [Read more](#)

For the fourth time, the RIMA together with the European Branch and the Russian Chapter of European Branch of the Chartered Institute of Arbitrators (CI Arb) organised introductory and advanced courses on international arbitration.

Within the framework of the introductory course the participants studied the essential basics of international arbitration: main principles, arbitration agreements, competence of an arbitral tribunal, enforceability of an arbitral award, etc. **George Lambrou** (*Partner, Keystone Law*) was a tutor of the introduction course

The aim of the Advanced Course – to provide participants with a detailed knowledge of the procedural elements of an international arbitration, using legislation based on the UNCITRAL Model Law and the UNCITRAL Arbitration Rules to enable them to understand and participate in such proceedings. The Course focuses on legal principles, process, practice and procedure in international arbitration.

**George Lambrou** (*Partner, Keystone Law*) and **Andrey Panov** (*Counsel, Allen & Overy*) were the tutors of the Advanced Course.



## Winter Academy on International Arbitration “Beyond the Imaginable Borders: Transformation of Arbitration”

 11-16 January 2021

 Online

 [Read more](#)

By tradition, the Academy on International Arbitration was to be held in the summer of 2020. Taking into account the epidemiological situation, RIMA decided to reschedule the academy on winter and hold it online on a specially developed platform in early 2021.

In 2020, more than 50 applications for participation from all over the world were received, of which an advisory committee consisting of **Peter J. Pettibone**, **Anna Grischenkova** and **Daria Zhdan-Pushkina** selected 30 participants.

The Academy consisted of general and special courses on arbitration. The general courses focused on the validity of arbitration agreements and the choice of applicable law. The special courses covered the most acute topics in the field of arbitration, in particular, due process, confidentiality and its cyber risks, arbitration of climate change and renewable energy disputes, peculiarities of construction and oil & gas arbitration, cultural and procedural differences, cross-examination in international arbitration.

Apart from theory, the participants had an opportunity to get hands-on experience during the workshop on advocacy with the following application of acquired skills during the Moot Court before the distinguished panel of arbitrators (**Peter J. Pettibone**, **Baiju Vasani**, **Anna Grischenkova**).

Lectures and practical classes were conducted by the world's leading experts in the field of arbitration: **Melissa Magliana**, **Luke Pardey**, **Peter Pettibone**, **Wendy J. Miles**, **Laurence Ponty**, **Timothy G. Nelson**, **Baiju Vasani**, **Loukas Mistelis**, **Franco Ferrari**, **Alice Fremuth-Wolf**, **Andrey Panov**, **Daria Zhdan-Pushkina** and **Anna Grischenkova**.

# MODERN ARBITRATION ••• LIVE

Discussion on arbitration in comparative perspective

## Modern Arbitration: LIVE News Journal

Modern Arbitration: LIVE was launched in 2017 as a platform to discuss the most actual arbitration topics in a comparative legal perspective.

In 2020, the Russian Institute of Modern Arbitration was happy to present the new project – Modern Arbitration: LIVE News Journal. It contains a comprehensive analysis of Russian and foreign news in the field of alternative dispute resolution for 2020. Modern Arbitration: LIVE News Journal includes an overview of arbitral awards and legislative amendments, interviews and commentaries by experts, as well as notes on the most topical issues of arbitration and mediation.

### The first issue of Modern Arbitration: LIVE News Journal



## Interviews with the leading experts

Since 2018, the Russian Arbitration Center and LF Academy have launched a series of interviews with leading Russian and foreign lawyers as part of the Modern Arbitration: LIVE to discuss the most interesting practical issues in dispute resolution.

**An interview** with BCLP partner and one of the leading experts in private international law and arbitration **Roman Khodykin** was published at the LF Academy site as part of the Modern Arbitration LIVE project. The interview was taken by **Andrey Gorlenko** (*President of the RAC Board, Partner, Ivanyan & Partners*).

The speakers discussed the issues of interpretation of the IBA Rules on the Taking of Evidence in International Arbitration and their significant differences in comparison with the legislation of countries of common and civil law.

The interview is timed to coincide with the release of a new commentary to the IBA Rules (“A Guide to the IBA Rules on the Taking of Evidence in International Arbitration”, Oxford University Press, 2019), co-authored by Roman Khodykin and Carol Mulcahy.

# INTERNATIONAL COOPERATION

One of the primary aims of the RIMA is international cooperation aimed to develop ADR globally.

For this purpose, the Russian Institute of Modern Arbitration concludes memoranda of understanding (MOUs) with leading international institutions and takes part in key arbitral events throughout the world.

The RAC has become the first Russian arbitral institution which was granted Observer status of the Working Group II “Arbitration and Conciliation/Dispute Settlement” by UNCITRAL (United Nations Commission on International Trade Law).

Agenda of the Working Group II of UNCITRAL relates to discussions on expedited arbitration and ways of its potential improvement

From 3 to 7 February 2020, the 71<sup>st</sup> session of the Working Group II was held in New York to discuss the draft provisions

on the expedited arbitration procedure. **Yulia Mullina** (*Executive Administrator, RAC*) participated in the session as a representative of the Russian Arbitration Center.

In July 2020, **a series of panel discussions** on the impact of the pandemic on international economic relations was held under the auspices of UNCITRAL. Yulia Mullina took part in one of the discussions and spoke about the long-term consequences of the pandemic on arbitration from the point of view of the arbitration institute.

## MOUs concluded



Tashkent State University of Law (TSUL)



Thailand Arbitration Center (THAC)



# FULL COMPLIANCE REVIEW AND COMPREHENSIVE EXAMINATION OF ARBITRATION RULES

Since their foundation, the Russian Institute of Modern Arbitration and the Russian Arbitration Center have devoted significant attention to the issues of the independence and impartiality of arbitrators appointed to determine disputes, the arbitral institute itself and its employees. It is essential for us to improve standards of administration even further in line with international best practice for compliance issues.

In 2020 we decided to undergo the multilateral audit of our activities with the involvement of world-class external consultants and auditors.

## Compliance Audit

The compliance review of the RIMA was carried out by one of the world's largest audit and consulting firms, PricewaterhouseCoopers (PwC).

In the course of the compliance review, PwC analysed the accounting records, as well as the internal policies and procedures, of the RAC and RIMA. The auditor reviewed the process by which: arbitrators were identified, selected, and appointed (or by which their appointment was declined); potential counterparties were selected and subjected to due diligence (including employees); operations with high compliance risk were conducted; and potential conflicts of interest were investigated.

Having carried out its comprehensive examination and collated its findings, PwC **drew the following conclusion:** "top management of the RAC demonstrated a high level of commitment to anti-corruption, couple with a good understanding of compliance principles and "zero-tolerance" approach to bribery and corruption". They also noted that the RAC made considerable efforts to mitigate compliance risks regarding arbitral proceedings.

Based on the audit, PwC provided a number of recommendations on additional preventative measures that could be implemented to further mitigate compliance risks to ensure compliance with best international practice.

The Russian Institute of Modern Arbitration has considered PwC's recommendations and, in response, has developed the **Anti-Corruption Policy**.

## Audit of the Arbitration Rules and Procedures

The review was carried out by the Dechert's international arbitration team, including experts from London, New York and Washington. The project was led by Arif Hyder Ali, the co-chair of Dechert's International Arbitration Group.

For several months, the Dechert team has carried out an in-depth analysis of both the RAC Arbitration Rules and the application of their provisions in certain arbitral proceedings.

Following the completion of the review, a White Paper was prepared, which found the RAC Arbitration Rules "to be comprehensive and largely consistent with international best practice" and to "contain many of the innovative procedures". The Dechert team specifically noted that the RAC Arbitration Rules "adequately ensure the independence and impartiality of arbitrators" resolving disputes within the RAC.

Taking these suggestions into account, the RAC team has now started the extensive process of refining the RAC Arbitration Rules and procedures.

 [Read more](#)

# FINANCIAL REPORT



Inflow  
128 661 005,29 ₺

|                   |                                             |
|-------------------|---------------------------------------------|
| 104 071 000,00 ₺  | Annual Founders' Contributions              |
| ↳ 79 750 000,00 ₺ | Foundation for Legal Education and Research |
| ↳ 24 321 000,00 ₺ | Center for Arbitration and Legal Expertise  |
| 11 412 450,06 ₺   | Arbitration Fees                            |
| 1 114 269,38 ₺    | Earning from Educational Projects           |
| 416 000,00 ₺      | Sponsorship Contributions                   |
| 768 831,20 ₺      | Income from Minimum Irreducible Balance     |



Outflow  
127 392 796,93 ₺

|                 |                                                                                                                                                                     |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 456 065,33 ₺  | Technical Arbitration Costs                                                                                                                                         |
| 12 834 712,89 ₺ | Arbitrator's Fees and Taxes                                                                                                                                         |
| 56 783 759,01 ₺ | Salaries, insurance, incentive payments, contributions to social funds                                                                                              |
| 8 813 039,87 ₺  | Travel costs, trainings, internships, events, conferences                                                                                                           |
| 26 635 390,36 ₺ | Office rent, equipment, maintenance of premises, furniture, repairs<br>Moscow, Vladivostok, Kaliningrad, Ekaterinburg, Petropavlovsk-Kamchatskiy, Yuzhno-Zakhalinsk |
| 4 521 991,78 ₺  | IT support for websites and electronic systems                                                                                                                      |
| 8 115 754,24 ₺  | PR-support, technical, information, banking, notary, postal and courier services                                                                                    |
| 7 232 083,45 ₺  | Full compliance review and a comprehensive examination of the Arbitration Rules and procedures                                                                      |

# TEAM



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Executive Administrator at the RAC  
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