

**The So-Called “Russian” Institute of Modern Arbitration
and “Russian” Arbitration Center:
Examining Their Role in Russian Arbitration**

**GONGO-Structures?
Declarations and Reality**

**How the Hierarchies of State Power Affect
Arbitration in Russia**

*Compiler
Alexander Muranov*

Moscow 2020

From the history of arbitration "reform" in Russia

**The So-Called "Russian" Institute of Modern Arbitration
and "Russian" Arbitration Center:
Examining Their Role in Russian Arbitration**

**GONGO-Structures?
Declarations and Reality**

**How the Hierarchies of State Power Affect
Arbitration in Russia**

*Compiler
Alexander Muranov*

Moscow
2020

UDC (Universal Decimal Classification [УДК]) 341.63
Russian Library-Bibliographical Classification [ББК] 67.412.2
R76

R76 **The So-Called “Russian” Institute of Modern Arbitration and “Russian” Arbitration Center : Examining Their Role in Russian Arbitration. GONGO-Structures? Declarations and Reality. How the Hierarchies of State Power Affect Arbitration in Russia / Compiler : Alexander Muranov. – Moscow, 2020. – 172 p. – (From the history of arbitration “reform” in Russia).**

ISBN 978-5-903604-10-4

This work is a study of the status of the Russian Institute of Modern Arbitration and Russian Arbitration Center (these structures being among the few that have obtained the right to administer arbitration from the Ministry of Justice). The study also examines their activity in the field of Russian arbitration, as well as their relations with third parties.

The methodology of this study is very simple: the information was initially collected from publicly available sources, and then logically analyzed and generalized based on the compiler’s many years of experience in Russian arbitration and his knowledge of domestic reality (including the peculiarities of how public authorities operate in Russia).

The study concludes that the statements of RIMA and RAC with regards to their missions and goals do not correspond to existing facts. RAC is not what it claims to be, particularly to foreign entities. It maintains a policy of misleading others, Russian society and the foreign arbitration community in the form of *suppressio veri*. RAC is a state-created and state-controlled entity, a GONGO (Government-Organized (Operated) Non-Governmental Organization). In Russia the government is afraid of arbitration; as a result, it has turned RAC into a tool for the subjugation thereof.

UDC (Universal Decimal Classification [УДК]) 341.63
Russian Library-Bibliographical Classification [ББК] 67.412.2

CONTENTS

Abbreviations. <i>Dramatis personae</i>	5
What is the Russian Arbitration Center?.....	7
About the Present Study. Its Methodology and Purposes.....	9
Some Conclusions Based on the Study Results.....	14
I. The Specifics of How RIMA Obtained the Right to Exercise the Functions of a PAI ...	19
II. How RAC Was Permitted to Use the Word “Russian” in Its Name.....	26
III. RAC’S Denial of the Fact That It Provides Arbitration Administration Services and the Reasons for This.....	28
IV. RAC’s Denial of the Necessity to Apply the Regulations on Protection of Competition to the Administration of Arbitration and the Reasons for This.....	30
V. Founders, Management and Other Persons Connected with RAC.....	32
5.1. <i>Andrey Gorlenko as One of the Heads of RAC</i>	33
<i>The Structure of Founders of RIMA (RAC)</i>	34
5.2. <i>Foundation for Legal Education and Research and the Entities Behind It (Gazprombank?)</i>	35
5.3. <i>LLC LF Academy</i>	39
5.4. <i>Autonomous Non-Profit Organization (ANO) International and Comparative Law Research Center</i>	40
5.5. <i>Center for Arbitration and Legal Expertise</i>	41
5.6. <i>The Federal Chamber of Attorneys of the Russian Federation. Yury Pilipenko</i>	41
5.7. <i>Other Information</i>	44
VI. RAC’s Financial Position: Concealing Information about Its Financial Sources	45
VII. RAC’s Relations with the Ministry of Justice.....	49
VIII. RAC’s Relations with the Council for Development of Arbitration at the Ministry of Justice. This Council’s Role in the Implementation of the Arbitration “Reform”.....	51
IX. RAC’s Relations with the Russian Oligarch Vladimir Lisin, Financial Sponsor of the Arbitration “Reform”.....	54
X. RAC’s Relations with Rosatom State Corporation.....	59
XI. RAC’s Relations with Gazprombank.....	63
XII. Additional Relations between RAC and the Ministry of Justice and Gazprombank via the Saint-Petersburg International Legal Forum. RAC’s Relations with the Well-Known Fund Dar?.....	64
XIII. RAC’s Relations with the Ivanyan & Partners Law Firm Which Is Actively Involved in Providing Legal Services to the State and State-Related Entities.....	67
XIV. RAC’s International Connections.....	71
XV. RAC’s Relations with Other Entities Involved in Arbitration, Including Regional Ones.....	74
XVI. Final Conclusions Regarding RAC. Reasons for Such a State of Affairs with RAC. State Policy of Making Arbitration Subordinate and Prohibiting Independent Arbitration Institutions in Russia.....	76
Afterword	82

ANNEXES

Annex 1	88
Annex 2	90
Annex 3	91
Annex 4	92
Annex 5	93
Annex 6 ¹	94
Annex 6 ²	96
Annex 7	98
Annex 8	99
Annex 9	104
Annex 10	105
Annex 11	107
Annex 12	108
Annex 13	110
Annex 14	111
Annex 15	113
Annex 16	116
Annex 17	117
Annex 18	119
Annex 19	120
Annex 20	131
Annex 21	132
Annex 22	134
Annex 23	135
Annex 24	138
Annex 25	139
Annex 26	140
Annex 27	141
Annex 28	143
Annex 29	145
Annex 30	153
Annex 31	155
Annex 32	157
Annex 33	158
Annex 34	159
Annex 35	162
Annex 36	163
Annex 37	164
Annex 38	165
Annex 39	166
Annex 40	167
Annex 41	168
Annex 42	170
Annex 43	171

ABBREVIATIONS. DRAMATIS PERSONAE

Not all of the abbreviations used and persons featured in this study are indicated below.

GONGO (Government-Organized (Operated) Non-Governmental Organization) – a nominally non-governmental entity that is, however, created upon the initiative and with participation of the government, catering to its interests and willingly concealing any affiliations therewith.

ICAC at the RF CCI – International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation.

RAC – Russian Arbitration Center.

RIMA – Russian Institute of Modern Arbitration.

Council – Council for Development of Arbitration under Ministry of Justice of the Russian Federation.

FCA – Federal Chamber of Attorneys of the Russian Federation.

RF – Russian Federation.

Anton V. Asoskov – member of the RAC Board, member of the Council for Development of Arbitration.

Roman S. Bevzenko – previously member of the RAC Board, member of the Council for Development of Arbitration.

Elena A. Borisenko – chairperson of the Supervisory Board of the International and Comparative Law Research Center – one of the founders of RIMA, Deputy Chair of Gazprombank Management Board, former Deputy Minister of Justice, previously partner of Ivanyan & Partners, an active participant in arbitration “reform”.

Mikhail L. Galperin – Representative of the Russian Federation at the European Court of Human Rights, Deputy Director of the Department of International Law and Cooperation, Deputy Minister of Justice of the Russian Federation, one of the key Ministry of Justice officials engaged in the arbitration “reform”, previously Chair of the Council for Development of Arbitration.

Andrey A. Gorlenko (Jr.) – until recently (December 2019) General Director of RIMA, presently member of the RAC Board and a partner of Ivanyan & Partners.

Andrey A. Gorlenko (Sr.) – father of the above, for a long time occupied or still occupying senior positions in various structures under Vladimir Lisin’s control.

Khristophor V. Ivanyan – partner of Ivanyan & Partners (located at the same address as RIMA), member of the Supervisory Board of RIMA, previously member of the Supervisory Board of the International and Comparative Law Research Center – one of the founders of RIMA.

Ilya I. Kryzhanovsky – head of the Foundation for Legal Education and Research – one of the founders of RIMA, member of the Supervisory Board of the International and Comparative Law Research Center – one of the founders of RIMA.

Alyona N. Kucher – member of the Council for Development of Arbitration, previously member of the RAC Board.

Vladimir S. Lisin – Russian oligarch, one of the richest people in Russia, one of the initiators and financial sponsors of the arbitration “reform”, president of ANO Sports Arbitration Chamber, which has obtained permission from the Ministry of Justice to administer arbitration.

Olga B. Motenko – founder of LLC LF Academy – one of the founders of RIMA, general manager of LLC CC St. Petersburg International Legal Forum, member of the RIMA Supervisory Board, member of the Supervisory Board of the International and Comparative Law Research Center – one of the founders of RIMA.

Denis V. Novak – Deputy Minister of Justice of the Russian Federation, Chairman of the Council for Development of Arbitration.

Yury S. Pilipenko – President of the Federal Chamber of Attorneys of the Russian Federation – one of the founders of RIMA, member of RIMA Supervisory Board, member of RAC Board, RAC arbitrator.

Vasiliy S. Torkanovsky – partner of Ivanyan & Partners, previously Chair of the Supervisory Board of the International and Comparative Law Research Center – one of the founders of RIMA.

WHAT IS THE RUSSIAN ARBITRATION CENTER?

Where are you from, wonderful child?
Alexander Pushkin

According to Article 11(1) “Judicial Protection of Civil Rights” of the Civil Code of the Russian Federation, “*1. Protection of violated or contested civil rights shall be performed by a court, arbitrazh (commercial) court or arbitral tribunal (hereinafter – the court) in accordance with its competence*”.

Federal Law dated 29 December 2015 No. 382-FZ “On Arbitration (Arbitral Proceedings) in the Russian Federation” (Law on Arbitration) introduced in its Article 2 “Basic Notions Used in the Present Federal Law” a distinction between arbitration and the administration of arbitration:

“2) arbitration (arbitral proceedings) is the process of resolution of a dispute by an arbitral tribunal and issuance of the award by an arbitral tribunal (the arbitral award);

3) administration of arbitration is the performance by a permanent arbitration institution of the functions of organizational support of arbitration, including ensuring the selection, appointment or removal of arbitrators, record keeping, and organization of collection and distribution of arbitration fees, with the exception of the functions of the arbitral tribunal in resolving a dispute;”.

The Law on Arbitration also established that arbitration may be administered only by a non-profit organization that has been granted the right to exercise the functions of a permanent arbitration institution (PAI). This must be granted by the Ministry of Justice of the Russian Federation (Ministry of Justice) in the manner prescribed by this law (before March 2019 it was the Government of Russia that granted such a right).

The Ministry of Justice grants permission on condition that the Council for Development of Arbitration (created by the Ministry itself; see below, paras. 114 and 119) recommends that such permission be granted.

Entities that have not been granted the right to exercise the functions of a PAI by the Ministry of Justice are prohibited from exercising any functions in the administration of arbitration.

Only four Russian organizations and two foreign ones have been granted the right to exercise PAI functions since the Law on Arbitration entered into force on 1 September 2016 (see below, paras. 176 and 11).

The Autonomous Non-Profit Organization (ANO) Russian Institute of Modern Arbitration (RIMA) is one of them. RIMA was established on 17 August 2016.¹

¹ <http://modernarbitration.ru/wp-content/uploads/2016/12/Svidetelstvo-o-gos-registracii-ANO-ISA-FNS.pdf>

RIMA declares its mission to be as follows (Annex 1):

*“...To become a free and open platform. It wishes to unite Russian and foreign specialists, businesspeople and scholars who are interested in promoting ADR in Russia and who are ready to create a high quality school of arbitration comparable to the best international examples”.*²

RIMA states:

*“The Russian Institute of Modern Arbitration is aimed at promoting and popularizing arbitration in Russia. It has the goal of increasing the attractiveness of Russia as a place for business and dispute resolution”.*³

The Russian Arbitration Center (RAC) is a PAI created under RIMA, meaning it is a “*structural subdivision*”⁴ within the meaning of Article 44(1) of the Law on Arbitration.

RIMA states with regard thereto (Annex 2):

“The Russian Arbitration Center’s function is to administer arbitration in a modern and efficient way.

The Russian Arbitration Center was created to assure that even the most complex disputes are resolved in a professional and impartial way in strict accordance with the applicable rules.

*The structure of the Russian Arbitration Center and Arbitration Rules, as well as the professional approach of the Russian Arbitration Center are based on the experience of leading international arbitration institutions”.*⁵

RIMA (RAC) has three territorial divisions:

- ▶ Far Eastern division (opened in 2017 Vladivostok)⁶ (Annex 3);
- ▶ Western division (opened in 2017 Kaliningrad)⁷ (Annex 4);
- ▶ Ural division (opened in 2018 Ekaterinburg)⁸ (Annex 5).

² <http://modernarbitration.ru/en/institute/about-the-institute/>

³ Ibidem.

⁴ See Article 1(6) of the Regulation of Russian Arbitration Center under ANO Russian Institute of Modern Arbitration (https://centerarbitr.ru/wp-content/uploads/2019/02/Положение-РАЦ-200219_final.pdf).

⁵ <http://modernarbitration.ru/en/institute/arbitration-center/>

⁶ <https://centerarbitr.ru/en/far-eastern-division/general-information/>

⁷ <https://centerarbitr.ru/en/western-division/western-division/>

⁸ <https://centerarbitr.ru/en/about-3/ural-division/general-information/>

ABOUT THE PRESENT STUDY. ITS METHODOLOGY AND PURPOSES

...For there is nothing hidden that will not be disclosed, and nothing concealed that will not be known or brought out into the open.
Luke 8:17

1. The present work is a study of the specific features of the status of RIMA and RAC, their place and activity in Russian arbitration and their relationship to foreign entities.

The task of the present study is to check whether what RIMA and RAC say about their mission and purpose (see above Section “What is the Russian Arbitration Center?”) corresponds to reality and whether they really are what they claim to be.

2. **The methodology** of this study is very simple: the information was initially collected from publicly available sources, and then logically analyzed and generalized. This analysis was also aided by the compiler’s many years of experience in Russian arbitration and his knowledge of domestic reality; including the peculiarities of how public authorities operate in Russia.

The following information was collected while undertaking the specified task:

- ▶ information about the creation of RIMA (RAC) and how it obtained the right to exercise PAI functions and the right to use “Russian” in its name (as compared to other organizations which have applied to have the same rights);
- ▶ information about the structure of RIMA (RAC), its founders and other persons affiliated therewith, their interconnections and their connections with the state;
- ▶ information about specific features of RAC activity;
- ▶ information about RIMA (RAC) financing.

On the basis of the data analysis and generalization, conclusions of a prolegomenic nature were made on the specific status of RIMA (RAC) in Russian arbitration (set forth in two separate sections (see, for instance, Section XVI “Final Conclusions Regarding RAC. Reasons for Such a State of Affairs with RAC”) or scattered throughout the text of the study).

Certain methodological aspects of the present study are given below.

3. **The purpose** of this study is a purely epistemological one, including in the context of criticizing the way that RAC presents knowledge in relation to itself, and also taking into account the need to consider the relationship between illusion and reality, as well as the distinction between opinion and knowledge in relation to RAC.
4. As already pointed out, the present study is prepared from open sources in the public domain. Therefore, it contains many references to Internet resources.

Consequently, this study does not claim to contain new information. The facts specified herein are already familiar to many already engaged in Russian arbitration. Nor do the compiler's conclusions contain anything new in comparison with what he has already said or written.

Moreover, it cannot be considered sensational. For those familiar with Russian reality what it describes will seem rather humdrum and banal. However, as they say, the more banal the words, the more truth they hold.

The idea of this study is, *inter alia*, to put together already known facts to create a fuller picture made up of the separate pieces of a mosaic.

5. The emphasis in this study is on factual matters. For the purposes of this study, facts shall mean information taken from open sources in the public domain. The compiler has not been able to check them all.

As to the conclusions, it should be stressed once again that they could be drawn by anyone familiar with the rules of logic, with many years' experience of work in Russian arbitration and generally aware of domestic reality (including the peculiarities of how public authorities operate in Russia).

In the light of the foregoing, the compiler does not feel he can give himself the distinguished title of "author". He has put together information that may easily be found, accompanied with short comments, the essence of which is plain for the attentive reader to see. This has not been such a difficult task.

6. No rumors were taken into consideration in the course of the research (for instance, those with regards to the family links between Elena Borisenko and Olga Motenko, see below).
7. This study was prepared over a short time period. It is mostly utilitarian and does not claim to be scientific. Nor does it claim to be exhaustive since it is limited to the pro-paedeutic.
8. This study was prepared by the compiler in a private capacity, on his own (though with assistance from Georgy Suvorov) and at his own expense, not by anyone's order or at anyone else's expense.

Reading the study should not give the impression that the compiler is excessively emotional about arbitration "reform". It is not emotion, but methodology and the evidence found that set the tone of the conclusions drawn below.

9. This was prepared by the compiler, on the one hand as a purely private person, and on the other hand as a journalist according to the Law of the Russian Federation dated 27 December 1991 No. 2124-I "On Mass Media".⁹ It is not associated with other organizations where he works, or of which he is a member,¹⁰ or collaborator.

⁹ For the purposes of the journal *International Commercial Arbitration Review*, where the compiler is the editor-in-chief.

¹⁰ Outside the scope of the present study, the compiler is an attorney, partner of the Muranov, Chernyakov & Partners Law Firm, associate professor of MGIMO University, and acts as a party representative and arbitrator in various litigations.

10. The compiler of the present study:

does not claim it to be the truth (as distinguished from the search for it);

expresses herein only his subjective opinion and evaluative judgments;

encourages all persons who have read it to make their own independent conclusions without regard to any authoritative sources.

11. The compiler of this study is of the opinion that for the correct assessment of the information shown below it has to be considered in a joined-up perspective. To return to the image of a mosaic already used, what the various elements mean when considered in isolation may remain unclear. However, when put together, their true meaning is unveiled.

12. Nothing in the present study may be interpreted as constituting assertions that specific persons are guilty of committing any offences.

13. This study is not intended to change anything or to call on anyone to take action.

Rather, it is intended for thoughtful interested parties in the Russian Federation, especially young lawyers.

It is also aimed at the future, when some may be interested in reading about the features of the current arbitration “reform” in the Russian Federation.

In addition, it might be relevant for foreign specialists interested in Russia and the peculiarities of our arbitration sector.

Finally, searching for truth is a value *per se* which already justifies the preparation of the present study. *“Truth and liberty have this excellence, that all one does for and against them serves them equally well”* (Victor Hugo).

14. The compiler stresses that he does not regularly conduct studies similar to this one on a professional basis, nor does he have the opportunities that others might have to do so, and therefore it may be imperfect.

15. The compiler also realizes that some people referred to in the study may state that it is not objective, particularly because the compiler is, allegedly, biased in his attitude toward arbitration “reform”.

The compiler would reply that he has set out his understanding of the situation and the said people may share their ideas based on the same or other facts (hopefully, not alternative ones).

At the same time the compiler, of course, does not hide his skepticism regarding arbitration “reform” in Russia. He recalls that in 2014–2016 to a degree he contributed to it and its implementation. In particular, being on the lists of arbitrators of the International Commercial Arbitration at the Chamber of Commerce and Industry of the Russian Federation (“ICAC at the RF CCI”) and the Maritime Arbitration Commission at the Chamber of Commerce and Industry of the Russian Federation (“MAC at the

RF CCI”), as well as being a member of the ICAC Presidium and deputy chair of the MAC and having done a lot for the promotion of their image.

At the same time, he maintained a cooperative relationship with RAC, organized the “Russian Arbitration Day – 2018” jointly with it,¹¹ and issued a collection of articles based on its results, being one of the learned editors thereof.¹²

However, when in 2017 he understood what RAC and arbitration “reform” really were, he refused to participate in the “Russian Arbitration Day” and informed RAC that further cooperation was impossible due to a difference in values (fairness, independence, impartiality and transparency with regard to significant relevant issues).

For the same reason, the compiler intentionally refused any posts offered at the RF CCI MAC and before that, had refused any positions in the ICAC. He further criticized the “reform” so actively that the RF CCI removed him from the lists of ICAC and MAC arbitrators.

The compiler’s refusal of these posts and prospective opportunities to pursue a career within the framework of arbitration “reform” (in particular in cooperation with RAC) was driven by his wish to be able to express his opinion freely and conduct independent research in the area of Russian arbitration.

In view of the above, the compiler does not hide that his goal could be seen to be a selfish one: the wish to enjoy freedom of speech and exercise his research interests in the area of Russian arbitration history and practice, including with respect to those arbitration values that the compiler considers most important.

Therefore, this is nothing but a value-oriented study and seeking out any ulterior motive such as bitterness or envy is pointless.

This study may also be seen as the compiler’s attempt to redeem himself of the harm which, unfortunately, was caused to Russian arbitration by his involvement in 2014–2016 in the implementation of arbitration “reform”.

16. In the present study for the sake of convenience the term “RAC” may be used instead of “RIMA” where the use of the latter would have been more accurate.
17. Internet resources referred to in this study are for the most part in Russian.

The 43 annexes (assorted evidence in Russian: documents, web-pages etc.) which accompany the Russian version of this study are enclosed with this English version in part only (if they are originally in English, not in Russian).

18. This study is the first from the series “On the history of arbitration ‘reform’ in Russia”: it will be followed by others.

¹¹ <http://rad.lfacademy.ru/en/>

¹² <http://rad.lfacademy.ru/rad2017/lfa/files/Новые%20горизонты%20международного%20арбитража-4.pdf>

On February 10, 2020 in connection with this study a press release was published on the official website of the RAC which stated that “the allegations made by A. Muranov in relation to the RAC and RIMA ... as well as various individuals that are associated by A. Muranov with RIMA are false and unfounded”.¹³

To a suggestion that a public debate be held on which is false – this study or the said press release (because, as is known, tertium non datur) – the RAC made no response.

Ceterum censeo reformationem delendam esse.

¹³ <https://centerarbitr.ru/en/2020/02/10/press-release/>

SOME CONCLUSIONS BASED ON THE STUDY RESULTS

In Russia everything is a mystery, and nothing is a secret.
Anne de Stael

As has already been said, nothing stated below will come as a surprise to those familiar with Russian reality. This situation is quite normal for Russia.

But that does not mean that it is acceptable.

- I. RAC has very close ties with the Ministry of Justice, the Government of the Russian Federation, JSC Gazprombank and the state corporation Rosatom.

An entity officially controlled by the state corporation Rosatom is the founder of RAC.

JSC Gazprombank most likely stands behind another founder of RAC: the Foundation for Legal Education and Research.

RAC's statement that its structure is transparent¹⁴ does not match the facts.

- II. RAC has very close ties with Ivanyan & Partners – “the king of public procurement” – which is appointed by the Ministry of Justice and the Ministry of Finance of the Russian Federation, *inter alia*, on an exceptional basis, without tenders or a transparent procedure for public procurement of services. They are appointed to provide services to the ministries for tens of millions of US dollars.
- III. RAC received an “arbitration” license from the Government of the Russian Federation extremely quickly and easily, unlike almost all other applicants. A privileged regime for obtaining permission was established for RAC, while discrimination, double standards and violations of the principle of equality were shown by the Ministry of Justice towards other applicants.
- IV. RAC, without meeting any of the requirements (grounds) for it, was granted the right to use the word “Russian” in its name by the Ministry of Justice for reasons unrelated to the law.
- V. This was done through former general director of RIMA and executive administrator of RAC Andrey Gorlenko. He is linked to the Russian oligarch Vladimir Lisin, one of the financial sponsors of arbitration “reform” in Russia, who has a particular interest in arbitration.
- VI. RAC painstakingly conceals data on the beneficiaries of its founder, the Foundation for Legal Education and Research. The entities behind the Foundation were registered at mysterious premises at an address for mass registration of legal entities while their managers are nominees.

¹⁴ <https://centerarbitr.ru/en/about-3/why-choose-arbitration-center-at-the-institute-of-modern-arbitration/>

The reason for this is that presumably JSC Gazprombank stands behind the Foundation.

- VII. RAC has close ties with a person who used to organize and conduct gambling without proper authorization.
- VIII. A member of the Supervisory Board of RIMA, member of the Board of RAC and arbitrator of RAC, and President of the Federal Chamber of Attorneys of the Russian Federation Yury Pilipenko is implicated in a scandalous situation over a conflict of interest (his offshore company leases the premises to the Federal Chamber of Attorneys and the information about this is concealed). RAC is silent about this situation.
- IX. Members of the Board of RAC, who are simultaneously members of the Council for Development of Arbitration (the Ministry of Justice issues arbitration “licenses” according to its recommendations), vote at council sessions in violation of the rules on conflict of interest. They vote predominantly and consistently against granting permission to other applicants (with the exception of five cases when the Ministry of Justice suggested voting otherwise, including in the case of RAC itself).

RAC makes every effort to promote control by the Ministry of Justice over the Council for Development of Arbitration, as well as ensuring that no one can obtain a recommendation without the Ministry’s say so.

- X. Information on the sources of RAC finance (over EUR 1 million per year) is carefully concealed. This goes against proper standards, especially given that RAC asserts that it does not provide administration services in the area of arbitration, but is instead engaged in public activity similar to the administration of justice by state courts.

The reasons for concealment of this information are: 1) an unwillingness to reveal connections with persons affiliated with the state; and 2) an intention to create the deceitful impression that RAC is independent.

At the same time, taking Russian reality into consideration, it appears that the sums listed in the organization’s official financial reports constitute only part of the finances for RAC and persons related thereto.

- XI. It cannot be ruled out that Vladimir Lisin’s companies may secretly be providing financial support to RAC in exchange for various services.
- XII. Specific arrangements may take place between RAC and Rosatom providing a privileged regime to the state corporation for the consideration of disputes involving entities under its control.

The possibility that state corporation Rosatom finances RAC in a non-transparent manner and that RAC may exercise the functions of a “puppet” arbitration center for Rosatom cannot be excluded.

- XIII. RAC and the aforementioned Ivanyan & Partners may collaborate not just on information and legal matters but also over finances (it is entirely possible that the law firm may be secretly financing RAC through rent payments).

The fact that this law firm is the sole supplier of services for Ministry of Justice and the Ministry of Finance needs for huge sums of money may be evidence that the Russian Federation, through the law firm, is paying for the services of foreign lawyers while not wishing to disclose such information.

- XIV. RAC claims that it does not provide arbitration administration services but in fact conducts public activities similar to the administration of justice by state courts.
- XV. RAC is an ardent opponent of competition in the arbitration services market, it fears competition because of a desire to preserve its unjustified privileges.
- XVI. RAC is involved the oligopolistic division of arbitration in Russia along with the RF CCI and the RUIE (Russian Union of Industrialists and Entrepreneurs).
- XVII. RAC is one of the tools for the elimination of independent regional arbitration centers in Russia.
- XVIII. The Russian authorities launched the arbitration “reform” to subject arbitration in Russia to state control.

State control and lack of competition in arbitration is a continuation and reflection of the policy of subordinating the state courts to the executive branch. This deprives the courts of real independence. Now the executive branch (the Ministry of Justice) has even extended its powers to Russian arbitration.

- XIX. In fact, RAC is a GONGO (Government-Organized (Operated) Non-Governmental Organization). This is a non-governmental public structure which, although created by a government initiative and with involvement of public authorities and operating in the interests of the government, at the same time deliberately conceals its connections with the government.

RAC was not only created to make a false impression on the Russian public that there are independent arbitration institutions in the Russian Federation.

RAC is also a tool aimed at foreign onlookers, to mislead them for the following purposes:

creating abroad, in particular, the illusion that there are independent arbitration institutions in Russia;

lobbying for the interests of Russian officials abroad – allegedly as a powerful representative of the Russian arbitration community but, in fact, under instruction from the Government of Russian Federation in particular.

The events held by RAC are, *inter alia*, a platform to disguise the genuine essence of RAC as a GONGO.

At the same time, it is worth noting that with the creation of RAC there was also another goal: a number of Russian officials gaining control over a share in the arbitration

services market with regard to international disputes through weakening the position of ICAC at CCI RF.

XX. Summarizing the above information, it can be concluded that the RAC is not a truly independent arbitration institution and that it benefits from significant privileges that are not available to other entities in the Russian Federation.

The facts show that the Ministry of Justice maintains, in respect of RAC, a policy of favoritism (in the form of cronyism¹⁵) in violation of the principles of equality and prohibition of discrimination against entities.

The statements by RIMA and RAC on their missions and goals do not match the available facts.

RAC is not what it claims to be. It operates a policy to mislead others, Russian society and the foreign arbitration community in the form of *suppressio veri*.

This is a case of history repeating itself: Soviet propaganda claimed that the Chamber of Commerce and Industry and the Foreign Trade Arbitration Commission of the USSR within it were independent public institutions. In fact, in secret documents the government recognized the fact that the Chamber of Commerce was answerable to them.

The printed version of the “Guide to Regional Arbitration” (vol. 7 (2019)), prepared by *Global Arbitration Review (GAR)*, reported with regards to RAC (Annex 6¹):

“It is a controversial organisation in Russian arbitration circles, where some believe it is secretly backed by the government. Such fears are fuelled by a lack of clarity on its ownership structure and source of funding.

While doubts persist, it is best approached with caution”.

At the same time, the electronic version of the same “Guide to Regional Arbitration”¹⁶ indicates (Annex 6²):

“RIMA’s funding is an occasional topic of conversation in Russian arbitration circles, with the central question being who really funds it. This talk is ‘very Russian’ and focusses on the presence of shell companies in the ownership chains of some of its five founders (the name for shareholders of non-profit organisations in Russia) combined with the fact no founder is obviously wealthy. Nor does revenue from current caseload appear to cover RIMA’s current operating budget (\$1.1 million or so).

¹⁵ Cronyism is a practice of attributing powers of authority to sidekicks or confidants, a sort of favoritism. It is particularly notable among politicians, and organizations acting in their support. It includes appointing “pals” to senior positions, providing them with workplaces and other benefits regardless of their expertise. Cronyism emerges when the benefit-giver (the appointing one) and the beneficiary (the appointed one) are in social and business ties with each other. The appointer’s need for support of his own proposals, in the line of duty in particular, is commonplace. For that purpose, a loyal assistant (the appointed one) becomes engaged, and the latter will endorse all of the proposals, never voting “nay” or expressing an opinion contrary to that of the patron.

¹⁶ For certain reasons this fragment in the electronic version of the “Guide to Regional Arbitration”, as compared with its printed version, has been seriously changed.

RIMA says that the fact the founders in question are ‘foundations’ insulates them entirely under Russian corporate law from any external control – and by extension also RIMA.

Still, some regard it as important to flag this debate”.¹⁷

Law360.com (a Lexis Nexis Company) notes (Annex 7):

“The Vienna and Hong Kong centers now join three institutions in Russia that are able to administer Russian corporate disputes, providing options to international businesses that may be wary of local arbitral institutions with ties to Moscow amid lingering concerns of undue influence and possible corruption”.¹⁸

RAC heads the list of these local arbitral institutions.

The reasons that led to this state of affairs are listed in more detail below in Section XVI.

Nobody denies the right of RAC to present its own views on the facts and statements given in this study.

¹⁷ <https://globalarbitrationreview.com/insight/guide-to-regional-arbitrationvolume-7-2019/1178466/whitelist-institutions-worth-a-closer-look->

¹⁸ https://mansors.com/media/blog/russian_appetite_for_local_arbitration_remains_low_for_now/

I. THE SPECIFICS OF HOW RIMA OBTAINED THE RIGHT TO EXERCISE THE FUNCTIONS OF A PAI

1. RIMA was among the first to be granted the right to exercise the functions of a PAI¹⁹ as early as 27 April 2017,²⁰ just eight months after its incorporation. Despite its short history, the Ministry of Justice and the Government of the Russian Federation decided that it met, *inter alia*, the “reputation” criterion enshrined in Article 44(8)(4) of the Law on Arbitration.²¹
2. With regard to RAC being granted PAI status the Government of the Russian Federation stated on its website:

“The Autonomous Non-Profit Organization ‘Institute of Modern Arbitration’ has a renowned reputation in arbitration in connection with its practical, learned and educational activity aimed at the development of arbitration in Russia ...”²²

3. In one of the documents submitted by RIMA as part of its application to obtain the right to exercise PAI functions it emphasized that it had a “*renowned reputation*” in the said sphere (see the Note on Autonomous Non-Profit Organization Institute of Modern Arbitration).
4. At the same time and in the same document the “*renowned reputation*” of RIMA actually came down to the following, as of the moment of submission of the application:

one business breakfast and one conference were held;

two articles were published;

it participated in several educational events;

several speeches were delivered at round tables, seminars and conferences.

Some of the events in which RIMA listed its participation were organized by RIMA’s founders, and the 8th IBA Annual Conference “M&A in Russia and CIS” put on the

¹⁹ The right to exercise the functions of permanent arbitration institution (PAI) is granted to non-profit organizations by the Ministry of Justice (previously – by the Government of the Russian Federation) following the recommendation of the Council for Development of Arbitration in the manner prescribed by Article 44 of the Law on Arbitration.

²⁰ See the Russian Government Order dated 27 April 2017 No. 799-r (<http://static.government.ru/media/files/nSWrnBJ0IBQFq6NdTTbu1IyUCKAk6XTO.pdf>).

²¹ “8. *The right to the exercise functions of a permanent arbitration institution may be granted or refused to a non-profit organization under which a permanent arbitration institution is created pursuant to the analysis of its compliance with the following requirements:*

<...>

4) *the reputation of a non-profit organization under which a permanent arbitration institution is created, the scale and nature of its activities, taking into account the composition of its founders (participants) allowing for a high degree of organization for the activities of the permanent arbitration institution, including in terms of financial support for the creation and the activities of the relevant department, and the exercise by the specified organization of activity aimed at development of arbitration in Russia”.*

²² <http://government.ru/docs/27508/>

same list, was, in fact, organized by the Association of Participants in Assisting in the Development of Arbitration Proceedings (hereinafter also referred to as the Arbitration Association, RAA). This last has, so far, tried three times without success to obtain similar permission from the Ministry of Justice.

5. Unlike RIMA, attempts by all the other applicants to obtain the right to exercise the PAI functions were unsuccessful (apart from two Russian and two foreign ones, see below, paras. 9 and 11).
6. In view of the above, it is worth paying attention to the figures which clearly illustrate how many applications were filed with the Ministry of Justice and how many entities were actually granted the right in question by the Ministry of Justice (previously – the Government of the Russian Federation).²³

Period²⁴	Total applications submitted (number of non-profit organizations and foreign arbitration institutions)	Number of applications sent for consideration to the Council	Number of applications in respect of which a positive decision was taken
From the establishment of the council until 3 March 2017	14 applications (13 Russian organizations, 1 foreign arbitration institution)	3 applications (2 Russian organizations, 1 foreign arbitration institution)	0 (2 applications sent for consideration to the Council were considered by the Council in the following reporting period)
From March to December 2017	88 applications (approximately 50 non-profit organizations located in Russia, some of them applied more than once)	6 applications (6 Russian organizations)	2 applications (2 Russian organizations)

²³ See reports on the Council's activity for 2016 (https://minjust.ru/sites/default/files/otchet_soveta.docx), 2017 (https://minjust.ru/sites/default/files/publichnyy_otchet_soveta_za_2017_god.docx) and 2018 (https://minjust.ru/sites/default/files/publichnyy_otchet_2018_g_.docx).

²⁴ Here it means the reporting period in accordance with each of the three council reports. At the same time, the reports for 2017 and 2018 contain the data on the number of submitted applications only for the relevant reporting period and do not include the figures for the period(s) from previous report(s).

This is confirmed by the fact that according to the 2017 report 88 applications were submitted while according to the 2018 report – 39 applications. That is, the 2018 report does not include and cannot include the data from the 2017 report.

From 21 December 2017 to 29 March 2019	39 applications (28 Russian organizations, some of them applied more than once)	14 applications (13 Russian organizations and 1 foreign)	0
From 29 March 2019 until the present	The precise number of submitted applications is unknown. It is presumed that the official data will be published in the Council report for 2019.	6 applications ²⁵ (4 Russian organizations and 2 foreign)	3 applications (1 Russian organization and 2 foreign)

7. As can be seen from the table, for the total period of the Council activity, out of approximately **150** applications that were submitted, only **29** were forwarded to the council, and **only five of them** were approved.
8. It is important to note that the composition of the Council for Development of the Arbitration²⁶ (“Council”), which gives recommendations to the Ministry of Justice (previously – the Government of the Russian Federation) and on the basis of which the Ministry of Justice (previously – the Government of the Russian Federation) grants non-profit organizations the right to exercise PAI functions (as prescribed by Article 44 of the Law on Arbitration) presently includes three members of RAC Board: Yury Pili-penko, Elena Uksusova and Anton Asoskov²⁷ (Annex 8). Previously other members of the Council, Roman Bevzenko and Alyona Kucher, were also members of the RAC Board, but now they have left the Board.

All of them voted predominantly and consistently against granting authorization to other applicants (other than RAC and the four organizations specified below).

It is obvious that they acted in violation of the rule on conflict of interest, as established by Russian legal regulations,²⁸ since they are interested blocking competitors for RAC.

²⁵ For the period starting from 29 March 2019, two sessions of the Council were held (4 April 2019 (<https://minjust.ru/ru/novosti/o-zasedanii-soveta-po-sovershenstvovaniyu-treteyskogo-razbiratelstva>) and 18 June 2019 (<https://minjust.ru/ru/novosti/sostoyalos-zasedanie-soveta-po-sovershenstvovaniyu-treteyskogo-razbiratelstva-0>)) where six applications from non-profit organizations were considered, with positive decisions being taken in respect of three organizations.

²⁶ See Order of the Ministry of Justice dated 6 September 2016 No. 201 “On Approval of the Composition of the Council for Development of Arbitration” (as of 14 June 2017, No. 104; as of 21 December 2017, No. 268; as of 5 February 2018, No. 19; as of 27 April 2018, No. 79) (https://minjust.ru/sites/default/files/prikaz_minjusta_ot_06.09.2016_201_v_red.27.04.2018.rtf).

²⁷ <https://centerarbitr.ru/en/about-3/general-information/>

²⁸ In accordance with the Regulation on the establishment and activity of the Council for Development of Arbitration, approved by the Order of the Ministry of Justice dated 20 March 2019 No. 45 (“Regulation on Council”):

9. Apart from RIMA, an “arbitration license” was issued to the Arbitration Center at RUIE.²⁹ This comes as no surprise bearing in mind the status of RUIE and the fact that the Arbitration Center at RUIE is a long established arbitration center: “*The Arbitration Centre is the successor of the Arbitration court at RSPP (established in 2006), the Arbitration commission at PJSC Moscow Stock Exchange (established in 1994) and the Arbitration court of the National Association of Securities Market Participants (NAUFOR) (established in 1997)*”³⁰ (Annex 9).

At the same time, it is well known that RUIE played an active role in the development of arbitration “reform” and is on good terms with the government.

10. Additionally, authorization by the Ministry of Justice was also granted to the Autonomous Non-Profit Organization Sports Arbitration Chamber.³¹

It could not be otherwise, because this Chamber was intended to become the arbitral center which, as stated in the Federal Law dated 4 December 2007 No. 329-FZ “On Physical Culture and Sport in the Russian Federation”, is necessary to resolve disputes arising in professional and elite sports, including individual labor disputes.

It is also well known that this organization is supported by Vladimir Lisin (for more details about him and his role in the “reform” see below, Section IX).

11. Permission was also given by the Ministry of Justice to two foreign arbitration institutions³²: the Hong Kong International Arbitration Center³³ and the Vienna International Arbitration Center.³⁴ These permits to perform PAI functions, granted to foreign arbitration institutions, were to be expected, as RAC had lobbied for the interests of these institutions (see below, para. 171).

Permission was also sought from the Ministry of Justice by two institutions from Kazakhstan (National Chamber of Entrepreneurs Atamaken and international arbitral center IUS, but they were both refused).

12. Apart from that, the ICAC at the RF CCI and MAC at the RF CCI were granted PAI status by virtue of express provisions in the Law on Arbitration.

13. **The question remains: what merits helped RIMA to obtain PAI status?**

“23. *Members of the Council shall:*

<...>

3) *not permit any conflict of interest in the course of their activity as members of the Council, notify the Secretary in advance in writing of presence or possibility of their personal interest that leads or may lead to conflict of interest while considering questions on the agenda of the Council”.*

Herewith, the notion of “conflict of interest” is not defined in the Regulation, which creates room for abuse.

²⁹ <http://government.ru/docs/27508/>

³⁰ <https://arbitration-rspp.ru/en/about-us/information/>

³¹ <https://minjust.ru/ru/novosti/o-zasedanii-soveta-po-sovershenstvovaniyu-treteyskogo-razbiratelstva>

³² https://minjust.ru/sites/default/files/perechen_inostrannyh_arbitrazhnyh_uchrezhdeniy_vmac.docx

³³ <https://minjust.ru/ru/novosti/o-zasedanii-soveta-po-sovershenstvovaniyu-treteyskogo-razbiratelstva>

³⁴ <https://minjust.ru/ru/novosti/sostoyalos-zasedanie-soveta-po-sovershenstvovaniyu-treteyskogo-razbiratelstva-0>

14. **The supposed reasons and conditions for this will be set out in the following sections of the present study (see also Section XVI “Final Conclusions Regarding RAC. Reasons for Such State of Affairs with RAC”).**
15. It should also be noted that, unlike RIMA and the three above-mentioned organizations, other famous arbitration organizations failed to obtain the relevant authorization.
16. They include, Autonomous Non-Profit Organization Independent Arbitration Chamber (ANO NAP),³⁵ affiliated with Sberbank.
17. It is known that ANO NAP attempted to obtain permission to perform PAI functions by sending documents to the Council on 18 August 2017 (back before 1 November 2017, i.e., before the end of the transition period within the meaning of the Law on Arbitration)³⁶ stating that it was successor to a previously acting arbitral institution. However, the meeting of the Council was only scheduled on 10 November 2017 and notice of the meeting was received by the NPO on 2 November 2017, that is after the end of the important transition period. All of this led to the fact that ANO NAP was refused permission with reference to the fact that after 1 November 2017 the succession of arbitral institutions was impossible. The position of the Ministry of Justice could be summarized as follows: *“with the end of the transition period, arbitration clauses become unenforceable in terms of referring the dispute to an arbitral institution”* which, at that time, had not received the status of PAI, and therefore documents on the legal succession of PAI were contrary to the law.³⁷ The NPO believed that the documents should have been returned to them for correction. However, the application was considered despite the NPO’s request to postpone the meeting.
18. The above account of the refusal to ANO NAP caused an outcry from practicing lawyers, who commented on the Ministry of Justice’s deliberate evasion of granting the right to exercise PAI functions to that organization.³⁸

Having been refused PAI status, ANO NAP applied to the Government of Russia (to Igor Shuvalov, then First Deputy Prime Minister) with a complaint about the Council violating the procedure for consideration of NPO applications. ANO NAP’s complaint was then sent by the Government of Russia to the Ministry of Justice itself, which replied with a standard run-around letter.³⁹

19. Another vivid example is the story of three applications and three refusals (with only the last one finally reaching the Council) for the Association for Development of Arbitration.

This association was established as early as April 2013 in Moscow and operates on the basis of equal membership of Russian and foreign law firms, practicing lawyers

³⁵ <http://icarb.ru/>

³⁶ Within the meaning of Article 52(13) of the Law on Arbitration and clause 2 of the Decree of Government of the Russian Federation No. 577 dated 25 June 2016 “On the Approval of the Rules for Granting the Right to Exercise the Functions of Permanent Arbitration Institution and the Regulation for the Depositing of Rules of PAI”.

³⁷ <https://news.rambler.ru/politics/38529591-minyust-vyzvali-na-treteyskiy-sud/>

³⁸ See, for example: <https://www.kommersant.ru/doc/3480488>; <https://www.kommersant.ru/doc/3628037>.

³⁹ <https://www.kommersant.ru/doc/3628037>

and representatives of the scientific community. Due to its varied membership the association expresses the views of a wide range of participants in fields related to alternative resolution of commercial disputes. The association is known for its numerous achievements in the development of arbitration, including at an international level⁴⁰ (Annex 10).

20. The first two refusals of the association by the Ministry of Justice were related to extremely formulaic nitpicking about insignificant technical issues. The arbitrator's area of expertise was incorrectly indicated in the first application. In the second application the arbitrator's patronymic was given incorrectly, and in the opinion of the Ministry of Justice details about the place of work and position of several of the arbitrators was inconsistent with the information indicated "*on the official websites of educational and other organizations*".
21. The third time RAA was rejected by the Council due to the following grounds:

"...since the reputation of the non-profit organization under which the permanent arbitration institution is created, the scale and nature of its activities, taking into account the composition of its founders (participants), does not allow for a high level of organization of the activities of a permanent arbitration institution, including in terms of financial support for the creation and activities of the relevant institution".

22. This study is not intended to provide an analysis of the rejection of RAA. **However, at the very least it can be said that that at the time of the application to the Council RAA's achievements far exceeded those of RIMA, taking into account the number of events held/organized, journals issued, books published, etc.**⁴¹
23. As a further illustration, one may take the Autonomous Non-Profit Organization Center of Arbitration Proceedings (ANO CenAP) which applied **seven (!)** times to the Ministry of Justice to obtain the right to exercise the PAI functions. The Ministry of Justice refused to send the documents to the Council six times on pure formalities. Only on the seventh application were the documents finally delivered for consideration by the Council.

As was proven by subsequent events, this was to formally reinforce the pre-existing and repeatedly expressed position of the Ministry of Justice in relation to ANO CenAP and to give the appearance of abiding by the decision-making procedure. Ultimately, at the Council meeting on 4 April 2019, it was decided to refuse to grant ANO CenAP the right to fulfill PAI functions⁴² (voting result: nine votes in favor, 35 against⁴³). On 25 April 2019, the Ministry of Justice adopted Decree No. 518-r refusing to grant ANO CenAP the right to exercise the PAI functions, indicating that two requirements provided for by the Law on Arbitration were allegedly not met by ANO CenAP. This was adopted in violation of the law as the details of the discrepancy were not cited.

⁴⁰ <https://arbitration.ru/en/arbitration-association/>

⁴¹ For more details of the Council's session where the application of RAA was considered, and the reasons for refusal see: https://journal.arbitration.ru/upload/iblock/cc2/Arbitration.ru_N7_11_August2019_upd.pdf.

⁴² <http://arbitrage.ru/news/499>

⁴³ <https://minjust.ru/ru/novosti/o-zasedanii-soveta-po-sovershenstvovaniyu-tretyeskogo-razbiratelstva>

24. ANO CenAP unsuccessfully tried to challenge the last refusal under case No. A40-157872/2019⁴⁴ (the arbitrazh (commercial) court dismissed the case on the grounds of lack of jurisdiction, which decision was upheld by the courts of appeal and cassation). An attempt by ANO CenAP to resolve the dispute in the courts of general jurisdiction under case No. 02a-0835/2019⁴⁵ (in the first instance) was also unsuccessful at the time of writing. Zamoskvoretsky District Court dismissed the lawsuit⁴⁶ without a proper rationale for the decision, thus violating the law.
25. **So RAC received an “arbitration” license as quickly and easily as possible and without experiencing any of the difficulties encountered by almost all the other applicants. It could be argued that there was a privileged regime to secure this permission created for RAC, whilst in relation to the others the Ministry of Justice was discriminatory and applied double standards.**

⁴⁴ <http://kad.arbitr.ru/Card/aa88878b-0567-4acd-ad88-97a8e561ed36>

⁴⁵ <https://www.mos-gorsud.ru/rs/zamoskvoreckij/services/cases/kas/details/041329de-57e7-413a-bf07-9151f6185c0d?formType=shortForm&caseNumber=&participant=центр+арбитражного+%25>

⁴⁶ <https://www.mos-gorsud.ru/rs/zamoskvoreckij/cases/docs/content/c91a32d9-8669-4b91-bf26-c2768aab2498>

II. HOW RAC WAS PERMITTED TO USE THE WORD “RUSSIAN” IN ITS NAME

26. By Order dated 13 March 2018 No. 288-r the Ministry of Justice permitted RIMA and RAC to include the word “Russian” in their names.⁴⁷ This was done quite quickly while other entities spend many years on vain attempts to obtain this right.

There are only 28 organizations on the register (kept by the Ministry of Justice) of permits issued for the inclusion of “Russian Federation”, “Russia” or derivatives thereof in the name of non-profit organizations.⁴⁸

27. Andrey Gorlenko (recently the general director of RIMA and currently a member of RAC Board – see about him below, Section 5.1) noted in this regard:

*“The authorization to include in an organization’s name the word ‘Russian’ is granted only to those organizations the activities of which are **unique and beneficial to the public**”.*⁴⁹

28. Yury Pilipenko (President of the Federal Chamber of Attorneys of the Russian Federation – one of the founders of RIMA – see about him below, Section 5.6) also pointed out:

*“This event can hardly be overestimated ... It is both a new stage in the development of our Arbitration Center, and at the same time a higher degree of responsibility for the fate of arbitration in our country as a whole. I hope that our efforts will be a success”.*⁵⁰

29. In the light of the above it is important to refer to the provisions of the regulatory instrument governing the grounds and procedure for issuing the corresponding permit: Decree of the Government of the Russian Federation dated 24 September 2010 No. 753 “On Approval of the Rules for Issuing Permission to Include in the Name of a Non-Profit Organization the Official Name ‘Russian Federation’ or ‘Russia’, As Well As Derivatives Thereof” (“Decree No. 753”).

30. In accordance with paragraph 5 of the Decree No. 753:

“5. The Ministry of Justice of the Russian Federation shall decide to grant (deny) authorization to a non-profit organization if it meets (fails to meet) one of the following requirements:

<...>

c) the non-profit organization has provided for at least three years unique services being beneficial to the public (or sells relevant products):

⁴⁷ https://zakon.ru/discussion/2018/4/16/arbitrazhnyj_central_rossijskim__minyust_razreshil_dopolnit_naimenovanie

⁴⁸ <https://minjust.ru/ru/reestr-vydannyh-otozvannyh-razresheniy-na-vklyuchenie-v-naimenovanie-nekommercheskoy>

⁴⁹ https://zakon.ru/discussion/2018/4/16/arbitrazhnyj_central_rossijskim__minyust_razreshil_dopolnit_naimenovanie

⁵⁰ https://apkchr.fparf.ru/news/all_news/detail/48684/

<...>

If a non-profit organization meets one of the requirements provided for by subparagraphs ‘a’ – ‘c’ of this paragraph, but has been operating for less than three years, the decision to issue a permit to this non-profit organization is made by the Ministry of Justice of the Russian Federation on the basis of an instruction from the Prime Minister of the Russian Federation”.

31. At the time of obtaining the authorization of the Government of the Russian Federation (27 April 2017) RIMA (IMA) had been conducting its allegedly “*unique and publicly helpful activity*” for less than three years (since 17 August 2016). The question then arises: what was so unique and beneficial to the public in RIMA (IMA), that authorization was given to it by the order of the Prime Minister of the Russian Federation?
32. And yet, as follows from an analysis of court precedent, it is not easy to confirm the “unique” nature of the activity performed which led to permission being granted.
33. For example, the Ninth Arbitrazh (Commercial) Court of Appeal in its ruling dated 29 January 2013 No. 09AP-38996/2012-AK regarding case No. A40-82016/12-130-779 notes with regard to court forensic examination:

*“In its explanatory note ANO CSE lists a number of examinations carried out by the said organization. At the same time there was no information or evidence confirming the unique nature of these examinations in the explanatory note and files. The legal basis, the principles of organization and the main directions of state forensic science in the Russian Federation in civil, administrative and criminal proceedings are defined in the Federal Law dated 31 May 2001 No. 73-FZ ‘On State Forensic Activity in the Russian Federation’, which also applies to the activities of persons who are not state forensic experts. According to the aforementioned Federal Law, forensic examination is a procedural action”.*⁵¹

This example demonstrates that the fact that a specific activity envisaged by law is carried out (whether a forensic examination or the administration of arbitration in accordance with the Law on Arbitration) is not *per se* sufficient evidence in support of the fact that a non-profit organization carries out a unique and publicly beneficial activity.

34. **The above implies that RIMA (RAC), without meeting any actual conditions, obtained from the Ministry of Justice the right to use the word “Russian” in its name due to reasons unconnected with the law.**

The objectives of obtaining such a right include among other things misleading Russian and foreign persons, as well as gaining an unreasonable competitive advantage to weaken the positions of the ICAC at the RF CCI in the Russian arbitration market (see below, para. 179).

Taking this into account, the word “Russian” or the letter “R” in the names and “RAC”, respectively, should be used in quotation marks.

⁵¹ <https://kad.arbitr.ru/Card/c84f874e-ad99-4634-8c7c-c0e85680ed37>

III. RAC'S DENIAL OF THE FACT THAT IT PROVIDES ARBITRATION ADMINISTRATION SERVICES AND THE REASONS FOR THIS

35. As one of the main goals of its work RIMA points to, *inter alia*, “provision of services in the field of contribution to alternative resolution of civil law disputes by way of arbitral proceedings (arbitration) and mediation”.⁵²

36. At the same time, at present RAC publicly and unequivocally denies that it provides arbitration administration services.

In 2018 Andrey Gorlenko (general director of RIMA and executive administrator of RAC) stated: “*If [others] deem this to be a services market, let them think so, but what we do is promote and develop arbitration*”.⁵³

37. RAC's viewpoint that arbitration administration does not constitute a service may clearly be seen in a case in the Arbitrazh (Commercial) Court of Moscow city, No. A40-217302/2018-33-2400.⁵⁴

38. That case was initiated by the Autonomous Non-Profit Organization Center of Arbitration Proceeding (Novosibirsk), Association Altay Arbitration Center (Barnaul), and the Association of Independent Arbitration (Perm) (jointly the Applicants) which, like many other organizations, applied to the Ministry of Justice more than once in an effort to obtain the right to exercise the PAI functions, but only received formulaic and unlawful denials.

39. The Applicants therefore decided to apply to the Federal Antimonopoly Service of the Russian Federation (FAS), on the basis that the Ministry of Justice was unlawfully and systematically rejecting almost all organizations, coordinating its actions with RAC and the RF CCI. This was evidenced, *inter alia*, by the fact that the Ministry of Justice actually approved a structure for the Council for Development of Arbitration that allows it, in coordination with RAC and the RF CCI, to limit access to the arbitration services market for other entities and to ensure division of the market between RAC and the RF CCI.

40. The Applicants' submission to FAS contained a detailed description of the factual circumstances, evidencing violations of the antimonopoly legislation by the aforementioned entities and references to the applicable law, as well as a list of specific measures that the applicants requested FAS to undertake in order to stop violations of the antimonopoly legislation by the Ministry of Justice, RAC and CCI of the Russian Federation.

41. However, FAS denied the Applicants' request to initiate a case over the violation of antimonopoly legislation, giving no rationale whatsoever.

⁵² See Section 3 of the RIMA Charter (<http://modernarbitration.ru/wp-content/uploads/2018/07/Устав-РИСА.pdf>). See also: <https://centerarbitr.ru/en/2017/10/18/mou-with-siac/> (Annex 11).

⁵³ <https://www.kommersant.ru/doc/3587616>

⁵⁴ <https://kad.arbitr.ru/Card/5de8288f-2be0-4036-87e6-75f59dd69da9>; see also written explanations of RIMA of 24 October 2018 (Section 2), 29 October 2018 (Section 1).

This FAS rejection was appealed by the Applicants in the Arbitrazh (Commercial) Court of Moscow city (with the Ministry of Justice, RF CCI and RIMA acting as third parties (the above-said case No. A40-217302/2018-33-2400)).

42. It is important to note that FAS did not deny that it was competent to consider the Applicants' submission, thereby recognizing that arbitration administration falls within the scope of the services market, which is governed by legislation on protection of competition.
43. A similar position by FAS may also be traced in its reply No. 201221137(5) dated 11 January 2013:

“According to the FAS, services provided by a non-profit organization to organize and conduct arbitration proceedings can be considered as goods for the purpose of applying the Law on Protection of Competition. A non-profit organization that provides the aforementioned services on a fee basis in the framework of the organization of arbitration proceedings, can be classified as a business entity within the meaning of the Law on Protection of Competition”.

44. At the same time, in the Arbitrazh (Commercial) Court of Moscow city, RAC denied that it provided arbitration administration services. Specifically, in its written explanations dated 24 October 2018, RAC included a separate Section 2 “The administration of arbitration is of a specific legal nature and is aimed at ensuring the implementation of the constitutional right to judicial protection by participants in civil turnover”, where, *inter alia*, it was stated:

*“Therefore, **arbitration administration** is a specific activity of PAI for the exercise, jointly and inseparably with the arbitrators, of quasi-public functions **and may not be deemed as provision of services**. Moreover, PAI activity would be impossible in principle[,] and from this fact another fundamental misunderstanding or deliberate distortion of the nature of arbitration by the Applicants follows”.*

Moreover, in its written explanations dated 29 October 2018, RIMA (RAC) in Section 1 “The Applicants' reference to the fact that the activity of arbitration administration falls within the services sector due to the use of this term by the institute and the RF CCI, is unfounded” stated:

*“Based on the foregoing, contrary to the Applicants' opinion, **the mere use of the term ‘services’ does not automatically entail a change in the quasi-public legal content of arbitration administration activities carried out by the PAI**”.*

45. In other words, RAC claims that it does not provide services for the administration of arbitration, but in fact conducts public activities similar to the administration of justice by state courts.

The reasons thereof are not a matter of chance and will be explained below in para. 177.

IV. RAC'S DENIAL OF THE NECESSITY TO APPLY THE REGULATIONS ON PROTECTION OF COMPETITION TO THE ADMINISTRATION OF ARBITRATION AND THE REASONS FOR THIS

46. In the Arbitrazh (Commercial) Court of Moscow city, RAC also disagreed that arbitration administration services are covered by the Federal Law dated 26 July 2006 No. 135-FZ "On Protection of Competition". In its written explanations dated 24 October 2018, RAC noted:

"From this it follows that within the framework of arbitration, it is the arbitrators, not the PAI, that carry out activities aimed at making a profit and being of a civil law nature (in contrast to the activities of the PAI). With some reservations, one can talk not about the arbitration administration market, but about the arbitration market instead.

In addition, being, as will be described in detail below, an alternative way to resolve disputes [,] arbitration in principle cannot be governed by the Federal Law 'On Protection of Competition', and all the arguments of the Applicants in this part indicate a complete misunderstanding or intentional distortion of the nature of arbitration. In this regard, on the basis of the totality of the above circumstances, the FAS reasonably and lawfully refused to initiate proceedings".

To put it differently, the services are provided by the arbitrators, and it is they who gain profit, while PAIs administer justice and do not gain any income (it sounds absurd, but this is exactly what RAC's suppositions are).

As can be seen, RAC rejects the importance of competition in the field of administration of arbitration.

47. The main outcome of the case hearing in the Arbitrazh (Commercial) Court of Moscow city was the emergence of part 1.1 in Article 44 of the Law on Arbitration (introduced by the Federal Law dated 27 December 2018 No. 531-FZ "On Amendments to the Federal Law 'On Arbitration (Arbitral Proceedings) in the Russian Federation' and the Federal Law 'On Advertising'").

In accordance with this rule, the activity of PAIs in relation to arbitration administration does not fall within the scope of the antimonopoly legislation of the Russian Federation.

This legislative withdrawal of arbitration administration from the scope of antimonopoly regulation was nothing other than an attempt to impede further progress in this case as well as to ensure the privileged position of RAC in arbitration.

48. An indication that such legislative removal was a direct consequence of the involving RAC was confirmed, *inter alia*, by Vadim Chubarov (vice-president of the RF ICC who, unfortunately, put the ICAC of the RF CCI under his personal control and interests):

"The occurrence and consideration of the case resulted in the direct enshrinement in the law that relations connected with the activities of permanent arbitration institutions

*administering arbitration are not subject to the regulation of antitrust laws (part 1.1 of Article 44 of the Law on Arbitration). This is a rare case when a lawsuit has grown into a provision of the law in the shortest time possible. I believe that the deputies, who supported the arbitration community and made the corresponding amendment, helped arbitration proceedings to take a huge step forward – it is impossible to extend the laws of commerce to the activities of arbitration institutions”.*⁵⁵

- 49. In other words, RAC and CCI are ardent opponents of competition between arbitration centers, with their fears resulting from their keenness to preserve their unjustified privileges.**

The reasons for this are no accident and will be explained below in para. 177.

⁵⁵ <https://www.garant.ru/interview/1272792>

V. FOUNDERS, MANAGEMENT AND OTHER PERSONS CONNECTED WITH RAC

50. To have a better idea of what RIMA (RAC) is, one must not neglect the issue of its founders and some of the other persons affiliated to it.

51. In accordance with Article 1(7) of the Regulations on the Russian Arbitration Center at the autonomous non-profit organization Russian Institute of Modern Arbitration (“Regulations”),⁵⁶ the founders of RIMA are:

1. **Foundation for Legal Education and Research;**
2. **LLC LF Academy;**
3. **Private institution Center for Arbitration and Legal Expertise;**
4. **ANO International and Comparative Law Research Center;**
5. **The Federal Chamber of Attorneys of the Russian Federation.**

52. Members of the Supervisory Board of RIMA are:

- 1) Yury Pilipenko, President of the Federal Chamber of Attorneys (see below, Section 5.6);
- 2) Olga Motenko, general director of KC St. Petersburg International Legal Forum (see below, Section 5.3);
- 3) Khristophor Ivanyan, partner of Ivanyan & Partners (Annex 13) (see below, para. 162).⁵⁷

The Board of the RAC includes, *inter alia*, Anton Asoskov, known for his loyalty to the Russian Ministry of Justice (for which he was admitted to the Council for Development of Arbitration (see above, para. 8)), as well as his development of the theoretical grounds for the special prohibition on referring domestic Russian disputes to foreign courts and arbitration centers by request of the Ministry of Justice (but with authorization to consider any non-Russian disputes in the Russian Federation).⁵⁸



Anton Asoskov

⁵⁶ https://centerarbitr.ru/wp-content/uploads/2019/02/Положение-РАЦ-200219_final.pdf. The information on the founders of RIMA is also published on its official website: <http://modernarbitration.ru/en/institute/founders/> (Annex 12).

⁵⁷ <http://modernarbitration.ru/en/institute/structure/>

⁵⁸ *Asoskov A.V.* Is it Acceptable to Refer Purely Domestic Disputes without a Foreign Element for Resolution by a Foreign Arbitration? // *Zakon*. 2017. No. 8. P. 115–123.

5.1. Andrey Gorlenko as One of the Heads of RAC



Andrey Gorlenko

53. The general director of RIMA, as well as the executive administrator of RAC since December 2019 is Yulia Mullina.⁵⁹

From the time of the foundation of RIMA (RAC) and until December 2019 the head was Andrey Gorlenko.

54. At various times Andrey Gorlenko held the following positions⁶⁰:

Year	Position
2006–2015	Assistant attorney, attorney, partner of the law office Reznik, Gagarin & Partners.
2013–2015	Member of the task force for elaborating new legislation on arbitration (arbitral proceedings). ⁶¹
2015–2016	Senior associate of the international law firm Debevoise & Plimpton.
2016–2019	Executive administrator, RAC at RIMA.
2019 – until present	Partner of Ivanyan & Partners ⁶² (Annex 14), member of RAC Board ⁶³ (Annex 8).

⁵⁹ <http://modernarbitration.ru/институт/структура/>

⁶⁰ <https://lfacademy.ru/speaker/14691>; <https://www.kommersant.ru/doc/3134897>

⁶¹ <https://roscongress.org/speakers/andrey-gorlenko/biography/>; <https://komitetgi.ru/news/events/1534/>; <https://pravo.ru/review/view/118483/>

⁶² <https://ivanyan.partners/en/news/new-partner-andrey-gorlenko/>

⁶³ <https://centerarbitr.ru/en/presidium-2/>

Presently not on the lists of the Committee members. ⁶³	Deputy Chair of the Committee for (budget and) tax policy of the Russian Union of Industrialists and Entrepreneurs (RUIE). ⁶⁵ <u>The Chair of the said committee is Vladimir Lisin (see more about him below, Section IX).</u> ⁶⁶ The lists of members of the RUIE committee for international cooperation also includes Andrey Gorlenko (Sr.) – director for development of LLC Transport Assets Management, member of the sub-committee for transport and logistics ⁶⁷ (for more details about him see below, para. 124).
--	---

55. Andrey Gorlenko’s career trajectory is well known: he came to the field of arbitration due to the case of the ICAC at the RF CCI under the claim by Nikolay Maximov against JSC Novolipetsk Steel Company⁶⁸ (see below, para. 120). This case was dealt with by the law firm Reznik, Gagarin & Partners, which has long protected the interests of JSC Novolipetsk Steel Company and its beneficiary Vladimir Lisin (see below, Section IX). This was thanks to his father, who worked under the guidance of Vladimir Lisin (see below, para. 124).
56. When Vladimir Lisin decided to deal with the arbitration “reform” (see below, Section IX), his companies instructed, *inter alia*, Andrey Gorlenko and hired Debevoise & Plimpton, thus providing financial sponsorship for the “reform” (see below, para. 123). The Ministry of Justice was, of course, unable to elaborate on the draft bill itself.

After that, as a sign of gratitude, Andrey Gorlenko was listed as an employee of the firm for the sake of getting a wage. After that, he was sent to RAC.

Since the end of 2019 he has been a partner at Ivanyan & Partners, which is no coincidence (see below, Section XIII). His move to this firm is reminiscent of that of Elena Borisenko, who was actively involved in arbitration “reform”, from the Ministry of Justice to JSC Gazprombank (see below, Section XI).

The Structure of Founders of RIMA (RAC)

57. Below is given the structure of RIMA (RAC) and its founders, which clearly shows how they are interlinked, and also that RAC, acting via its founders, is closely connected with the Ministry of Justice, the Government of the Russian Federation, JSC Gazprombank (Gazprombank), and the state corporation Rosatom.

Please see more details on each founder of RIMA as well as the proof of the connections between these entities, in Sections 5.2, 5.3, 5.4, 5.6, X, XI below.

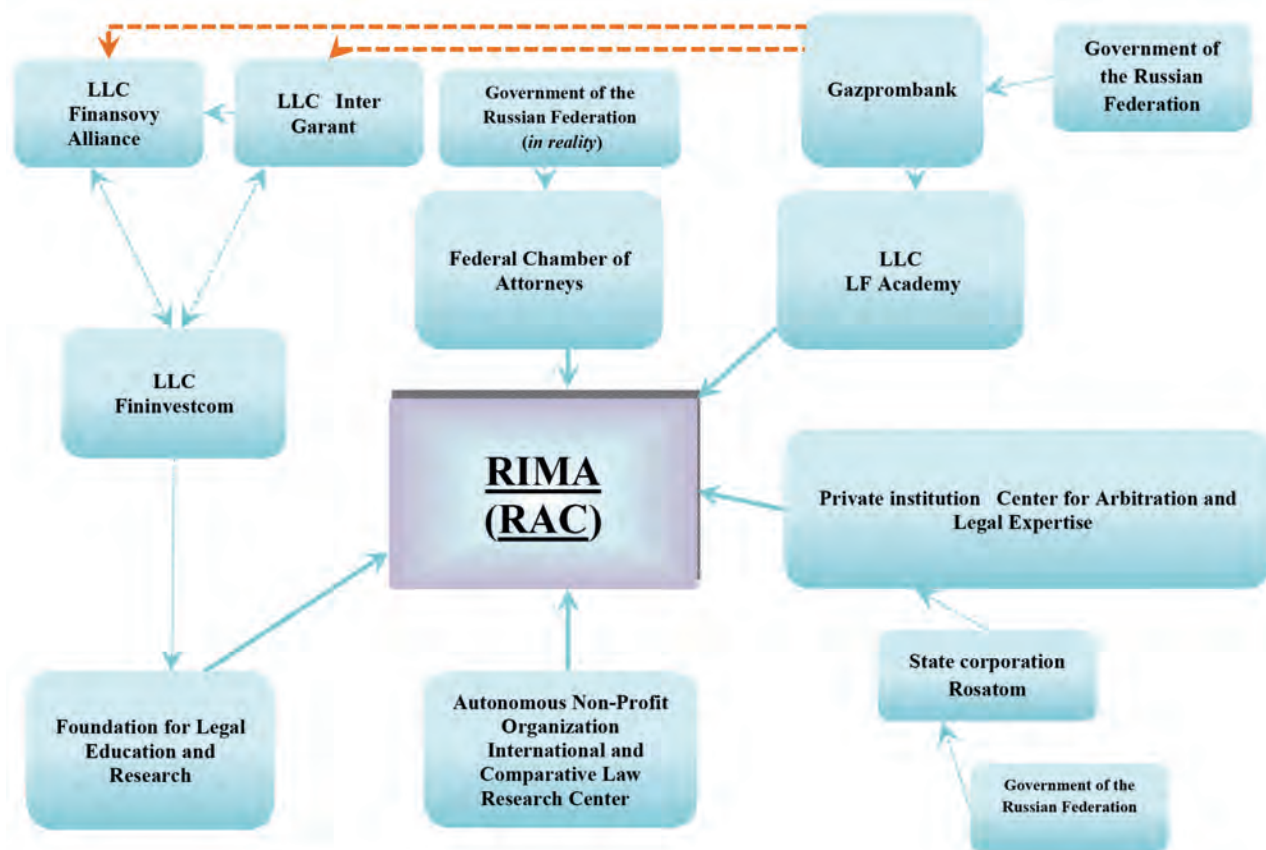
⁶⁴ <http://old.rspp.ru/cc/structure/1>

⁶⁵ <https://lfacademy.ru/course/22951/22975>; https://www.lawtek.ru/person/3393/gorlenko_andrey

⁶⁶ *Ibidem*.

⁶⁷ <http://old.rspp.ru/cc/structure/5>

⁶⁸ <https://kad.arbitr.ru/Card/28d4cfb0-ea58-48af-9c2e-0f3e8e702165>



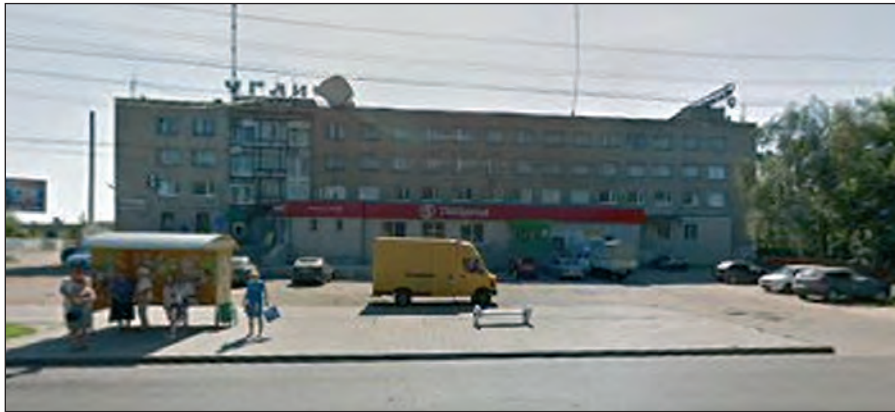
5.2. Foundation for Legal Education and Research and the Entities Behind It (Gazprombank?)

58. The Foundation for Legal Education and Research (the Foundation) implements and supports projects aimed at researching and developing international law.⁶⁹
59. According to the Uniform State Register of Legal Entities, it has the same address (location) as RAC: 119017, Moscow, Kadashevskaya embankment, 14, bldg. 3 (evidently in different rooms).
60. Apart from being a founder of RAC, the Foundation is also the founder of ANO International and Comparative Law Research Center. The latter is also a founder of RIMA (see above, para. 51). It also has the same address: 119017, Moscow, Kadashevskaya embankment, 14, bldg. 3.
61. Ivanyan & Partners is located at the same address (see below, Section XIII).

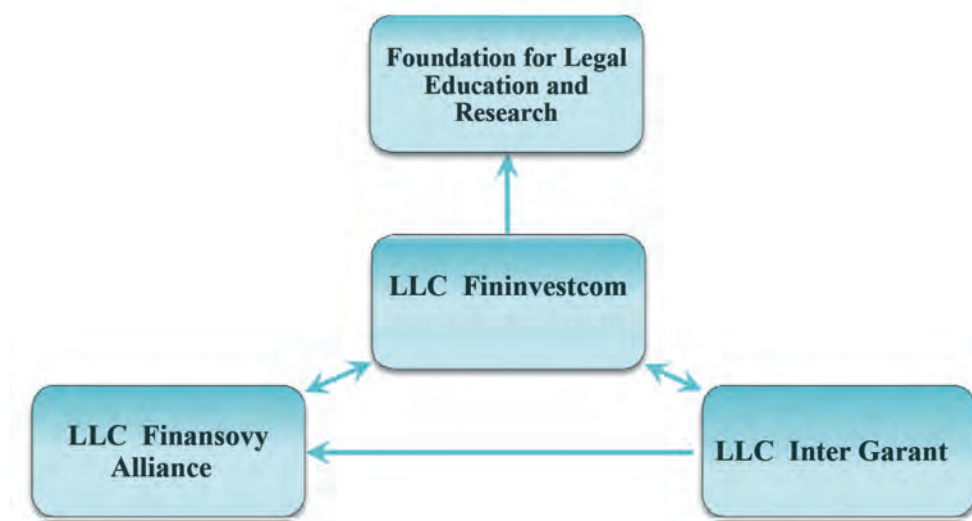
⁶⁹ The information is given on the website in the section concerning the founders (<http://modernarbitration.ru/en/institute/founders/> (Annex 12)). It is noteworthy that, if one clicks the active link "Foundation for Legal Education and Research" in the section "Founders", one will be directed not to the website of the Foundation, but to the website of the International and Comparative Law Research Center (<http://iclr.ru/ru>) instead.

The Entities behind the Foundation

62. The founder of the Foundation is LLC Fininvestcom registered in Uglich in a small building (where Pyaterochka⁷⁰ store is situated) with 42 other legal entities (Yaroslavskaya street, 50).



63. The Casebook data service is silent on the characteristic feature of the address where Fininvestcom is registered⁷¹ (a matter of whether there are signs of it being a mass registration address). However, previously this service did directly indicate that LLC Fininvestcom was registered at a mass registration address.
64. Here it is appropriate to recall the widespread practice in the Russian Federation, approved by the authorities, of concealing beneficiaries associated with them, including by using commercial organizations registered at dubious addresses.⁷²
65. In turn, LLC Fininvestcom has two founders: LLC Finansovy Alliance and LLC Inter Garant. The founder of each of them is LLC Fininvestcom itself. At the same time LLC Inter Garant is also the founder of LLC Finansovy Alliance. LLC Inter Garant has only one founder: LLC Fininvestcom.



⁷⁰ A well-known Russian low-priced chain store.

⁷¹ <https://casebook.ru/#side/info/1037601403245>

⁷² <https://neftegaz.ru/news/gosreg/240700-taynye-vladeltsy-baykalfinansgrupp-kotoryy-kupil-yugansk-neftegaz-v-2004-g-stali-yavnymi-no-eto-niche/>

66. In other words, judging by all the signs, the real “beneficiary” of the Foundation is concealed, while the nominal founder of the Foundation is seemingly a “shell” company, LLC Fininvestcom.
67. It is obvious that a special loop control structure has been employed here, in order to conceal the true beneficiary.
68. The Foundation possesses assets of over RUB 75 million (though the profit of the Foundation is 0).⁷³

It is noteworthy that the Foundation’s main activity is “88.99. *The provision of other social services without accommodation not included in other groups*” (previously the main activity of the Foundation was designated as “*The provision of social services for the elderly and disabled without accommodation*”. The head of the Foundation is Ilya Kryzhanovsky. There is no publicly available information about Ilya Kryzhanovsky as an authoritative lawyer. On the internet there is only some information about a candidate of chemical sciences Ilya Kryzhanovsky (*Kryzhanovsky, Ilya* Structural and chemical ordering in films of arsenic sulfides deposited by ion-beam spraying: diss. ... candidate of chemical sciences: 02.00.01; St. Petersburg, 1994).⁷⁴

69. At the same time, one of the members of the Supervisory Board of the Foundation is Famil Sadygov (see Report on Activity of the Non-Profit Organization and Personal Composition of its Management Bodies for 2018). He is also a member of the Board of Directors and Deputy Chair of the Management Board of Gazprombank.⁷⁵

From the Report, it also follows that the chair of the Supervisory Board of the Foundation is Igor Rusanov, who is Deputy Chair of the Management Board of Gazprombank.⁷⁶

Hence, we may draw the conclusion that Gazprombank stands behind the said LLC (LLC Finansovy Alliance and LLC Inter Garant) (see also below, Section XII).

70. Besides, in the above-mentioned Report Denis Norenko is mentioned amongst others as a member of the Supervisory Board. According to available information⁷⁷ he is an entrepreneur and founder of three commercial entities: LLC W S Capital (currently being liquidated), LLC W S Capital Management and LLC Hustle Beach. LLC W S Capital Management (with authorized capital of RUB 35.2 million) offers consulting on business and management issues. Furthermore, Denis Norenko is also known to be a member of the Board of Directors of the Cyprus company WS Financial and Investment Services Ltd.⁷⁸ Amongst other things it owns the fund WSFIS Global Opportunities Fund which has been a co-owner of Citymobil company since 2018.⁷⁹

⁷³ The information can be found at: https://zachestnybiznes.ru/company/ul/1137799023493_7703480804_FOND-PRAVOVYH-ISSLEDOVANIY/balance, for instance, or in any other sources.

⁷⁴ <https://search.rsl.ru/ru/record/01000307922>; <http://fizmathim.com/strukturno-himicheskoe-uporyadochenie-v-plenkah-sulfidov-myshyaka-nanesennyh-ionno-luchevym-raspyleniem>

⁷⁵ <https://www.gazprombank.ru/about/management/>

⁷⁶ https://www.gazprombank.ru/about/management/#management_1

⁷⁷ <https://www.rusprofile.ru/person/norenko-dv-771565019941>

⁷⁸ http://cy-check.com/keystone-agency-michael-k-stavrinos/28.html?utm_source=171296

⁷⁹ Former Managers of Gennady Timchenko Became Co-owners of Citymobil (22 November 2018) (<https://www.vedomosti.ru/technology/news/2018/11/22/787153-sitimobil-menedzheri-gennadiya-timchenko>).

As reported in the mass media, Denis Norenko is affiliated with the Seaport Gelendzhik, being a former employee of companies connected with the well-known entrepreneur Gennady Timchenko⁸⁰ who is, in turn, deemed to be a person closely related to the government authorities.⁸¹ As regards the Seaport Gelendzhik, its facilities were constructed by JSC Stroytransgaz (the only company carrying out works under this public procurement contract) being part of Volga Group of the above-mentioned Gennady Timchenko.⁸²

71. The following information regarding the Foundation is available on the Internet:

*“The founder there [is] LLC Fininvestcom (TIN 7609017130). At the end of November 2015 Gazprombank was present in that organization via the controlled LLC Adamant (TIN 7703504318) and LLC Finproekt (TIN 7727526624). The question is: did Gazprombank leave this project? Adamant was replaced by LLC Finalliance (TIN 7717159397) in which a direct founder [is] LLC Inter Garant (TIN 7717156477) which is owned by the above-said LLC Fininvestcom (TIN 7609017130)”.*⁸³

72. It is also noteworthy that the aforementioned LLC Fininvestcom (TIN 7609017130) and associated LLC Adamant (TIN 7703504318) (as asserted above) and LLC Finproekt (TIN 7727526624) and Gazprombank itself (TIN 7744001497) are indicated as affiliated entities in relation to LLC Gazenergoset Povolzhye⁸⁴ (which is part of the Gazprom Gazenergoset Group⁸⁵).

73. The fact that LLC Adamant was connected with LLC Fininvestcom is also confirmed by other internet sources. For example, one source states that LLC Adamant “*is or was the founder...*” of LLC Fininvestcom with a stake of 0.03 % for the amount of RUB 5,000 as of 3 March 2016.⁸⁶

74. Now that LLC Adamant does not figure in the authorized capital of LLC Fininvestcom, there are no traces of Gazprombank’s direct participation.

It may be indirectly concluded that LLC Fininvestcom may still be connected with Gazprombank from the fact that Gazprombank affiliates, LLC New Financial Technologies (PSRN 1027601305050, TIN 7612021722) and LLC Trade Investments (PSRN 1037602004978, TIN 7612031880) are also registered in Uglich at the same address as LLC Fininvestcom (with the only difference being the rooms occupied⁸⁷).

⁸⁰ Former Managers of Gennady Timchenko Became Co-owners of Citymobil (22 November 2018) (<https://www.vedomosti.ru/technology/news/2018/11/22/787153-sitimobil-menedzheri-gennadiya-timchenko>).

⁸¹ *Malkova I., Terentyev I.* That Very Timchenko: The First Interview of the Richest Friend of Putin (26 October 2012) (<https://www.forbes.ru/sobytiya/lyudi/181713-tot-samyi-timchenko-pervoe-intervyu-bogateishego-iz-druzei-putina>); https://en.wikipedia.org/wiki/Gennady_Timchenko.

⁸² *Vavina E.* Stroytransgaz Will Build a Port in Gelendzhik without Tender (21 August 2018) (<https://www.vedomosti.ru/realty/articles/2018/08/22/778715-stroitransgaz-port-gelendzhike>).

⁸³ https://zakon.ru/discussion/2018/4/16/arbitrazhnyj_centr_stal_rossijskim__minyust_razreshil_dopolnit_naimenovanie

⁸⁴ <http://ges-povolje.ru/upload/tender/normative/e96a7b48ff.xlsx?28122018104553>

⁸⁵ <http://ges-povolje.ru/>

⁸⁶ <https://www.list-org.com/company/249067>

⁸⁷ List of entities affiliated with Gazprombank as of 30 November 2019 (https://www.gazprombank.ru/upload/files/iblock/0a3/affil_30062019.pdf) (Gazprombank is one of the largest commercial banks of Russia):

75. As can be seen, any information as to the persons standing behind the Foundation for Legal Education and Research is thoroughly concealed (but, most likely, this is Gazprombank).

5.3. LLC LF Academy

76. The founder of LLC LF Academy is Olga Motenko, who is at the same time the founder of LLC Conference Center St. Petersburg International Legal Forum.

The organizer of the St. Petersburg International Legal Forum is the Ministry of Justice⁸⁸ along with, seemingly, the Russian Government and other related entities (see below, Section XII).



Olga Motenko

77. *“100% of LLC Conference Center St. Petersburg International Legal Forum is owned by Olga Motenko. This businesswoman started out in 2007 as the general director of the Oberon insurance company (in 2009, after her dismissal, the company was re-registered in Izhevsk where it was quietly wound up, while its parent company Regional Insurance Alliance is presently going bankrupt). In 2011 [she] founded LLC Conference Center St. Petersburg International Legal Forum, at the same time in St. Petersburg she founded the company Molot with her partners which, according to data from the All-Russia Classificatory of Economic Activity Types, specialized in gambling and betting activities. Judging by information from arbitrazh (commercial) cases involving Molot, more than once it was checked by the Department for Combating Economic Crimes, which discovered that this company ‘under the guise of operating the Student Ticket, Farmer, and Motherland Shield Russian non-state instant lotteries arranged and held gambling events using electromechanical equipment without proper authorization’”*⁸⁹
78. For other data regarding this forum, Olga Motenko and ties with the Ministry of Justice and Gazprombank, see below, Section XII.

New Financial Technologies LLC: 152610, Russian Federation, Yaroslavl Region, Uglich, ul. Yaroslavskaya, bldg. 50, room 208;

Trade Investments LLC: 152610, Yaroslavl Region, Uglich, ul. Yaroslavskaya, bldg. 50, room 234, floor 2.

⁸⁸ https://spblegalforum.ru/en/About_Forum (Annex 15); <http://minjust.ru/ru/smi-o-nas/vii-peterburgskiy-mezhdunarodnyy-yuridicheskiy-forum-sostoitsya-16-20-maya-2017-g>.

⁸⁹ https://www.dp.ru/a/2017/05/18/Reportazh_pro_juridicheskij

5.4. Autonomous Non-Profit Organization (ANO) International and Comparative Law Research Center

79. ANO International and Comparative Law Research Center, according to its website⁹⁰ (Annex 16), conducts “*research on various issues of international and comparative law that are strategically important for the Russian Federation and Russian business*”.
80. The founder of the International and Comparative Law Research Center, as noted in para. 60, is the Foundation for Legal Education and Research.
81. The partners of the International and Comparative Law Research Center are, *inter alia*: Gazprombank (see below, Section XI), Ivanyan & Partners (see below, Section XIII), St. Petersburg International Legal Forum (see below, Section XII), and LLC LF Academy⁹¹ (Annex 17) (see below, Section 5.3).
82. The chair of the Supervisory Board of the International and Comparative Law Research Center is Elena Borisenko⁹² (Annex 18) (see below, para. 135). Previously this position was held by Vasily Torkanovsky who is a partner of Ivanyan & Partners.⁹³
83. At present, the members of the Supervisory Board of the International and Comparative Law Research Center are (Annex 18): the above-mentioned Olga Motenko (see above, paras. 76 and 77), Ilya Kryzhanovsky (see above, para. 68) and Igor Rusanov (see above, para. 69).⁹⁴ Previously these positions were held by Khristophor Ivanyan (see below, para. 162), Ilya Kryzhanovsky and Igor Rusanov.⁹⁵
84. Previously the general director of the International and Comparative Law Research Center was Ekaterina Sorokovaya,⁹⁶ who is currently working in the Ministry of Economic Development of Russia, and who used to work in the Administration of the President of Russia, and the Deposit Insurance Agency.⁹⁷

After Ekaterina Sorokovaya, the general director of this Center was Ekaterina Papchenkova, who in 2018–2019 was an advisor of the Minister for Economic Development of the Russian Federation.⁹⁸

85. In 2018, the International and Comparative Law Research Center became involved in procurement No. 31806843973 of legal services from a sole supplier, where the client was the state corporation VEB.RF.⁹⁹ And yet, for some reason, there is no information

⁹⁰ <http://www.iclrc.ru/en/about>

⁹¹ <http://www.iclrc.ru/en/about/partners>

⁹² <http://www.iclrc.ru/en/about/managing>

⁹³ <http://www.iclrc.ru/files/pages/about/3/ГО%20ЦМСПИ%202018.pdf>

⁹⁴ <http://www.iclrc.ru/en/about/managing>

⁹⁵ <http://www.iclrc.ru/files/pages/about/3/ГО%20ЦМСПИ%202018.pdf>

⁹⁶ <http://old.economy.gov.ru/minec/press/news/201701114>

⁹⁷ <https://finparty.ru/personal/ekaterina-sorokovaya/>

⁹⁸ <https://lfacademy.ru/speaker/1346099>

⁹⁹ <https://synapsenet.ru/zakupki/fz223/31806843973%231--moskva-okazanie-yuridicheskikh-uslug>

on the Center's involvement in procurement No. 31806843973 on the official website of the Uniform Information System in the Procurement Sphere,¹⁰⁰ or on the website of the state corporation VEB.RF.¹⁰¹

5.5. Center for Arbitration and Legal Expertise

86. The private institution Center for Arbitration and Legal Expertise formally became a co-founder of RIMA on 26 January 2018.

The founder of this center is the state corporation Rosatom. The latter was founded by the Russian Federation.

87. It is not difficult to trace the previous connection of this Center with RAC. For example, from November 2017 the Arbitral Center for Resolution of Economic Disputes established at this Center (the latter was founded by the state corporation Rosatom), actually became a part of RAC, which created, based on it, a specialized division for the resolution of disputes in the nuclear industry¹⁰² (Annex 8).
88. The connection between RAC and Rosatom state corporation is also clear for other reasons (for more details see below, Section X).

5.6. The Federal Chamber of Attorneys of the Russian Federation. Yury Pilipenko

89. The Federal Chamber of Attorneys of the Russian Federation (FCA) and its president Yury Pilipenko (member of the Supervisory Board of RIMA, member of the Board of RAC¹⁰³ (Annex 8), arbitrator of RAC¹⁰⁴ (Annex 19)) are well known for their ties with and subordination to the state, though the FCA is called upon to be an independent non-profit organization principally protecting the interests of attorneys.

Yury Pilipenko is also considered by many attorneys in Russia as a conductor of state interests rather than those of FCA.

¹⁰⁰ <https://zakupki.gov.ru/223/purchase/public/purchase/info/common-info.html?regNumber=31806843973>

¹⁰¹ <https://вэб.рф/zakupki/?year=2018&search>

¹⁰² <https://centerarbitr.ru/nuclear-division/general-information/>

¹⁰³ <https://centerarbitr.ru/en/presidium-2/>

¹⁰⁴ <https://centerarbitr.ru/en/arbitrators-2-old/list/>



Yury Pilipenko

90. In particular, Yury Pilipenko is the partner of YUST law firm, which is also known for its ties with the state.

Specifically, one of the founders and a senior partner of the company¹⁰⁵ (Annex 20) is Vladimir Pligin, a Deputy of the State Duma of the fourth, fifth and sixth convocations from the United Russia party, chair of the State Duma Committee on Constitutional Legislation and State Building of the State Duma of IV–VI convocations.¹⁰⁶ Vladimir Pligin is also known for his connections with Dmitry Kozak¹⁰⁷ (Annex 21) since his student days. Dmitry Kozak is one of those who stood by the sources of the YUST law firm in St. Petersburg.¹⁰⁸ Dmitry Kozak’s wife, Natalia Kvacheva, currently works in the YUST law firm.¹⁰⁹

91. There are varying views of Yury Pilipenko’s activity as President of the Federal Chamber of Attorneys in the attorneys’ community.
92. Take, for example, the situation with the re-election of Yury Pilipenko for a second term. Here, in contravention of the Regulations of the Council of the Federal Chamber of Attorneys the President of the Udmurt Attorneys’ Chamber Dmitry Talantov was expelled from the session of the Council of the Federal Chamber of Attorneys, after which a unanimous decision to re-elect Yury Pilipenko was declared. The legitimacy of this decision is questionable.¹¹⁰
93. The term “Pilipenko Clash” (“the Pilipenko Case”) and hashtag “#юргдеденьги” [#yury-whereisthemoney] became quite widespread in the Russian attorneys’ community.¹¹¹

¹⁰⁵ <http://фирмаюст.рф/en/partners/item.shtml?item=6>

¹⁰⁶ https://ru.wikipedia.org/wiki/Плигин,_Владимир_Николаевич

¹⁰⁷ Deputy Head of Administration of the President of the Russian Federation since 24 January 2020, Deputy Chair of the Government of the Russian Federation (14 October 2008 – 15 January 2020), Minister of Regional Development of the Russian Federation (2007–2008), Authorized representative of the President of the Russian Federation in the Southern Federal Circuit (2004–2007) (https://en.wikipedia.org/wiki/Dmitry_Kozak).

¹⁰⁸ <http://comnarcon.com/760>

¹⁰⁹ Ibidem.

¹¹⁰ <https://www.facebook.com/groups/727763147251862/permalink/2518001361561356/>; https://vk.com/courtlawyers?w=wall-761802_4346

¹¹¹ <https://deskgram.co/explore/tags/коллизияПилипенко>

94. The case being that, as can be seen from the Internet,¹¹² Yury Pilipenko is the beneficiary of the company which owns the premises (address: Moscow, Sivtcev Vrazhek, 43) which were leased for a long time by the Federal Chamber of Attorneys itself.

You could conclude that the funds paid by the FCA as rent actually go to the President of the RF FCA. The RF FCA itself receives funds from the attorneys' chambers for the constituent entities of Russia which, in turn, gather contributions from attorneys. In other words, the funds of attorneys from all over Russia ultimately go to Yury Pilipenko himself.

95. Data in the Uniform State Register of Real Estate No. 99/2019/281304040 dated 31 August 2019 on the land plot, as well as No. 99/2019/281304105 dated 31 August 2019 on the building at the address listed make no mention of the titleholder. The Uniform State Register of Real Estate No. 99/2019/281303892 dated 31 August 2019 regarding non-residential premises “*Cellar No. 0, Basement floor No. 0, Floor No. 1*” at the same address contain in the “titleholder” field the company *WIGMORE HOLDING LIMITED (ВИГМОР ХОЛДИНГ ЛИМИТЕД)*, TIN: 9909091234. It has not been possible to find a company with this name and TIN in available sources. There are other companies with almost identical names registered in Cyprus¹¹³ (Annex 22), Great Britain¹¹⁴ (Annex 23), and other jurisdictions¹¹⁵ (Annex 24).
96. The “Pilipenko Clash” caused a storm in the attorneys’ community and, in particular, engendered a number of statements from the Inter-Regional Public Organization of Attorneys and Lawyers Initiative – 2018 and Dmitry Talantov addressed to Yury Pilipenko¹¹⁶ with requests to disclose the relevant information, as well to as the Ministry of Justice asking for assistance in getting answers from the Federal Chamber of Attorneys to the inquiries.¹¹⁷ There was no articulate reaction from the Ministry of Justice.¹¹⁸ Notably, at the All-Russian Civil Forum in response to a question from one forum participant aimed at ensuring that the attorneys’ chambers financial documents be made available in the public domain, Denis Novak (Deputy Minister of Justice of Russia) asked that the Ministry of Justice not be drawn in to internal conflicts of the Bar.¹¹⁹
97. It is extraordinary that even after Yury Pilipenko acknowledged that he had a conflict of interest,¹²⁰ the situation did not change.

All of the above testifies that, at least, the Federal Chamber of Attorneys is not just a chamber of attorneys, its president is not just a president and his participation in the activity of RAC is also no accident. RAC keeps quiet about this whole situation.

¹¹² <https://www.change.org/p/юрий-яковлевич-чайка-требуем-отстранить-от-занимаемой-должности-руководителя-фпа-господина-пилипенко>

¹¹³ https://www.infocreditworld.com/company/11697819_wigmore-holding-limited/

¹¹⁴ <https://beta.companieshouse.gov.uk/company/03317162/officers>

¹¹⁵ <https://opencorporates.com/companies/gi/01533>

¹¹⁶ <https://www.facebook.com/groups/i2018/permalink/2133719246911461/>; <http://i-2018.ru/applications>

¹¹⁷ <https://www.facebook.com/groups/i2018/permalink/2230874177195967/>

¹¹⁸ <https://www.advgazeta.ru/novosti/ministra-yustitsii-poprosili-o-sodeystvii-v-poluchenii-informatsii-ot-fpa/>

¹¹⁹ <https://www.advgazeta.ru/novosti/denis-novak-poprosil-ne-vovlekat-minyust-vo-vnutrennie-konflikty-advokatury/>

¹²⁰ Ibidem.

5.7. Other Information

98. In addition, data from the well-known service Contour.Focus¹²¹ should also be included here from 22 July 2019, as well as from 28 January 2020 whereby the ultimate owners of RIMA, *inter alia*, are¹²²:

- ▶ Olga Motenko with a stake of ~20 %;
- ▶ Government of the Russian Federation with a stake of ~20 %.

It is noteworthy that Gazprombank is listed among other “historical” beneficiaries of RIMA.

¹²¹ <https://focus.kontur.ru/>. Contour.Focus is a service designed to help you check a counterparty. The data from this service is also used on the websites www.kommersant.ru, <https://www.forbes.ru>, www.rbc.ru.

¹²² This data was obtained for a separate fee when using the “One-off” tariff (<https://focus.kontur.ru/site/price>).

VI. RAC'S FINANCIAL POSITION: CONCEALING INFORMATION ABOUT ITS FINANCIAL SOURCES

99. The precise and specific sources of RAC financing are unknown. RAC tries, by any means it can, to avoid disclosing such information. In response to a proposal to do this made during a meeting between RAC and a private individual this a proposal was declined.

100. The RIMA website contains a section on “Internal Documents and Reports”¹²³ (Annex 25). But it does not contain any financial statements.

101. The question about RAC's real sponsors is also raised at an international level:

“RIMA's funding is an occasional topic of conversation in Russian arbitration circles, with the central question being who really funds it. This talk is ‘very Russian’ and focusses on the presence of shell companies in the ownership chains of some of its five founders (the name for shareholders of non-profit organizations in Russia) combined with the fact no founder is obviously wealthy. Nor does revenue from current caseload appear to cover RIMA's current operating budget (USD 1.1 million or so).

RIMA says that the fact the founders in question are ‘foundations’ insulates them entirely under Russian corporate law from any external control – and by extension also RIMA.

Still, some regard it as important to flag this debate”¹²⁴ (Annex 6²).

102. RAC asserts, in particular, that finance is provided by the Foundation for Legal Education and Research (see above, Section 5.2). However, as has been stated above, the structure of this foundation is quite strange, its founders are limited liability companies and the origin of their assets is also unknown (see above, paras. 62–66). Any information about the Foundation's beneficiaries is thoroughly concealed.

103. According to information available in the public domain, voluntary property contributions and donations received by RIMA in 2016–2018 were as follows:

▶ in 2016 – RUB 30,150,000¹²⁵ (USD 497,058.043¹²⁶);

▶ in 2017 – RUB 42,350,000¹²⁷ (USD 735,240.5¹²⁸);

¹²³ <http://modernarbitration.ru/en/institute/internal-documents-and-reports/>

¹²⁴ <https://globalarbitrationreview.com/insight/guide-to-regional-arbitration-volume-7-2019/1178466/whitelist-institutions-worth-a-closer-look--eastern-europe>

¹²⁵ <https://casebook.ru/card/company/finances/1167700062804>; https://zachestnyibiznes.ru/company/ui/1167700062804_7707371500_RISA-ROSSIYSKIY-INSTITUTSOVREMENNOGO-ARBITRAGhA/balance

¹²⁶ Calculation in accordance with the official rate of exchange of the Central Bank of the Russian Federation as of 31 December 2016.

¹²⁷ <https://casebook.ru/card/company/finances/1167700062804>; https://zachestnyibiznes.ru/company/ui/1167700062804_7707371500_RISA-ROSSIYSKIY-INSTITUTSOVREMENNOGO-ARBITRAGhA/balance

¹²⁸ Calculation in accordance with the official rate of exchange of the Central Bank of the Russian Federation as of 31 December 2017.

- ▶ in 2018 – RUB 86,348,000¹²⁹ (USD 1,242,943.05¹³⁰).

According to the RAC Annual Report for 2019,¹³¹ its total revenue for the said period was RUB 127,911,776.58, of which RUB 102,706,000 was the founders' contributions: RUB 78,800,000 was received from the Foundation for Legal Education and Research (see above, Section 5.2) and RUB 23,906,000 was received from the private institution Center for Arbitration and Legal Expertise founded by Rosatom State Corporation (see above, Section 5.5). In the light of this it is important to underline that according to RAC cases statistics in 2019,¹³² out of 262 claims submitted to RAC in 2019, 194 claims (i.e., nearly three fourths) were considered in conformity with the Rules for Resolution of Disputes in the Nuclear Industry (see also Section X).

It appears that the funds were received by the aforementioned Foundation from Gazprombank (see below, Section XI) or structures affiliated with it.

All these facts serve as an additional proof that RAC is dependent upon Rosatom State Corporation and Gazprombank.

At the same time, according to the RAC Annual Report for 2019,¹³³ its total expenses for the said period amounted to RUB 128,698,058.56, of which:

- ▶ RUB 7,339,391.70 – expenses for administration of arbitration;
- ▶ RUB 15,779,685.80 – payments of arbitrators' fees and taxes (i.e., on average approximately RUB 60,000 are allocated to one panel of arbitrators (in total 262 claims were submitted to the RAC in 2019));
- ▶ RUB 54,766,938 – payroll budget, insurance;
- ▶ RUB 10,841,486.36 – business trips, events;
- ▶ RUB 26,085,256.66 – rental of premises;
- ▶ RUB 2,542,880 – premises repair works due to removal to a new office (city of Moscow);
- ▶ RUB 3,332,844.60 – equipment, furniture, stationery;
- ▶ RUB 4,366,970.75 – technical, information, bank and notarial services;
- ▶ RUB 3,157,660.69 – PR-support, marketing and printed materials;
- ▶ RUB 484,944 – donations to student teams.

¹²⁹ <https://casebook.ru/card/company/finances/1167700062804>; https://zachestnyibiznes.ru/company/ul/1167700062804_7707371500_RISA-ROSSIYSKIY-INSTITUTSOVREMENNOGO-ARBITRAGhA/balance

¹³⁰ Calculation in accordance with the official rate of exchange of the Central Bank of the Russian Federation as of 31 December 2018.

¹³¹ RAC Annual Report for 2019 (https://centerarbitr.ru/wp-content/uploads/2020/03/PAЦ-годовой_отчет-2019.pdf), p. 6.

¹³² RAC in Figures. The Information about the Cases Heard in 2019 (<https://centerarbitr.ru/wp-content/uploads/2020/03/PAЦ-в-цифрах-2020.pdf>).

¹³³ RAC Annual Report for 2019 (https://centerarbitr.ru/wp-content/uploads/2020/03/PAЦ-годовой_отчет-2019.pdf), p. 7.

However, apart from RUB 102,706,000 (the founders' contributions, see above), RAC revenue for 2019 included only:

- ▶ RUB 23,487,713.58 – arbitration fees;
- ▶ RUB 568,063 – fee-based education projects;
- ▶ RUB 1,150,000 – sponsor contributions.

So it follows from these figures which show the revenue-to-expense ratio, **RAC is deeply unprofitable and operates only with the help of Rosatom State Corporation and Gazprom-bank.**¹³⁴

The unusual dynamic of “donations” to benefit RIMA is also of interest: according to the data for 2017 they amounted to approximately RUB 42 million, in 2018 there was a sharp increase to RUB 86 million and in 2019 an increase to nearly RUB 103 million (see above). These figures speak for themselves.

At the same time RIMA's expenses for principal activities (i.e., the targeted events – conferences, seminars, social activity) amounted, specifically, in 2018 to RUB 5,795,000 while the expenses for maintaining the administrative personnel were RUB 75,380,000.

If we take, for instance, the Federal Chamber of Attorneys, this margin is much less (specifically, in 2018 it was RUB 70,301,000 for the targeted events, and RUB 104,878,000 for maintaining the organization itself).

There is no specific data about the financing of RAC's founders (naming the “donors”). Judging by information from the Contour.Focus service, all of the Foundation for Legal Education and Research earnings are from “*voluntary property contributions and donations*”; regarding the Center for Arbitration and Legal Expertise, virtually all the income is in the form of targeted contributions; however, according to data from Contour.Focus, at the end of 2014 almost all the revenue was formed from “*other inputs*”. Among the sources of income for the ANO International and Comparative Law Research Center, *inter alia*, funds received for performing public procurement contracts can be listed (specifically, as the sole supplier (5 April 2019) for the amount of RUB 1.8 million) – providing services for the study of foreign legislation on subsoil use, preparing proposals for the development of Russian legislation (see also above, para. 85). But the main source is also voluntary contributions and donations.

Any information about the exact entities making the said contributions and donations is concealed.

- 104.** The reports on the activity of the non-profit organization and personal composition of its management bodies for 2016,¹³⁵ 2017,¹³⁶ 2018,¹³⁷ provided by RIMA to the Ministry of Justice, specify that the sources of its asset formation are “*special-purpose contributions*”

¹³⁴ See also about it very interesting comments of Roman Zykov in *Facebook* group of *Tretytsky Sud* journal.

¹³⁵ <http://unro.minjust.ru/Reports/49927001.pdf>

¹³⁶ <http://unro.minjust.ru/Reports/62069101.pdf>

¹³⁷ <http://unro.minjust.ru/Reports/71324101.pdf>

*from Russian commercial organizations” and “special-purpose contributions from Russian non-profit organizations”.*¹³⁸

105. “*Special-purpose contributions from commercial organizations*” may also seem to imply arbitration fees in specific cases.

The purpose of qualifying them as such is to reduce taxation and, more importantly, to conceal information despite the public interest in obtaining it.

However, the total amount of such fees is unlikely to reach the amounts referred to above in para. 103.

106. According to reports on spending and the use of other property by the non-profit organization, including that received from foreign states, their public authorities, international and foreign citizens, stateless persons or their representatives and/or from Russian legal entities receiving monies and other property from the said sources for 2016,¹³⁹ 2017,¹⁴⁰ 2018,¹⁴¹ RIMA actually spent, respectively, RUB 10,943,000, RUB 45,733,000, and RUB 81,829,000.

107. **Does non-disclosure of information about the sources of RAC finance for 2016–2018 meet the proper standards?**

Especially when RAC states that it does not provide services related to arbitration administration but, in essence, exercises public activity similar to the administration of justice by state courts (see above, para. 44)?

No.

At the same time, there is nothing bad about third-party financing of an arbitration institution, as long as the information about it and its sources is transparent, the sources themselves are lawful and the sponsors do not attempt to influence the arbitration institution or, of course, the arbitrators.

108. **What are the reasons for concealing the information?**

Firstly, an unwillingness to show connections with persons affiliated with the state.

Secondly, an intention to create the deceptive impression that RAC is independent.

109. **At the same time, in the light of Russian reality, it seems that the amounts indicated in the said reports are just part of the finance for RAC and related entities.**

¹³⁸ All reports since 2016 see: <http://unro.minjust.ru/NKOReports.aspx>.

¹³⁹ <http://unro.minjust.ru/Reports/49928101.pdf>

¹⁴⁰ <http://unro.minjust.ru/Reports/62071801.pdf>

¹⁴¹ <http://unro.minjust.ru/Reports/71324201.pdf>

VII. RAC'S RELATIONS WITH THE MINISTRY OF JUSTICE



Mikhail Galperin

- 110.** One of the key officials in the Ministry of Justice dealing with arbitration “reform” is Mikhail Galperin (who, *inter alia*, was from June 2011 until September 2012 the Deputy Director of the Department of International Law and Cooperation, and from May 2017 – the Authorized representative of the Russian Federation at the European Court of Human Rights and Deputy Minister of Justice¹⁴²).

Before his work in the Ministry of Justice he, *inter alia*, was in charge of “*legal support for the international activity of OJSC Ilim Group created on the basis of assets belonging to CJSC Ilim Pulp Enterprises, with one of the top managers there in the 1990s being Dmitry Medvedev*”.¹⁴³ The arbitration “reform” is known to have been carried out with the participation and approval of Dmitry Medvedev¹⁴⁴ (the then chair of the Russian Government).

- 111.** As director of the Department of Economic Legislation of the Ministry of Justice from 2015, Mikhail Galperin played an active role in the arbitration “reform”. He was also chair of the Council for Development of Arbitration of the Ministry of Justice from 2016 until the appointment of Denis Novak, the Deputy Minister of Justice in 2019,¹⁴⁵ to that position. Presently he is a member of that Council.¹⁴⁶

¹⁴² <https://minjust.ru/node/215541>

¹⁴³ <https://www.kommersant.ru/doc/3303854>

¹⁴⁴ <https://tass.ru/ekonomika/4687561>

¹⁴⁵ <https://minjust.ru/ru/organizacionnaya-struktura/sostav-soveta-po-sovershenstvovaniyu-tretyesko-go-razbiratelstva>; <https://www.kommersant.ru/doc/3303854>

¹⁴⁶ <https://minjust.ru/ru/ekspertnye-i-konsultativnye-organy-pri-ministrestve-yusticii-rossiyskoy-federacii/sostav-soveta-po>



Denis Novak

In the Ministry of Justice Mikhail Galperin was also actively collaborating with Elena Borisenko, who was in charge of arbitration “reform”¹⁴⁷ (see below, para. 135).

112. On 6 September 2017 Mikhail Galperin, with his presence, provided support to RAC during the signing of the memorandum with the Japan Association of Arbitrators (JAA).¹⁴⁸



113. In view of the above, there are no doubts about the close ties between RAC and the Ministry of Justice.

Sources in the Ministry of Justice and the arbitration community confirm that the Ministry of Justice, represented, *inter alia*, by Mikhail Galperin, created a completely privileged regime for RAC and a completely discriminatory one against all other parties that applied to the Ministry of Justice for permission (see above, paras. 15–24).

¹⁴⁷ <https://www.kommersant.ru/doc/2762951>

¹⁴⁸ Report on RAC’s activities as of 2017 and 2018 (<https://centerarbitr.ru/wp-content/uploads/2018/08/Отчет-РАЦ-2017-2018web.pdf>), p. 4; The Institute of Modern Arbitration Signs Memorandum of Understanding with Singapore International Arbitration Centre (SIAC) (<https://centerarbitr.ru/en/2017/10/18/mou-with-siac/> (Annex 11)).

VIII. RAC'S RELATIONS WITH THE COUNCIL FOR DEVELOPMENT OF ARBITRATION AT THE MINISTRY OF JUSTICE. THIS COUNCIL'S ROLE IN THE IMPLEMENTATION OF THE ARBITRATION "REFORM"

- 114.** The Ministry of Justice grants the authorization to obtain permanent arbitration institution (PAI) status, provided that the Council for Development of Arbitration recommends issuing such an authorization to an applicant as a result of analyzing information on the latter.¹⁴⁹

The Council was created by the Ministry of Justice itself. Its composition is also determined by the Ministry of Justice.¹⁵⁰ At present, the Council consists of 50 people.¹⁵¹

At least 50 % of them have neither participated as arbitrators nor even as interested parties' representatives nor have they in any way seriously come across arbitration issues in their professional activities.

- 115.** At the same time, the decision to recommend authorizing an applicant is taken by the Council by a majority of not less than two-thirds of votes of the total number of Council members entitled to vote.¹⁵² Therefore, in order to be granted the right to exercise PAI functions, an applicant needs 34 Council members to vote "in favor". Sixteen votes "against" will suffice for the Ministry to refuse to grant this right.

According to paragraph 12 of the Regulations on the Council: "*Members of the Council shall be persons occupying public positions, and civil servants whose number may not exceed one-third of the total composition of the Council*".

As can be seen, the Ministry of Justice is entitled to appoint to the Council sixteen officials who will follow its directions, and this is enough for each decision taken to conform with the Ministry of Justice's wishes (for more about its arbitration policy see below, Section XVI).

- 116.** Let's take a look at the current state of affairs with Council members.

The Ministry of Justice has appointed to the Council:

Nine civil servants and two people working in organizations under direct government control (Denis Novak (see above, para. 111), Alexandra Dronova,

¹⁴⁹ Article 44(4) of the Law on Arbitration: "*The right to exercise the functions of a permanent arbitration institution in accordance with this Federal Law is granted to a non-profit organization by an act of the authorized federal executive body, adopted in the manner established by it, on the basis of a recommendation by the Council for Development of Arbitration to grant the right to exercise the functions of a permanent arbitration institution*".

¹⁵⁰ In accordance with the Regulation on the procedure for the establishment and activities of the Council for Development of Arbitration, approved by Order of the Ministry of Justice of Russia dated 20 March 2019 No. 45 ("Regulation on the Council").

¹⁵¹ <https://minjust.ru/ru/ekspertnye-i-konsultativnye-organy-pri-ministrestve-yusticii-rossiyskoy-federacii/sostav-soveta-po>

¹⁵² According to paragraph 29 the Regulations on the Council.

Inga Zalutskaya, Mikhail Galperin, Maria Guseva, Evgeny Pisarevsky, Ekaterina Sorokovaya (see above, para. 84), Alexey Terentyev, Svetlana Uglova, Vadim Vinogradov, Dmitry Tolokonnikov);

Three employees of the Federal Chamber of Attorneys of the Russian Federation, widely known for its ties with the government and its subordination thereto (see above, para. 89). These representatives of the Federal Chamber of Attorneys (Yury Pilipenko (see above, Section 5.6), Andrey Suchkov and Alexander Yanin) vote in line with the Ministry of Justice;

Two employees of the CCI RF, under which the ICAC and the MAC already operate with PAI status, by virtue of the express provision in the Law on Arbitration. These representatives of the RF ICAC (Vadim Chubarov (see above, para. 48), vice-president of the RF CCI, and Dmitry Podshibyakin, deputy director of the Center of Arbitration and Mediation of the RF CCI) vote in line with the Ministry of Justice.

These votes are enough to ensure that no one gets a recommendation without the approval of the Ministry of Justice.

However, the Ministry of Justice has also appointed to the Council at least six other people known for their loyalty and willingness to vote as requested of them (Alexandra Nesterenko, Olesya Petrol (see below, para. 174), Alexey Zhiltsov, Anton Asoskov (see above, para. 52), Roman Bevzenko and Alyona Kucher (see above, para. 123).

In addition, Council members include two former members of RAC Board (Roman Bevzenko, Alyona Kucher) as well as three acting members of RAC Board (Yury Pilipenko, Elena Uksusova and Anton Asoskov).

Council member Ekaterina Sorokovaya used to be the general director of the International and Comparative Law Research Center – a founder of RAC (see above, para. 51).

All the above people have voted predominantly and consistently against authorizing various applicants (with the exception RAC and the four organizations referred to in para. 176).

It is obvious that they have acted in violation of the conflict of interest rules set out by Russian regulations¹⁵³ since they have an interest in RAC not facing any competition.

117. The Ministry of Justice has created a two-step system for obtaining the PAI status:

First, one needs to receive a recommendation from the Council.

Then, the Ministry of Justice issues the authorization.

¹⁵³ In accordance with paragraph 23 the Regulations on the Council:

“Members of the Council are obliged:

<...>

3) not to allow conflicts of interest in their activity as the Council member, to notify in good time in written form the Council Secretary of the presence or potential presence of their personal interest which leads or may lead to a conflict of interest during consideration of the issues put to vote of the Council session”.

At the same time, the “*conflict of interest*” notion is not defined in the Regulations on the Council, which cannot but pave the way for potential abuse of rights.

However, the Council was created and is controlled by the Ministry of Justice so effectively it is impossible to get a recommendation without an instruction from the Ministry of Justice.

- 118.** In addition, the Ministry of Justice makes every effort not to pass on applications for consideration by the Council: it simply sends them back to the applicants on unlawful grounds (see above, paras. 15–24, 38).

Furthermore, before each Council session, the Ministry of Justice sends out to the Council members what are in essence instructions with various derogatory information on the applicants which the ministry does not intend to authorize.¹⁵⁴

Certain Council members have informed me that Ministry of Justice officials speak to them before voting, explaining how and in whose favor they should vote.

- 119.** Therefore, the Council is a screen used by the Ministry of Justice to conceal its preferences, and a structure that is under the latter's control.

RAC does its best to facilitate Ministry of Justice control and make it impossible for anyone to get a recommendation without direction from the Ministry of Justice (for more about the policy of the Ministry of Justice in arbitration see below, Section XVI).

RAC representatives vote at the Council sessions in violation of conflict of interest rules.

Member of RAC Board, former director of RAC, Andrey Gorlenko, has intentionally misled the public by saying the following:

“— Some lawyers see a conflict of interest between the Ministry of Justice and your center, considering the ministry's attitude toward you as biased, given that one of the founders of your autonomous non-profit organization Institute of Modern Arbitration is LLC LF Academy, owned and headed by the person owning the organization which is operator of the St. Petersburg International Legal Forum. And one of the forum organizers is in the Ministry of Justice. Can you answer these claims?

*— I think the answer is quite simple — we were given a recommendation by the Council. Some people say that the Council is controlled by RUIE and CCI, but it consists of 37 persons, very experienced and respected professionals of different ages, with different backgrounds and from different areas. Just take a look at the list of names and you will see that these are people with a matchless reputation who value it very much”.*¹⁵⁵

¹⁵⁴ See the compiler's materials: A Cunning Wording – and No Authorization from the Government. How the Ministry of Justice is Programming the Voting in the Council for “Arbitration Proceeding Development” (21 January 2019) (https://zakon.ru/blog/2019/1/21/lovkost_formulirovok_-_i_nikogo_razresheniya_ot_pravitelstva_kak_minjust_programmiruet_golosovanie_v); How the Ministry of Justice is Programming the Voting in the “Council for Arbitration Proceeding Development” – 2. Report of the Ministry of Justice for 2018. Three Brief Comments on Yesterday's Meeting of that “Council” (5 April 2019) (https://zakon.ru/blog/2019/04/05/kak_minjust_programmiruet_golosovanie_v_sovete_po_tretejskomu_sovershenstvovaniyu__2_kratkih_kom).

¹⁵⁵ <https://www.kommersant.ru/doc/3454661>

IX. RAC'S RELATIONS WITH THE RUSSIAN OLIGARCH VLADIMIR LISIN, FINANCIAL SPONSOR OF THE ARBITRATION "REFORM"



Vladimir Lisin

120. Well-known Russian billionaire Vladimir Lisin¹⁵⁶ was one of the initiators and financial sponsors of the arbitration “reform”.

He had a particular interest in arbitration after Nikolay Maximov’s claim against JSC Novolipetsk Steel Company for recovery of RUB 9.5 billion was granted in 2011 by the ICAC at the RF CCI.

*“...the reform was triggered by plans to create an International Financial Center (IFC), which requires a well-functioning system of commercial arbitration, and a number of high-profile scandals, which prompted the RUIE and a number of major entrepreneurs, including the head of Alfa Group Mikhail Fridman and the owner of the Novolipetsk Metallurgical Plant (NLMK) Vladimir Lisin to draw attention to the problem. One of the most high-profile conflicts that led to discussions about reform was the unfinished lawsuit between NLMK Vladimir Lisin and the owner of Maxi Group OJSC Nikolay Maximov regarding the sale of NLMK Maxi Group assets. Mr. Lisin’s dissatisfaction with the existing arbitration institutions was formed after the International Commercial Arbitration Court (ICAC) in 2011 granted the claim by a Yekaterinburg businessman to recover RUB 9.5 billion from NLMK. NLMK challenged this award in the Arbitrazh (Commercial) Court of Moscow city (and now Mr. Lisin’s companies are seeking to recover RUB 12.5 billion from his opponent), and criminal cases have been opened against Nikolay Maximov. Thus, the government of the Russian Federation has been concerned with the problem of arbitration institutions for at least two years, despite the fact that the topic only appeared in the public domain a year ago”.*¹⁵⁷

¹⁵⁶ Whose principal assets are JSC Novolipetsk Steel Company and transport-logistics holding Universal Cargo Logistics Holding.

According to Forbes rating and *Bloomberg* agency, in 2018 he was recognized as the richest Russian with assets worth USD 19.1 billion. In 2019, according to Forbes journal, his wealth grew by USD 2.2 billion reaching USD 21.3 billion. Therefore, in 2019 he took second spot in the rating of “20 richest Russian businessmen” published by *Forbes* magazine.

¹⁵⁷ <https://www.kommersant.ru/doc/2387877>

*“Lisin, according to his acquaintances, was defending not only the metallurgists’ interests. It was he who achieved the adoption in 2011 of a law that exempts ship owners from five types of taxes. Together with the Minister of Finance Anton Siluanov, he discussed the law on de-offshorization, and with the Chairman of the Supreme Court Vyacheslav Lebedev, the reform of arbitration institutions, says Shokhin. All of these questions directly relate to Lisin: shipping companies are included in his transport holding, he owns NLMK through a Cyprus offshore, and due to the award of the arbitration court, NLMK almost lost RUB 9.5 billion”.*¹⁵⁸

The award of the ICAC at the RF CCI against JSC Novolipetsk Steel Company was set aside by the Arbitrazh (Commercial) Court of Moscow city on fabricated grounds (case No. A40-35844/2011¹⁵⁹). Basically, the setting aside of this became one of the most scandalous in the history of Russian justice and arbitration. The reason is that the grounds for the annulment were very far-fetched from a legal standpoint. In particular, there was a reference to the corporate nature of this dispute (a matter relating to the transfer of the right of ownership of shares) and its non-arbitrability with a reference to Articles 33(1)(2) and 225.1(2) of the Arbitrazh (Commercial) Procedure Code of the Russian Federation (in the version current at the time of the case) on submission to jurisdiction of arbitrazh (commercial) courts. For example, the courts stated that this rule on *“specific submission to jurisdiction of corporate disputes not only demonstrates the limit of the courts’ of general jurisdiction and arbitrazh (commercial) courts’ competence, it also means that the said disputes may not be referred to arbitral tribunals, due to the nature and specific features of the legal relations giving rise to such disputes...”* (see Ruling of the Federal Arbitrazh (Commercial) Court of the Moscow Circuit dated 10 October 2011 regarding case No. A40-35844/11-69-311¹⁶⁰). Therefore, Russian courts found the presence of some sort of public element in the dispute over the sale of shares, which allowed them to set aside the award of the ICAC due to the non-arbitrability of the dispute and violation of public policy.

Another ground was the alleged presence of a conflict of interest between the arbitrators and lawyers who prepared the learned (legal) opinions in the course of the dispute resolution. However, the courts failed to take into account that JSC Novolipetsk Steel Company representatives did not refer to this conflict in the course of the arbitral proceedings itself, but simply stated it when they challenged the arbitral tribunal award.

The JSC Novolipetsk Steel Company representatives who helped to “convince” the Russian courts of the correctness of its position were lawyers from the law firm Gagarin, Reznik & Partners, including Andrey Gorlenko.

In addition, it has to be said that in the course of the proceedings in the ICAC at the RF CCI a huge information campaign was organized by JSC Novolipetsk Steel Company aimed at discrediting the ICAC, in which Andrey Gorlenko¹⁶¹ took part (see about him above, Section 5.1).

¹⁵⁸ <https://www.forbes.ru/milliardery/360399-stalnoe-uporstvo-kak-vladimir-lisin-preodolel-put-k-vershine-spiska-forbes>

¹⁵⁹ <https://kad.arbitr.ru/Card/b808f500-dab4-43d7-ad6c-422080163f0e>

¹⁶⁰ https://kad.arbitr.ru/Document/Pdf/b808f500-dab4-43d7-ad6c-422080163fDe/ee92441b-25f8-473f-af61-5083d4459f88/A40-35844-2011_20111010_Reshenija_i_postanovlenija.pdf?isAddStamp=True

¹⁶¹ *“According to official statistics, presently around 1,500 arbitral tribunals operate in Russia. By expert estimations, the quantity of such tribunals is larger – approximately 2,000 but many of them are established for ‘a specific*

Moreover, one of the arbitrators in the above mentioned ICAC case, who was appointed by JSC Novolipetsk Steel Company, issued a dissenting opinion in favor of the said company. According to everyone who knows him it could not have been he who prepared a dissenting opinion with such views.¹⁶² Those in the know believe that Andrey Gorlenko must be in the know about this strange incident (but he keeps his own counsel on the matter).

121. Vladimir Lisin took an active part in discussions on the “reform” together with Andrey Gorlenko¹⁶³ (see above, Section IX), Elena Borisenko (see above, para. 135), and Vadim Chubarov (vice-president of the RF CCI, who after 2011 brought the ICAC under his personal control for his personal benefit).
122. Vladimir Lisin’s great interest in the field of arbitration is also confirmed by the Ministry of Justice issuing in 2019 permission to exercise the functions of PAI for ANO Sports Arbitration Chamber. He is president¹⁶⁴ of this concern and, according to various sources, financially supports it (just as he intends to spend USD 10 million to support the International Shooting Federation,¹⁶⁵ of which he was elected president in 2018 (Annex 26)).
123. To develop the arbitration “reform” Vladimir Lisin is known to have engaged, *inter alia*, Andrey Gorlenko, as well as Debevoise & Plimpton (see above, para. 56).

It would be no exaggeration to say that the mechanism for subordinating arbitration to the state in Russia was developed, *inter alia*, by Debevoise & Plimpton paid for by Vladimir Lisin’s companies. It is obvious that the Ministry of Justice could not have developed the draft laws itself.

The choice of Debevoise & Plimpton was no coincidence: the firm is known, *inter alia*, for their work in Russia’s interests in Yukos cases¹⁶⁶ (Annex 27).

case’ and upon completion of the dispute they are liquidated with all documents (on the internet the services for establishment of an arbitral tribunal on a ‘turn-key’ basis costs RUB 50,000). ‘The arbitrazh (commercial) courts (including the Supreme Arbitrazh (Commercial) Court) are overloaded with applications for setting aside awards from arbitral tribunals issued in violation of Russian legislation, as well as fundamental principles (of court independence and impartiality) formulated by the European Court of Human Rights on the basis of Article 6 of the European Convention on Human Rights’, – says partner of Reznik, Gagarin & Partners Law Office Andrey Gorlenko. One example may be the award issued by ICAC at the CCI in the dispute between Nikolay Maximov and NLMK in 2011 which has already been set aside due to violation of the said principles, the lawyer adds. ‘At present a new claim by Maximov against NLMK has been submitted to ICAC at CCI, and the Presidium of ICAC may not settle the issue of appointing the presiding arbitrator for over a month. The criteria for his choice have not been determined, which raises questions about the independence and impartiality of the arbitrator’, – he says” (<https://www.rbc.ru/newspaper/2013/02/28/56c1bb869a7947ac7f7abee1>).

¹⁶² See in more detail: *Muranov A. A Curious Arbitration Artifact from the Past (descending opinion on the award in the ICAC case No. 244/2009 (Maximov v. NLMK)) – a Possible Connector-Symbol for Arbitration “Reform”, Its Inspirers and Beneficiaries (29 November 2019) (https://zakon.ru/blog/2019/11/29/lyubopytnyj_tretejskij_artefakt_iz_proshlogo_osoboe_mnenie_k_resheniyu_po_delu_mkas__2442009_maksimo)*

¹⁶³ <https://www.kommersant.ru/doc/2494602>

¹⁶⁴ <https://www.rusprofile.ru/id/3060684>

¹⁶⁵ <https://www.insidethegames.biz/articles/1073130/lisin-sets-up-potentially-game-changing-10-million-development-fund-for-shooting-sport>

¹⁶⁶ <https://www.debevoise.com/lordgoldsmithqc>

One of the firm's lawyers, Alyona Kucher, took part in developing the arbitration "reform" along with Andrey Gorlenko¹⁶⁷: "*Participation in the working group of the Ministry of Justice of Russia on the reform of arbitration legislation in Russia, including drafting new arbitration law*"¹⁶⁸ (Annex 28).

Subsequently, as a reward she was included in the Board of RAC and the Council for Development of Arbitration.

124. The connection between Andrey Gorlenko and Vladimir Lisin is also confirmed by the fact that Andrey Gorlenko's father, Andrey Gorlenko (Sr.), has for a long time occupied and/or occupies various positions in a number of structures controlled by Vladimir Lisin.

Year	Position	Additional information
Present moment	Director for development, Transport Asset Management (T.A. Management) – management company <i>Universal Cargo logistic Holding (UCL Holding)</i> . ¹⁶⁹	<i>Universal Cargo Logistic Holding (UCL Holding)</i> – an international transport group, whose businesses transport goods by rail and by sea, transfer them at Russian ports and provide logistics and shipbuilding services. This group includes, <i>inter alia</i> , OJSC Ship-owning company Volga Shipping and PJSC North-Western Shipping. Controlled by Vladimir Lisin's <i>UCL Holding</i> . ¹⁷⁰
2009, ¹⁷¹ 2013 ¹⁷²	Member of the Board of Directors, OJSC Ship-owning company Volga Shipping.	OJSC Ship-owning company Volga Shipping is controlled by Vladimir Lisin. ¹⁷³
2015, ¹⁷⁴ present moment ¹⁷⁵	Member of the Board of Directors, OJSC North-Western Shipping.	OJSC North-Western Shipping is controlled by Vladimir Lisin. ¹⁷⁶

¹⁶⁷ https://istina.msu.ru/download/23239385/1dmN9l:Wu_i0ftNjVTRqsu0VFovusURQ/

¹⁶⁸ <https://www.debevoise.com/alyonakucher>

¹⁶⁹ <https://www.uclholding.ru/ucl-holding/ta/team>. The official website of the company (<https://www.uclholding.ru/>), including a reference to the above-mentioned section of the website, is presently under construction. The information is also confirmed by other sources (at least, as of 2018):

<https://95.nwship.com/photo/226>;

https://www.ebrd.com/english/pages/project/psd/2013/local_translations/43969.pdf;

<http://portnews.ru/news/tags/584/t1/>.

¹⁷⁰ See, e.g., http://mb.nkso.ru/news_6587.html.

¹⁷¹ <http://volgaship.com/o-kompanii/novosti/itogi-obshchego-godovogo-sobraniya-aktsionerov-oao9/>

¹⁷² <https://www.kommersant.ru/doc/2203988>

¹⁷³ <https://www.kommersant.ru/doc/1197046>

¹⁷⁴ https://www.nwship.com/sites/default/files/filefield_paths/gosa-2015-final.pdf; <https://www.moex.com/ru/listing/emidoc-data-facts.aspx?id=606043>; <https://www.finam.ru/services/depocompanyitem01F7E/>

¹⁷⁵ <https://www.nwship.com/about/sovet>

¹⁷⁶ https://www.nwship.com/sites/default/files/filefield_paths/271135968-qr-2017-02.pdf

At the present ¹⁷⁷	Director for development, Member of the Board of Directors, JSC Tuapse Commercial Seaport. ¹⁷⁸	JSC Tuapse Commercial Seaport is controlled by <i>ULCH</i> which is owned by Vladimir Lisin. ¹⁷⁹
2012 ¹⁸⁰	Member of the Board of Directors, JSC Saint-Petersburg Seaport.	JSC Saint-Petersburg Seaport is controlled by Vladimir Lisin. ¹⁸¹
2006 ¹⁸²	Deputy General Director of LLC Independent Transport Company.	LLC Independent Transport Company was controlled by Vladimir Lisin. ¹⁸³

125. A number of indirect signs reported by people involved in the arbitration sector may indicate that it is not impossible that Vladimir Lisin's companies may secretly provide financial support to RAC in exchange for services of various types.

¹⁷⁷ <http://www.tntp.ru/about/sovet-directorov>

¹⁷⁸ <http://www.tntp.ru/press-center/releases/itogi-godovogo-sobraniya-akcionerov-oao-tuapsinskiy-morskoy-torgovyy-port-0>

¹⁷⁹ <https://seanews.ru/2018/06/18/tuapsinskij-neftjanoy-terminal-vydel/>

¹⁸⁰ <https://www.uclholding.ru/sites/default/files/magazine/volgo-nevskiy-prospekt/2013/12/vnnp12.pdf>. The official website of the company, including the reference to the above-mentioned section of the website, is presently under construction.

¹⁸¹ https://www.vedomosti.ru/business/news/2011/11/02/ucl_holding_lisina_sozdal_portovuyu_dochku

¹⁸² <http://viperson.ru/articles/remont-s-investorom>

¹⁸³ <https://www.kommersant.ru/doc/2046168>

X. RAC'S RELATIONS WITH ROSATOM STATE CORPORATION

126. The State Corporation for nuclear power Rosatom is a Russian state holding created by the Russian Federation under the special Federal Law dated 1 December 2007 No. 317-FZ and encompassing over 360 nuclear industry enterprises. Rosatom includes all civil nuclear enterprises of Russia, the nuclear military complex and scientific research organizations as well as the nuclear icebreaker fleet¹⁸⁴ (Annex 29).

127. Previously *“Rosatom’s system had its own arbitration – the Arbitral Center for Resolution of Economic Disputes at the Private Institution Center for Arbitration and Legal Expertise”*.¹⁸⁵ The Center for Arbitration and Legal Expertise was created by Rosatom. In the light of the “reform” this center closed the Arbitral Center and became one of the founders of RIMA (see above, para. 51).

That said, a special division for the resolution of disputes in the nuclear industry had previously been established in RAC¹⁸⁶ (Annex 8) (see above, para. 87).

128. According to information provided by the former director of RAC Andrey Gorlenko in an email dated 23 November 2017, the Center for Arbitration Regulation and Legal Expertise *“expressed its readiness to actively participate in supporting and financing the activities of the Institute of Modern Arbitration, as well as joint activities aimed at developing and popularizing arbitration in Russia”*.

129. Alexander Plakhin, head of the said division of RAC for the resolution of disputes in the nuclear industry, had previously occupied the position of director of the Center for Arbitration and Legal Expertise at Rosatom.¹⁸⁷

Another person associated with a Rosatom company¹⁸⁸ (JSC TVEL from Rosatom’s fuel division¹⁸⁹) is Vladimir Molchanov, legal counsel and chief expert of the division¹⁹⁰ (Annex 8).

130. According information from various people, Rosatom initially proposed the organization of a specialized branch within a specific PAI to deal with disputes in the nuclear industry instead of setting up its own PAI. At the same time, Rosatom took the principled position that the arbitration fee for disputes in this branch should not be higher than in state courts (RUB 200,000). Rosatom also proceeded from the need to consider “paying extra to arbitrators” considering these type of disputes, taking into account the low level of fees for such cases.

¹⁸⁴ <https://en.wikipedia.org/wiki/Rosatom>

¹⁸⁵ <https://www.interfax.ru/business/595699>

¹⁸⁶ <https://centerarbitr.ru/nuclear-division/general-information/>

¹⁸⁷ <https://ts.tpprf.ru/ru/arb-ts.php>

¹⁸⁸ <https://rosatom-easteurope.com/journalist/smi-about-industry/tvel-prodolzhaet-mezhdunarodnyy-proekt-nulevoy-uroven-otkaza-yadernogo-topliva/>

¹⁸⁹ <http://www.rosatom.ru/journalist/news/toplivnaya-kompaniya-rosatoma-tvel-ispolnila-kontrakt-na-postavku-toplivnykh-tabletok-dlya-aes-tarap/>

¹⁹⁰ https://centerarbitr.ru/en/about-3/team__trashed/nuclear-division/

131. It is likely that these conditions for working together were satisfactory to RAC. A good illustration in this regard is the way the arbitration fee to resolve a dispute in the nuclear industry by a specialized division of RAC¹⁹¹ is calculated:

Examples of amount of claim	<u>Arbitration fee</u> = Administrative expenses + Arbitrators' fee	
	Disputes in nuclear industry	Domestic disputes
RUB 200,000	<p><u>Procedure (standard)</u>¹⁹²</p> <p>RUB 7 000 = RUB 1,400 + RUB 5,600</p>	<p><u>1 arbitrator</u></p> <p>RUB 60,000 = RUB 17,500 + RUB 42,500</p>
RUB 11,000,000	<p><u>Procedure (standard)</u></p> <p>RUB 78, 000 = RUB 15,600 + RUB 62,400</p>	<p><u>3 arbitrators</u></p> <p>RUB 265,400 = RUB 65 000 + RUB 200,400</p>

¹⁹¹ According to Article 12 of the Rules of RAC Division for Resolution of Disputes in the Nuclear Industry (as amended on 21 January 2019) (https://centerarbitr.ru/wp-content/uploads/2019/11/Правила_Отделения_РАЦ_атом_-итог.pdf):

— “With a claim value of up to RUB 10,000,000 (ten million rubles) for the purposes of arbitration of domestic disputes or USD 200,000 (two hundred thousand US dollars) for the purposes of international commercial arbitration, a dispute shall be heard by a sole arbitrator” (paragraph 2);

— “With a claim value equal to RUB 10,000,000 (ten million rubles) or more for the purposes of arbitration of domestic disputes or USD 200,000 (two hundred thousand) or more for the purposes of international commercial arbitration, and in the event of filing applications for transforming legal relations or other demands which may not be estimated in terms of monies, a dispute shall be heard by three arbitrators” (paragraph 4).

The calculations were carried out using calculators on the official website of RAC (<https://centerarbitr.ru/nuclear-division/calculator/>; <https://centerarbitr.ru/about/calculator/>).

¹⁹² According to Article 25:

“1. An expedited arbitration procedure is carried out without an oral hearing, on the basis of documents alone.

2. An expedited arbitration procedure shall apply if the Parties to the arbitration have indicated in the Arbitration Agreement that an expedited arbitration procedure should be applied to disputes between them and that the Parties to the arbitration expressly agree that oral hearings are not to be held within the framework of the expedited arbitration procedure. A direct agreement between the Parties to the arbitration to waive the oral hearing for the application of the expedited procedure in the framework of international commercial arbitration is not required.

3. The provisions of this article may not be amended by agreement between the Parties to the arbitration, unless otherwise provided for by the provisions of this article.

4. The expedited arbitration procedure may be applied for claims with a value of not more than RUB 10,000,000 (ten million rubles) for the purpose of arbitration of internal disputes or USD 200,000 (two hundred thousand US dollars) for the purposes of international commercial arbitration.

<...>”.

Examples of amount of claim	<u>Arbitration fee</u> = Administrative expenses + Arbitrators' fee	
	Disputes in nuclear industry	International disputes
USD 150,000 (RUB 9,292,725 ¹⁹³)	<u>Procedure (standard)</u> RUB 69,463.62 = RUB 13,892.72 + RUB 55,570.90	<u>1 arbitrator</u> USD 15,200 (RUB 941,662.80) = USD 4,350 + USD 10,850
250 000 USD (15 487 875 rubles)	<u>Procedure (standard)</u> RUB 100 439,37 = RUB 20 087.87 + RUB 80 351.50	<u>3 arbitrators</u> USD 23 070 (RUB 1 429 221,105) = USD 5 850 + USD 17 220

Examples of amount of claim	<u>Arbitration fee</u> = Administrative expenses + Arbitrators' fee	
	Disputes in nuclear industry	Agricultural disputes
<u>Procedure (standard)</u> ¹⁹⁴ RUB 200,000	RUB 7,000 = RUB 1,400 + RUB 5,600	RUB 50,000 = RUB 12,500 + RUB 37,500
RUB 11,000,000 <u>Procedure (standard)</u>	RUB 78,000 = RUB 15,600 + RUB 62,400	RUB 180,250 = RUB 47,750 + RUB 132,500

132. As can be seen, the amount of the arbitration fee payable to resolve disputes in the nuclear industry is **significantly (several times!) lower** than the amount of the fee payable for resolving disputes in the framework of domestic or international commercial arbitration, or for disputes in the agricultural industry.

¹⁹³ At a rate of exchange of RUB 61.9515 per USD 1 (as of 24 January 2020).

¹⁹⁴ There is a similar mechanism in relation to the RAC Rules for the resolution of disputes in the agricultural sector (https://centerarbitr.ru/wp-content/uploads/2019/02/Правила_арбитража_сх_споров_РАЦ_итог.pdf), which also provide for a standard and expedited procedure for the settlement of disputes (Article 18):

"1. An expedited arbitration procedure is carried out without an oral hearing, on the basis of documents alone.

2. An expedited arbitration procedure shall apply if the Parties to the arbitration have indicated in the Arbitration Agreement that an expedited arbitration procedure should be applied to disputes between them and that the parties to the arbitration expressly agree that oral hearings are not to be held within the framework of the expedited arbitration procedure. A direct agreement between the parties to the arbitration to waive the oral hearing for the application of the expedited procedure in the framework of international commercial arbitration is not required.

3. The provisions of this article may not be amended by agreement between the Parties to the arbitration, unless otherwise provided for by the provisions of this article.

4. The expedited arbitration procedure may be applied when the price of the claim is not more than RUB 30,000,000 (thirty million rubles) for the purpose of arbitration of internal disputes or USD 500,000 (five hundred thousand US dollars) for the purposes of international commercial arbitration.

<...>".

However, it is clear that disputes in the nuclear industry cannot, by definition, be considered simpler than other disputes.

At the same time, according to RAC cases statistics in 2019,¹⁹⁵ out of 262 claims submitted to RAC in 2019, 194 claims (i.e., nearly three fourths) were considered in conformity with the Rules for Resolution of Disputes in the Nuclear Industry.

- 133. The above shows that specific arrangements could have taken place between RAC and Rosatom during the creation of a special division for the resolution of disputes in the nuclear industry. These arrangements could have ensured a privileged regime for Rosatom during the consideration of disputes of entities under its control.**

It cannot be ruled out that Rosatom finances RAC in a non-transparent manner and RAC may exercise the functions of a “puppet” arbitration center for Rosatom.

This can only cast a shadow on the reputation and independence of RAC.

Further evidence of this is the fact that in the standard contract forms used by Rosatom companies, a clause in favor of (specifically) RAC is stipulated for contractual relations between its organizations, while for contractual relations between any Rosatom organization and external counterparties – a clause in favor of other permanent arbitration institutions is also stipulated.¹⁹⁶

¹⁹⁵ RAC in Figures. The Information about the Cases Heard in 2019 (<https://centerarbitr.ru/wp-content/uploads/2020/03/РАЦ-в-цифрах-2020.pdf>).

¹⁹⁶ http://innov-rosatom.ru/desktop_app/login/Проект_Договора.doc

XI. RAC'S RELATIONS WITH GAZPROMBANK

134. Gazprombank is one of the largest commercial banks of Russia¹⁹⁷ with significant state participation, including via JSC Gazprombank and Vneshekonombank.¹⁹⁸
135. The deputy chair of the management board of Gazprombank is Elena Borisenko.¹⁹⁹



Elena Borisenko

- During arbitration “reform” Elena Borisenko held the post of Deputy Justice Minister of Russia²⁰⁰ and said her goal was the creation of regulatory mechanisms “that will make the arbitral institutions effective and competitive” and noting that “there will not be many of them [arbitral institutions] after that”.²⁰¹ This indicates that a plan for “destroying arbitration by napalm bomb” (an expression Mikhail Galperin used off the record) already existed in 2013.
136. Various sources in the arbitration field and in RAC itself confirm that Elena Borisenko collaborates closely with RAC, particularly taking part in events organized by RAC.²⁰²
137. People affiliated with Gazprombank were or are members of the supervisory boards of two of RIMA’s founders as of 2018 (see above, para 69).
138. Regarding the connections between Gazprombank and RIMA founders, see above, Section 5.2.

¹⁹⁷ <https://www.gazprombank.ru/en/about/> (Annex 30); <https://ru.wikipedia.org/wiki/Газпромбанк>

¹⁹⁸ <http://1eb.ru/bank/2393-banki-s-gosudarstvennym-uchastiem-spisok-2016.html>

¹⁹⁹ https://www.gazprombank.ru/about/management/#management_1

²⁰⁰ https://pravo.ru/court_report/view/118159/. She occupied this position from 2012 until 2015 working in the structure of the Ministry of Justice in various positions from 2009.

²⁰¹ <https://minjust.ru/ru/press/news/elena-borisenko-predprinimatelskoe-soobshchestvo-trebuetsya-osvobodit-rynok-ot>

²⁰² <https://www.advgazeta.ru/novosti/kak-budet-rabotat-arbitrazh/>; <https://centerarbitr.ru/2016/11/14/время-арбитража-пришло-заметки-о-конф/>

XII. ADDITIONAL RELATIONS BETWEEN RAC AND THE MINISTRY OF JUSTICE AND GAZPROMBANK VIA THE SAINT-PETERSBURG INTERNATIONAL LEGAL FORUM. RAC'S RELATIONS WITH THE WELL-KNOWN FUND DAR?

139. As reported on the RAC website²⁰³ (Annex 31), it functions with the support of the Saint-Petersburg International Legal Forum (SPILF).

The forum was established in 2011 and is conducted with the support of the President of Russia and the Ministry of Justice. Among the organizers of SPILF are the Ministry of Justice and SPILF Fund²⁰⁴ (Annex 15).

Gazprombank is a general partner of SPILF²⁰⁵ (Annex 32).

The chair of the Supervisory Board of the SPILF Fund since 2015 has been Elena Borisenko²⁰⁶ who is also referred to as one of the founders of SPILF.²⁰⁷

140. The operator of SPILF is LLC Conference Center Saint-Petersburg International Legal Forum (LLC CC SPILF)²⁰⁸ (Annex 33).

141. As previously said in para. 76, the general director and the only founder of LLC CC SPILF is Olga Motenko (see above, paras. 76 and 77) who is also the general director and the only founder of LLC LF Academy, i.e., one of RIMA's founders (see above, para. 51).

Olga Motenko appointed her relative I. Motenko as development director of SPILF.

142. The SPILF Fund is located at the same address as LLC LF Academy: 191002, city of Saint-Petersburg, Fontanka river embankment, 50, E.

143. As has already been said, *“100% in LLC Conference center St. Petersburg International Legal Forum is owned by Olga Motenko. This businesswoman started out in 2007 as the general director of the Oberon insurance company (in 2009, after her dismissal, the company was re-registered in Izhevsk where it was quietly wound up, while its parent company Regional Insurance Alliance is presently going bankrupt). In 2011 [she] founded LLC Conference Center St. Petersburg International Legal Forum, at the same time in St. Petersburg she founded the company Molot with her partners which, according to data from the All-Russia Classificatory of Economic Activity Types, specialized in gambling and betting activities.*

Judging by information from arbitrazh (commercial) cases involving Molot, more than once it was checked by the Department for Combating Economic Crimes, which discovered that this company ‘under the guise of operating the Student Ticket, Farmer, and Motherland

²⁰³ <https://centerarbitr.ru/en/about-3/why-choose-arbitration-center-at-the-institute-of-modern-arbitration/>

²⁰⁴ https://spblegalforum.ru/en/About_Forum

²⁰⁵ <https://spblegalforum.ru/en/Partners>

²⁰⁶ https://www.gazprombank.ru/upload/files/iblock/6e1/Borisenko_06082018.pdf

²⁰⁷ https://www.dp.ru/a/2017/05/18/Reportazh_pro_juridicheskij

²⁰⁸ <https://spblegalforum.ru/en/Contacts>

Shield Russian non-state instant lotteries arranged and held gambling events using electromechanical equipment without proper authorization”.²⁰⁹

144. And yet former RAC director Andrey Gorlenko repeatedly denies²¹⁰ that these connections are a sign of favoritism (in the form of cronyism) by the Ministry of Justice towards RAC.
145. Even more significant is that the founder of SPILF Fund is LLC Dar Fund Management Company. Alexander Sokolov is director of the latter, a man who is referred to as a “multiple CEO” of a number of legal entities.²¹¹
146. It is interesting to emphasize that in the extract from the Unified State Register of Legal Entities about the SPILF Fund, in the section “Information on the founders (participants) of the legal entity”, TIN 7706664648 is stated as allocated to LLC Dar Fund Management Company. However, this TIN is actually owned by LLC Orion (TIN 7706664648), the founder of which, in turn, is the Dar Fund of Regional Non-Commercial Projects (TIN 7705517400).
147. This DAR fund is notorious for the film “He is Not Dimon to You”²¹² that tells of the alleged property of the former Chair of the Government of the Russian Federation Dmitry Medvedev. The film claims that the latter heads up a multi-level corruption scheme: “*through charitable foundations and organizations legally registered with his trustees (including relatives and classmates), he owns expensive real estate purchased with oligarch money and Gazprombank loans*”.²¹³
148. The head of the Supervisory Board of the DAR Fund of Regional Non-Commercial Projects is (or was) Ilya Eliseev²¹⁴ (mentioned at least in official sources as of 2016 and 2017) who – among his other dubious ties²¹⁵ – is also the Deputy Chair of the Management Board and member of the Board of Directors of Gazprombank.²¹⁶
149. In 2018, at the GQ (*Gentlemen’s Quarterly*) award ceremony, GQ Code 2019, held at SPILF, the following persons were given awards at one and the same time:
- ▶ Andrey Gorlenko in the Missionary category (when speaking about the achievements for which he received the award he mentioned the development of RAC and arbitration in Russia in general);

²⁰⁹ https://www.dp.ru/a/2017/05/18/Reportazh_pro_juridicheskij

²¹⁰ <https://www.kommersant.ru/doc/3454661>

²¹¹ <https://casebook.ru/card/company/risks/1071007001405>

²¹² https://www.youtube.com/watch?v=qrwlk7_GF9g

²¹³ https://ru.wikipedia.org/wiki/Он_вам_не_Димон

²¹⁴ See reports on activities of non-profit organization and its governing bodies as regards the fund as of 2016 (<http://unro.minjust.ru/Reports/54051901.pdf>) and as of 2017 (<http://unro.minjust.ru/Reports/64468701.pdf>).

It should be noted that such information is absent in the report as of 2018 (<http://unro.minjust.ru/Reports/76533601.pdf>).

Other sources:

<https://peps.dossier.center/person/eliseev-ilya-vladimirovich/>; <https://www.vedomosti.ru/politics/news/2017/03/03/679799-fond-podarok-usmanova>

²¹⁵ <https://www.vedomosti.ru/realty/articles/2017/05/22/690815-timchenko-eliseeva>; http://www.com-promat.ru/page_30803.htm

²¹⁶ <https://www.gazprombank.ru/about/management/>

- ▶ Mikhail Galperin (the Ministry of Justice) (see above, para. 110) in From the Bell to the Bell category.²¹⁷
- 150.** At the same time Elena Borisenko (see above, para. 135) and Yury Pilipenko (FCA, see above, Section 5.6) were members of the panel for that award ceremony.²¹⁸ Such award ceremonies certainly look pretty odd.
- 151.** **The above shows that RAC is closely connected (including, via SPILF) with the Ministry of Justice, Gazprombank and various top officials of the Russian Federation.**

²¹⁷ <https://www.gq.ru/heroes/lawyers-portfolios>; <https://centerarbitr.ru/en/2018/05/25/spilf2018en/> (Annex 34).

²¹⁸ <https://www.gq.ru/heroes/lawyers-portfolios>

XIII. RAC'S RELATIONS WITH THE IVANYAN & PARTNERS LAW FIRM WHICH IS ACTIVELY INVOLVED IN PROVIDING LEGAL SERVICES TO THE STATE AND STATE-RELATED ENTITIES

152. RIMA²¹⁹ (RAC²²⁰) and one of its founders (Autonomous Non-Profit Organization International and Comparative Law Research Center²²¹) are located at the same address (119017, Russia, Moscow, Kadashevskaya embankment, 14, bldg. 3) as Ivanyan & Partners²²² (Law Firm). This building is owned by unrelated third parties.
153. As reported by various people, Elena Borisenko (see above, para. 135) used to work in the Law Firm (now this information is buried). The Law Firm provides legal services to, amongst others, Gazprombank (see above, para. 134).
154. Apart from this, in recent years the Law Firm has been providing legal services to the Russian Federation, *inter alia*, representing the Russian Federation in the European Court of Human Rights,²²³ as well as working so actively in the public procurement field that the media has called it one of the “kings of government procurement”.²²⁴
155. According to Khristophor Ivanyan, it is “... *not a very visible law firm. On the legal market it is known, first and foremost, for a strong international practice through which it represents the interests of the Russian Federation in multinational disputes*”.²²⁵
156. In particular, the Law Firm was the sole supplier of services within public procurement (to satisfy state needs/by separate types of legal entities) in the following cases:
- ▶ the 2016 procurement of legal services No. 0173100010816000104 with an initial price of RUB 100,553,200 (the client was the Ministry of Justice), the subject matter was providing legal services to the Russian Federation by representing it before the ECHR (no specific case mentioned)²²⁶;
 - ▶ the 2016 procurement of legal services No. 1770721141816000102 with a contract price of RUB 488,852,200 (the client was the Ministry of Justice), subject matter not disclosed²²⁷;
 - ▶ the 2011 procurement of legal services No. 0173100000113000051 with a contract price of EUR 11,416,208.58 (the client was the Ministry of Finance), subject matter not disclosed²²⁸;

²¹⁹ <http://modernarbitration.ru/en/contacts/> (Annex 35).

²²⁰ <https://centerarbitr.ru/en/contacts-2/> (Annex 36).

²²¹ <http://www.iclrc.ru/en/about/contacts> (Annex 37).

²²² <https://ivanyan.partners/en/> (Annex 38).

²²³ <https://life.ru/p/961797>

²²⁴ <https://pravo.ru/story/200696/>

²²⁵ <http://legalinsight.ru/intervyu-s-hristoforom-ivanyanom/>

²²⁶ <https://zakupki.gov.ru/epz/contract/contractCard/document-info.html?reestrNumber=1770721141816000100>

²²⁷ <https://zakupki.gov.ru/epz/contract/contractCard/common-info.html?reestrNumber=1770721141816000102>

²²⁸ <http://zakupki.gov.ru/epz/contract/contractCard/common-info.html?reestrNumber=0173100000113000051>

- ▶ the 2012 procurement of legal services No. 0173100000113000055 with a contract price of EUR 62,246,331 (the client was the Ministry of Finance), subject matter not disclosed²²⁹;
- ▶ the 2016 procurement of legal services No. 31603986435 with a contract price of RUB 500,000²³⁰ (the client was JSC Russian Venture Company), subject matter not disclosed.

157. The Law Firm also won the tender, for example, during procurement process No. 31401294718²³¹ with an initial price of RUB 184,090,400 for JSC Oboronservis (the subject of the procurement was legal assistance necessary on issues of Russian, Federal Republic of Germany and Swiss Confederation legislation, as well as involvement in arbitration proceedings under the rules of the International Arbitration Court of the International Chamber of Commerce. This was due to the refusal, because of sanctions, by the *Rheinmetall* concern to execute a contract worth EUR 120 million for the construction of a combat training center for troops in Nizhny Novgorod Region).²³²

JSC Oboronservis (now called JSC Garnizon) is a commercial organization controlled by the Ministry of Defense of Russia, established in 2008 by Presidential Decree and resolutions by the Russian Government to release the military from economic functions not intrinsic to an army.²³³

158. In 2013–2014 senior lawyer Sergey Kabanov and partner Sergey Chuprygin from the Law Firm represented the interests of the Ministry of Defense of Russia (as a third party) in arbitrazh (commercial) courts of appellate and cassation instances in the case of a claim for cancellation of an investment contract and a counterclaim to enforce the performance of the contractual obligation and amendment of the contractual terms (case No. A40-102296/11).²³⁴

159. There are other parties with state involvement among the clients of the Law Firm's lawyers. For example, in 2014, the partner of the Law Firm Alexey Koziakov and senior lawyer Tatiana Bravicheva represented Nevskaya Pipeline Company LLC (an oil transshipment terminal operator in the seaport of Ust-Luga controlled by, *inter alia*, Gazprombank and Transneft²³⁵) in arbitrazh (commercial) courts of appeal and cassation instances in a lawsuit against CJSC GT Morstroy for recovery of losses incurred as a result of elimination of defects (deficiencies) in the performance of a contract with a value of RUB 21,941,414.4 (case No. A56-75450/2012).²³⁶

²²⁹ <https://zakupki.gov.ru/epz/contract/contractCard/common-info.html?reestrNumber=0173100000113000055>

²³⁰ <http://zakupki.gov.ru/223/contract/public/contract/view/general-information.html?id=2005916&view-Mode=FULL>; <http://zakupki.gov.ru/223/contract/public/contract/view/suppliers.html?id=2005916&view-Mode=FULL>

²³¹ <https://zakupki.gov.ru/223/purchase/public/purchase/info/common-info.html?regNumber=31401294718>

²³² <https://www.kommersant.ru/doc/2538057>

²³³ <https://ru.wikipedia.org/wiki/Оборонсервис>

²³⁴ <http://kad.arbitr.ru/Card/5e8ef28f-a16e-4424-a434-908524eaa3f4>. See, for instance, Resolution of the Ninth Arbitrazh (Commercial) Appellate Court dated 15 October 2013, Resolution of the Federal Arbitrazh (Commercial) Court for the Moscow Circuit dated 6 February 2014.

²³⁵ <https://www.kommersant.ru/doc/4060206>

²³⁶ <http://kad.arbitr.ru/Card/0adcdcba-b340-4e5d-a4d7-f586c82023ff>. See, for instance, Resolution of the Thirteenth Arbitrazh (Commercial) Appellate Court dated 12 May 2014, Resolution of the Arbitrazh (Commercial) Court for the North Western Circuit dated 22 August 2014.

160. In 2018 the Law Firm's lawyers (partner Sergey Chuprygin and senior lawyer Natalia Rodina) represented in arbitrazh (commercial) courts of the first and cassation instances the interests of JSC BTK Group (the sole supplier of military equipment (uniforms) for the Russian army²³⁷) in a case for the recognition and enforcement of an award from the German Arbitration Institute in favor of Mangold Consulting GmbH (case No. A56-20885/2018²³⁸).

161. The partner of the Law Firm, Vasily Torkanovsky:

- ▶ in 2017 and 2011 was awarded official acknowledgment by the Deputy Minister of Justice of the Russian Federation for his contribution to tasks aimed at ensuring national interests and official acknowledgment of the Minister of Foreign Affairs of the Russian Federation for assistance with protecting state interests, respectively; and
- ▶ in 2013 was awarded the silver medal from the Minister of Justice of the Russian Federation for his contribution to tasks aimed at ensuring national interests.²³⁹

162. The partner of the Law Firm, Khristophor Ivanyan:



Khristophor Ivanyan

- ▶ in 2005 was awarded official acknowledgment from the Russian President for achievements in the field of protecting citizens' rights and interests²⁴⁰ (Annex 39);
- ▶ in 2011 was awarded official acknowledgment from the Minister of Foreign Affairs of the Russian Federation for assistance in protecting state interests²⁴¹ (Annex 39); and
- ▶ in 2011 was awarded official acknowledgment for active work in protecting the interests of the Russian Federation on the basis of Decree dated 20 September 2011 No. 645-rp "On Encouragement" from the President of the Russian Federation.²⁴²

²³⁷ https://vpk.name/news/129692_holding_btk_grupp_zavershil_proizvodstvo_formy_dlya_uchastnikov_parada_pobedy.html

²³⁸ <http://kad.arbitr.ru/Card/77a78493-b064-4bd7-8d8e-803baadf2cdb>

²³⁹ <http://ivanyanandpartners.ru/people/VasilyTorkanovskiy/>

²⁴⁰ https://spblegalforum.ru/en/RoundTable_5

²⁴¹ Ibidem.

²⁴² <http://kremlin.ru/acts/bank/33923>

163. As said above in paras. 82 and 83, the lawyers of the Law Firm Khristophor Ivanyan and Vasily Torkanovsky were previously members of the Supervisory Board of the International and Comparative Law Research Center, one of the founders of RIMA.
164. Maria Miroshnikova (partner of the Law Firm) and Ekaterina Smirnova (adviser of the Law Firm) listed as RAC arbitrators²⁴³ (Annex 19). Also, as said above in the table to para. 54, since December 2019 the former director of RAC Andrey Gorlenko has been a partner in the Law Firm.
165. **It appears that RAC and the Law Firm may collaborate not only over information and legal matters but also financially (it cannot be ruled out that the Law Firm may have secretly financed the RAC through rent payments).**

The fact that the Law Firm is the sole supplier of services for the needs of the Ministry of Justice and the Ministry of Finance and receives such huge sums also shows that the Russian Federation uses this method of payment via the Law Firm for services from foreign lawyers while not wishing to disclose this information.

166. At the same time and without any direct connection with the Law Firm, we may note that in order to better understand the problems arising in the modern public procurement system in Russia, one should remember that:

this system is not transparent and is inefficient. One of the main problems in this area is the extremely low level of competition. According to the Audit Office, in 2018 14.2 % of all funds spent by the state on procurement (in absolute terms this amounts to about RUB 7 trillion) went to a single supplier. More than a third of such purchases were carried out in performance of a decision by the Russian Government or the President²⁴⁴;

in the period of 2017–2018 the number of violations within the field grew five-fold²⁴⁵;

it is characterized by a high degree of corruption, including the spread of so-called “rollbacks”;

one corrupt technique connected with “rollbacks” is overpricing by the suppliers;

finally, very often those that win a tender in this system are close to the tender organizers.

²⁴³ <https://centerarbitr.ru/en/arbitrators-2-old/list/>

²⁴⁴ https://www.znak.com/2019-06-13/schetnaya_palata_sistema_goszakupok_neproзрачна_i_neeffectivna

²⁴⁵ <https://www.rbc.ru/economics/12/04/2019/5cb072fc9a79475d2c90d07b>

XIV. RAC'S INTERNATIONAL CONNECTIONS

167. RAC is actively trying to establish ties with foreign arbitration centers.

In doing so, RAC specifically emphasizes that it is supported by the public authorities of Russia, who are allegedly conducting a pro-arbitration policy. The public authorities provide assistance to that end: they always represent themselves in a different manner abroad compared to their behavior within the state itself.

At the same time, RAC conceals its true links with the government from foreign entities.

168. On 6 September 2017 Mikhail Galperin (Deputy Minister of Justice, see above, para. 110) supported RAC with his presence during the signing of a Memorandum on Cooperation with the Japan Association of Arbitrators (JAA).²⁴⁶



169. On 17 October 2017 employees of the Ministry of Justice and Igor Shuvalov, First Deputy Prime Minister of the Russian Federation, supported RAC with their presence during the signing of a Memorandum of Understanding with the Singapore International Arbitration Center (SIAC).²⁴⁷

²⁴⁶ Report on RAC's activities as of 2017 and 2018 (<https://centerarbitr.ru/wp-content/uploads/2018/08/Отчет-РАИЦ-2017-2018web.pdf>), p. 4.

²⁴⁷ Ibidem; The Institute of Modern Arbitration Signs Memorandum of Understanding with Singapore International Arbitration Centre (SIAC) (<https://centerarbitr.ru/en/2017/10/18/mou-with-siac/> (Annex 11)).



170. On 6 March 2018 RAC, represented by Yury Pilipenko (see above, Section 5.6) signed an Agreement on Cooperation with the Hong Kong International Arbitration Centre (HKIAC).²⁴⁸



171. The Russian arbitration community is aware that RAC assisted the Hong Kong International Arbitration Centre (HKIAC) and Vienna International Arbitral Centre (VIAC) in obtaining authorization from the Ministry of Justice (see above, para. 11) without hiding the fact that the issue of recommendations by the Council for Development of Arbitration had already been resolved. A notable point reported by someone involved in these events: RAC had even planned to celebrate VIAC's success in a restaurant in advance.
172. In August 2019 RAC was granted the status of observer at the II Arbitration and Mediation Procedure/Dispute Resolution UNCITRAL²⁴⁹ (Annex 41) working group with

²⁴⁸ Report on RAC's activities as of 2017 and 2018 (<https://centerarbitr.ru/wp-content/uploads/2018/08/Отчет-РАИ-2017-2018web.pdf>), p. 5; <http://www.xindalilaw.com/newsitem/278093445>; HKIAC and the Institute of Modern Arbitration Sign Agreement of Cooperation (<https://centerarbitr.ru/en/2018/03/06/hkiac-coop/> (Annex 40)).

²⁴⁹ <https://centerarbitr.ru/en/2019/12/24/russian-arbitration-center-in-2019/>

assistance from the Russian public authorities, while at the same time not disclosing its true links with the state.

173. Since 2018 RAC, seeking to improve its image abroad, has been organizing and financing an annual conference, Russian Arbitration Day (RAD),²⁵⁰ inviting foreign speakers to take part. The RAD organizers are Alexey Zhiltsov and Anton Asoskov, members of the Council for Development of Arbitration and loyal to the Ministry of Justice (see above, Section VIII). Anton Asoskov is also a member of the RAC Board (see above, para. 52). Roman Khodykin is another organizer, from Bryan Cave Leighton Paisner (Russia) LLP. All of them manifestly and actively support the “reform” aimed at destroying independent arbitration in Russia.
174. Seeking to improve its image abroad RAC supports the Moscow pre-moot of the international arbitration competition *Willem C. Vis International Commercial Arbitration Moot*²⁵¹ (Annex 42). Among others, Olesya Petrol (member of the Council for Development of Arbitration appointed to the Council with the support of RAC) is in charge of it.²⁵²
175. In the light of what has been said in previous sections, it seems that RAC is a GONGO (Government-Organized (Operated) Non-Governmental Organization), a nominally non-governmental public structure. Although it was created by an initiative from and with the participation of public authorities and operates in the interests of the government, it is deliberately concealing its connections to them.

Among other things, RAC was established not only to give the deceitful impression that there are independent arbitration institutions in Russia, but also as a tool aimed at foreign audiences, misleading them to the following ends:

creating the illusion abroad that there are independent arbitration institutions in Russia;

lobbying for Russian government interests abroad, allegedly as a strong representative of the arbitration community in Russia but in fact, *inter alia*, under instruction from the Government of the Russian Federation.

Events held by RAC are, *inter alia*, platforms to conceal the true nature of RAC as a GONGO.

At the same time, it is important to note that the creation of RAC pursued another goal as well: a number of Russian officials gaining control over a share in the arbitration services market with regard to international disputes through weakening the position of ICAC at CCI RF (see below, para. 179).

²⁵⁰ <http://rad.lfacademy.ru/en/>

²⁵¹ <http://modernarbitration.ru/en/2019/07/31/willem-c-vis-moscow-pre-moot-2019-2/>

²⁵² <http://old.law.msu.ru/node/50568>

XV. RAC'S RELATIONS WITH OTHER ENTITIES INVOLVED IN ARBITRATION, INCLUDING REGIONAL ONES

- 176.** Only four Russian organizations have been granted arbitration “licenses” (see above, paras. 9, 10 and 12).

In essence, the arbitration field in Russia has been divided between three organizations: RAC, RF CCI and RUIE. The autonomous non-profit organization Sports Arbitration Chamber (see above, para. 10) may be disregarded: it focuses on the very specific issues of sports arbitration.

- 177.** The current situation in the arbitration field could be succinctly described as an arbitration oligopoly.

The above explains why RAC:

is an ardent opponent of competition between arbitration centers (see above, para. 49);

states that it does not provide arbitration administration services but simply conducts public activity analogous to the exercise of justice by state courts (see above, para. 45);

in conjunction with the Ministry of Justice impedes the issue of arbitration “licenses” to other entities;

in general, fears transparency.

RAC fears competition because that would threaten its status. RAC fears regulation to protect competition. RAC fears bearing material liability before the parties to disputes in situations where it has made a mistake during arbitration administration and therefore it denies that it provides services (provision of services is covered by the Civil Code of the Russian Federation).

- 178.** The fact that the arbitration field in Russia is divided between three organizations: RAC, RF CCI and RUIE (see above para. 176) is by no means accidental: it is an accurate reflection of the distribution of political forces in Russia. There are only three serious political players in Russia: representative of the security agencies, the civil bureaucracy and oligarchs.

RUIE reflects oligarchs’ interests, the RF CCI has always been on close terms with the security authorities, while RAC was created by the Ministry of Justice, i.e., civil bureaucracy.

- 179.** At the same time, one of RAC’s important purposes is to weaken the position of the ICAC at the RF CCI as its competitor. This is why RAC supported HKIAC and VIAC in obtaining authorizations from the Ministry of Justice (see above, para. 11).

180. It should be noted that the Ministry of Justice dismissed the applications of each and every regional applicant.

Instead, RAC, RF CCI²⁵³ and RUIE²⁵⁴ promptly started establishing their own divisions in the regions, by agreement with the Ministry of Justice.

The result of this was the elimination of independent regional arbitration centers in Russia.

In view of the above, RAC is also a tool for the disruption of federalist ideas in the field of Russian arbitration.

Here this is not so much an arbitration oligopoly as arbitration monopolization of everything in favor of Moscow. It is in full conformity with the Russian authorities' policy aimed at suppressing federalism.

181. **So one can only agree with RAC's statement that it does not really provide arbitration administration services: *inter alia*, it solves other important specific matters for the government in the area of arbitration.**

²⁵³ <http://mkas.tpprf.ru/ru/otdeleniya/>. Presently, the ICAC at the RF CCI has divisions in Voronezh, Irkutsk, Kazan, Krasnodar, Moscow region, Nizhny Novgorod, Saratov, Stavropol, Rostov-on-Don, St. Petersburg, Tyumen, Ufa, Chelyabinsk, Vladivostok and Ulyanovsk.

²⁵⁴ <https://arbitration-rspp.ru/branches/info/>. Presently RUIE has: Far Eastern division, Southern division, Moscow regional division, divisions in Ekaterinburg, Krasnodar, Novosibirsk, Republic of Tatarstan, St. Petersburg, Saratov and Chelyabinsk.

XVI. FINAL CONCLUSIONS REGARDING RAC. REASONS FOR SUCH A STATE OF AFFAIRS WITH RAC. STATE POLICY OF MAKING ARBITRATION SUBORDINATE AND PROHIBITING INDEPENDENT ARBITRATION INSTITUTIONS IN RUSSIA

1. All of the conclusions made above in the Section “Some Conclusions Based on the Study Results” are worth repeating.
2. **RAC is a structure created and controlled by the state, a GONGO (Government-Organized (Operated) Non-Governmental Organization).**

Governmental control over RAC is necessary to exclude arbitration awards being delivered against the government and entities connected to it (see also below for the reasons for such a policy).

The RAC is most probably financed by sponsors (including Gazprombank and Dar fund, or through Ivanyan & Partners) who obviously follow instructions from the government, while at the same time meticulously concealing the amounts and the financing itself.

The fact that finance is provided secretly including through various funds, and that accurate information about the sources and volume of financing is concealed, gives reason to presume that the amounts of money allocated and actually spent on specific purposes do not match up.

3. In clear violation of the law, RAC administers disputes that involve Rosatom (not only is Rosatom a founder of RAC but it almost certainly finances it, too). Specific arrangements may take place between RAC and Rosatom ensuring that this state corporation benefits from a special privileged regime during the consideration of disputes involving the entities under its control.
4. It is clear that everything related to RAC is at the same time closely connected with the problem of improper concealment of information:

see above, para. 67 on the concealed beneficiaries of the Foundation for Legal Education and Research as the founder of RAC;

see above, Section VI on the concealed information about finance sources for RAC;

see above, para. 94 on activity regarding the secret leasing of property.

At the same time, RAC may also use as a “screen” references to arbitration confidentiality, which, no doubt, do not truly match the essence of this institution.

Such concealment of information is particularly remarkable in the context of RAC’s statements that it does not provide arbitration administration services but simply conducts public activity analogous to the exercise of justice by state courts.

5. Also one cannot but notice that the issue of conflict of interests may constantly come up in the context of references to RAC (and in fact even corruption issues are not excluded):

see above, para. 120 regarding the strange case with the dissenting opinion of the arbitrator;

see above, para. 116 on voting by members of the Board of the RAC against authorizing other applicants in violation of the rules on conflict of interests;

see above, para. 94 on the lease of property in violation of conflict of interest rules;

see above, para. 166 on public procurement.

6. RAC is a participant in the oligopolic division of the arbitration services market in the Russian Federation in conjunction with the RF CCI and the RUIE.
7. RAC is a tool aimed at foreign onlookers (ably assisted by the term “Russian”, which RAC obtained the right to use without proper reason), *inter alia*, to mislead them for the following purposes:

creating abroad the illusion that there are independent arbitration institutions in the Russian Federation;

lobbying for the interests of the Russian authorities abroad – allegedly as a strong representative of the arbitration community in the Russian Federation, but in reality under instruction from the Government of the Russian Federation.

Events held by RAC are, *inter alia*, platforms to disguise RAC’s genuine nature as a GONGO.

At the same time, it should be emphasized that the creation of the RAC also pursued a different goal: a number of Russian officials gaining control over a share in the arbitration services market in international disputes by weakening the ICAC at the RF CCI.

8. Applications by *HKIAC* and *VIAC* for authorization from the Ministry of Justice through cooperation with RAC shows, unfortunately, that they either did not conduct proper due diligence, or that they consider loyalty to the Russian Government more important than the values on which arbitration is based.
9. RAC is not a genuinely independent arbitration institution, but benefits from significant privileges, offered to it by the government, which are offered to no other entity in the Russian Federation.

The facts show that the Justice Ministry operates a policy of favoritism (cronyism) with regard to FAC in breach of the principles of equality and prohibition of discrimination against entities.

The statements by RIMA and RAC on their missions and goals do not match the available facts.

RAC is not what it claims to be, particularly before foreign observers. It operates a policy to mislead others, Russian society and the foreign arbitration community in the form of *suppressio veri*.

10. But what are the reasons for such state of affairs?

The answer to this question is that in fact no arbitration “reform” took place in Russia.

The “reform” itself, if you look closely at it, is not reform at all, but a grandiose special operation to gain control over arbitration, to neutralize it as a rival that endangers the state, and an undercover operation, accompanied by a false propaganda campaign which is carried on with participation of the RAC.

The state control of and lack of competition in the field of arbitration is a continuation and reflection of the policy of subordinating the state courts to the executive branch. This deprives these courts of real independence. Now the executive branch (the Ministry of Justice) has improperly extended its powers to Russian arbitration.

It is known that in Russia the state, represented by state courts (especially the RF Supreme Arbitrazh (Commercial) Court since 2002), has been suspicious of and even partially hostile to arbitration. But earlier, on the whole, it was indifferent to it, since arbitration in essence did not harm the interests of the executive branch. But once the latter felt the danger that the very nature of arbitration posed to it, consisting of freedom, it immediately decided to introduce restrictions.

The first “blow” to the executive branch from arbitration was given in the YUKOS case. The only disputes won by YUKOS in Russia are four cases in the ICAC at the CCI (then not controlled by Vadim Chubarov, vice-president of the RF CCI).

*“1) In 2006, the International Commercial Arbitration Court at the RF CCI and OJSC Yuganskneftegaz (the predecessor of OJSC Rosneft Oil Company) made awards in favor of Yukos Capital S.a.r.l. for debt collection under four loan agreements: a loan amount of RUB 11,233.0 million; accrued interest of RUB 1,702.9 million; and arbitration fees and legal costs of USD 0.9 million ...”*²⁵⁵

The awards were quickly set aside by the Arbitrazh (Commercial) Court of Moscow city but are known to have been enforced abroad²⁵⁶ (Annex 43). It was a strong blow against state ambition.

The authorities felt the second “blow” again thanks to the ICAC at the CCI, though this time through companies belonging to oligarch Vladimir Lisin, who was close to the state, when almost RUB 9 billion was recovered from OJSC NLMK in favor of Nikolay Maximov (ICAC Award of 31 March 2011 in case No. 244/2009). And this award was quickly quashed by the Arbitrazh (Commercial) Court of Moscow city (case No. A40-

²⁵⁵ The quarterly report of Rosneft Oil Company OJSC for the third quarter of 2010 (https://www.rosneft.ru/upload/site1/old_files/XcFJQdreVb.pdf), p. 29.

²⁵⁶ <http://arbitrationblog.kluwerarbitration.com/2017/12/21/enforcement-annulled-awards-restatement-new-york-convention/>

35844/11-69-311²⁵⁷) (see also above, para. 120). Since that very moment Vladimir Lisin's companies decided to finance the arbitration "reform".

The third, and most dangerous indicator for public authorities, were the awards dated 18 July 2014 in the arbitration held in The Hague on the basis of UNCITRAL Rules (1976) and in accordance with the Energy Charter Treaty for recovery from the Russian Federation of over USD 50 billion (*Hulley Enterprises Limited (Cyprus) v. The Russian Federation* (PCA Case No. AA 226)²⁵⁸); *Yukos Universal Limited (Isle of Man) v. The Russian Federation* (PCA Case No. AA 227)²⁵⁹); *Veteran Petroleum Limited (Cyprus) v. The Russian Federation* (PCA Case No. AA 228)²⁶⁰).

These cases fixed the fate of arbitration in Russia. The state finally realized what a powerful tool arbitration could be and made up its mind to promptly neutralize it.

It does not seem to regret it at all, including in the light of the latest story with the arbitral award in Stockholm regarding the dispute between Gazprom and Naftogaz:

“MOSCOW, December 29 [2019]. /TASS/. Arrangements for the transit of Russian gas through Ukraine to Europe, including the payment by Gazprom of USD 2.9 billion to Naftogaz according to the verdict of the Arbitration Institute of the Stockholm Chamber of Commerce, were a difficult decision for the Russian side, but this meant it avoided the worst-case scenario. This was announced by Russian Deputy Prime Minister Dmitry Kozak in an interview with the Vesti Nedeli program on the Russia-1 television channel on Sunday.

‘There was a choice: between bad and very bad. USD 2.9 billion for Gazprom, for our country is a hard decision’, he said. ‘But together we could have lost significantly more, incomparable amounts’.

On December 20 Moscow and Kiev announced the approval of a new gas transit contract (the current one expires on 31 December 2019) for a period of five years, as well as the settlement of mutual claims between Gazprom and Naftogaz. The parties agreed to waive new mutual claims, withdraw mutual claims, Gazprom to pay about USD 2.9 billion under the award by the Arbitration Institute of the Stockholm Chamber of Commerce and a settlement agreement on antitrust proceedings against Gazprom in Ukraine. On Friday, Gazprom announced payment of this amount to Naftogaz.”²⁶¹

Arbitration “reform” is a tool for the subordination of arbitration to the state in Russia. The state, fearing arbitration, wants to control it (that is why the compiler has used the term in quotation marks throughout).

Solving the task set before it, the Ministry of Justice effectively banned the activities of independent arbitration institutions in the Russian Federation, except for those controlled by the state (see above, paras. 9, 10, 12, 176).

²⁵⁷ <https://kad.arbitr.ru/Card/b808f500-dab4-43d7-ad6c-422080163f0e>

²⁵⁸ <https://pca-cpa.org/en/cases/60/>

²⁵⁹ <https://pca-cpa.org/en/cases/61/>

²⁶⁰ <https://pca-cpa.org/en/cases/62/>

²⁶¹ <https://tass.ru/ekonomika/7444091>

This is why the Ministry of Justice has basically prohibited the activity of independent arbitration institutions in Russia.

RAC is one of the tools of the state to achieve this goal.

All of the above also explains why everything related to RAC is at the same time closely connected with the problem of inappropriately concealing information, as well as why the issues of conflict of interests and even corruption constantly come up in connection with RAC: this is an inevitable consequence of false “reform”, arbitration oligopoly and deception.

- 11. It is well known that in Russia the state is afraid of civil society and suppresses it.**

For this reason, the refusals, for instance, of the Ministry of Justice to register political parties and its refusals to issue authorization to administer arbitration are similar in nature.

- 12. In Russia, the government is particularly afraid of foreign arbitration centers and foreign arbitration awards. This is why it demands that foreign arbitration centers obtain authorization from the Ministry of Justice.**

- 13. The essence of arbitration “reform” in Russia is:**

double standards and lies;

prohibition and suppression, submission to control;

denial of competition;

fear, suspicion, superconformism;

anti-intelligence; and

antiquity.

This is inherently a denial of arbitration and the creation of conditions for corruption.

And responsibility for all this is borne, *inter alia*, by the RAC, including former and current members of its Board (Annex 8), as well as all those who actively contribute to the RAC, including:

Anton Asoskov (professor at the Department of Civil Law of the Law Faculty at Lomonosov Moscow State University (MSU));

Andrey Gorlenko (partner at Ivanyan & Partners Law Firm);

Anna Grishchenkova (partner at KIAP Law Firm, MCIArb);

Mikhail Ivanov (partner at Dentons);

Andrey Panov (counsel at the Moscow office of Allen & Overy);

Yury Pilipenko (President of the Federal Chamber of Attorneys of the Russian Federation);

Dmitry Stepanov (partner at Egorov Puginsky Afanasiev & Partners);

Elena Uksusova (professor of the Department of Civil and Administrative Procedure at Kutafin Moscow State Law University (MSAL));

Prof. Dr. Klaus Peter Berger, LL.M. (chairholder professor at University of Cologne);

The Right Honourable Dame Elizabeth Gloster, DBE, PC (international commercial arbitrator at One Essex Court (Temple, London));

Neil Trevor Kaplan, QC, JP, CBE, SBS (independent international arbitrator);

David W. Rivkin (partner at Debevoise & Plimpton LLP (New York, USA));

Francis Xavier, SC, PBM (partner at Rajah & Tann (Singapore));

Roman Bevzenko (previously member of the RAC Board, member of the “Council” for Development of Arbitration).

P.S.

Everything rises in price in Russia, except for information about the increasing spread of corruption (*NN*).

The compiler understands that the present study will not change anything (except, perhaps, the compiler himself), not least because the Russian authorities do not care about their image at this historical stage in the development of Russia.

The same can be said about the attitude of most people associated with RAC to their reputation (the compiler is sure that they have much more specific information about the RAC than he does). At the same time, some of them did not have much of a reputation initially, while others cannot be prohibited from destroying theirs if they wish.

AFTERWORD

This section was prepared after the electronic version of this study had already been published on 6 February 2020 (in Russian and in English) on social networks: it is specifically for the printed version of the latter, particularly in light of events which took place after that date.

On 6 February 2020 I published on the website *www.zakon.ru* a blog post: “The So-Called ‘Russian’ Institute of Modern Arbitration and ‘Russian’ Arbitration Center: Examining Their Role in Russian Arbitration. GONGO-Structures? Declarations and Reality”.²⁶²

It was accompanied by the present study.

Simultaneously I posted information about it in the *Treteysky Sud* (“Arbitral Tribunal”) journal group on *Facebook*.

After that I created a website dedicated to this study: <http://centerarbitrgongo.ru>.

On 6 February 2020 Andrey Gorlenko (see above, Section 5.1) published the article “The Russian Arbitration Week Will Be Proactive, Action-Packed and Full of Stars”²⁶³ as his reply.

In this publication he allowed himself to state the following:

“Before the reform its critics were trying to export what was to large extent expected of them abroad: seminars with pancakes and balalaikas as well as negative stories about Russian arbitration and the Russian courts. In this context the situation with arbitration and the courts’ attitude to arbitration was to their advantage. They were doing it rather skillfully, earning their personal reputation as experienced guides in the ‘dark kingdom’, getting appointed as arbitrators and gaining new clients as representatives. No tangible positive effect was observed for arbitration and Russian specialists from these events aimed at foreign users”.

No doubt, the person he meant was Vladimir Khvaley.

Vladimir Khvaley replied to him on 7 February 2020 in the *Treteysky Sud* journal group on *Facebook*:

“As it turns out, the problem is not that the Russian courts refuse to enforce foreign arbitral awards due to such outrageous grounds as, for example, a standard ICC arbitration clause being invalid, but that this is being discussed. And the problem is not that RAC is a corrupt entity (if A. Gorlenko is ready to refute this statement,

²⁶² *Muranov A.* The So-Called “Russian” Institute of Modern Arbitration and “Russian” Arbitration Center: Examining Their Role in Russian Arbitration Today. GONGO-Structures? Declarations and Reality (6 February 2020) (https://zakon.ru/blog/2020/02/06/rossijskij_institut_sovremennogo_arbitrazha_i_rossijskij_arbitrazhnyj_centra_issledovanie_ih_rol_i_v_t).

²⁶³ <https://pravo.ru/story/218187/>

*I offer him a public debate) but that this is being discussed. It reminds me of the good old song [“Don’t Stash Your Cash in Pots and Quiet Spots!”] [https://www.youtube.com/watch?v=_YLSJ9pgTDY\[.\]](https://www.youtube.com/watch?v=_YLSJ9pgTDY[.]) So come on, you silly foreigners, come to us and you can be sure we will give you a warm welcome, don’t worry. This logic has one fundamental problem. Long ago the information monopoly, like the one in North Korea, was eliminated. And there are no more stupid woodentops who only watch the first channel of state television. And Mr. Muranov alone, through his web posts, in an instant can demolish the picture which has been carefully built up by such persons as A.A. Gorlenko over several years. So, Andrey Andreevich, a patriot is not he who calls a Soviet Lada car the best automobile in the world, but he who is trying to make it better, to ensure that it is manufactured in line with global standards, however difficult it may be. And a true patriot is not he who is yelling ‘Go, Russia, go!’ but he who is making efforts to improve it, to make it a civilized European country free of corruption. For this reason come to the public debates if you are not afraid, I’m throwing down the gauntlet to you. Gleb [Sevastyanov, the editor-in-chief of the *Treteysky Sud* journal], please deliver this to the right address, let the journal be an impartial platform”.*

On 10 February 2020 Gleb Sevastyanov, the editor-in-chief of the *Treteysky Sud* journal, sent Andrey Gorlenko a challenge to a public debate with Vladimir Khvalev. There was no reply.

On 10 February 2020, RAC published a press release²⁶⁴ where, amongst other things, it stated: “Allegations made by A. Muranov in relation to the RAC and RIMA... are false and unfounded”.

RAC made no reply to my repeated proposals to hold a debate²⁶⁵ so that everybody could see who was lying – me or RAC in its press release.

In the light of this it was decided to set a time for the debate where the representatives of RAC could turn up: 17 March 2020, 19-00 Moscow time, Metropol hotel, Chekhov hall.²⁶⁶

Letters with explanations and invitations were sent to all members of the RAC Board. No replies followed.

²⁶⁴ <https://centerarbitr.ru/2020/02/10/пресс-релиз>

²⁶⁵ https://www.facebook.com/centerarbitr.russia/posts/869853196762261?__tn__=K-R

²⁶⁶ https://zakon.ru/blog/2020/03/16/rac_gongo-struktura_ispolzuyuschaya_nepriemlyemye_metody_ili_zhe_nezavisimyj_arbitrazhnyj_centra_disku

**ДЕБАТЫ.
РАЦ: ГОНГО-СТРУКТУРА,
ИСПОЛЬЗУЮЩАЯ НЕПРИЕМЛЕМЫЕ
МЕТОДЫ, ИЛИ ЖЕ НЕЗАВИСИМЫЙ
АРБИТРАЖНЫЙ ЦЕНТР?**

ДИСКУССИЯ ПО ПОВОДУ ИССЛЕДОВАНИЯ
А. МУРАНОВА О РАЦ И ПРЕСС-РЕЛИЗА РАЦ,
ОБЪЯВИВШЕГО ЭТО ИССЛЕДОВАНИЕ ЛОЖЬЮ

ОТЕЛЬ «МЕТРОПОЛЬ», | МОСКВА
ЗАЛ ЧЕХОВ | ТЕАТРАЛЬНЫЙ ПР-Д, 2

17 МАРТА
2020 | 19:00

ВО ВРЕМЯ ДЕБАТОВ
СОСТОИТСЯ ПРЕЗЕНТАЦИЯ
ИССЛЕДОВАНИЯ
А. МУРАНОВА О РАЦ
В ВИДЕ ОТДЕЛЬНОЙ КНИГИ.
ОЗНАКОМИТЬСЯ С НЕЙ
МОЖНО ТУТ:
www.centerarbitrgongo.ru

In any event, it was necessary for the purposes of transparency and to ensure RAC's right to present its position.

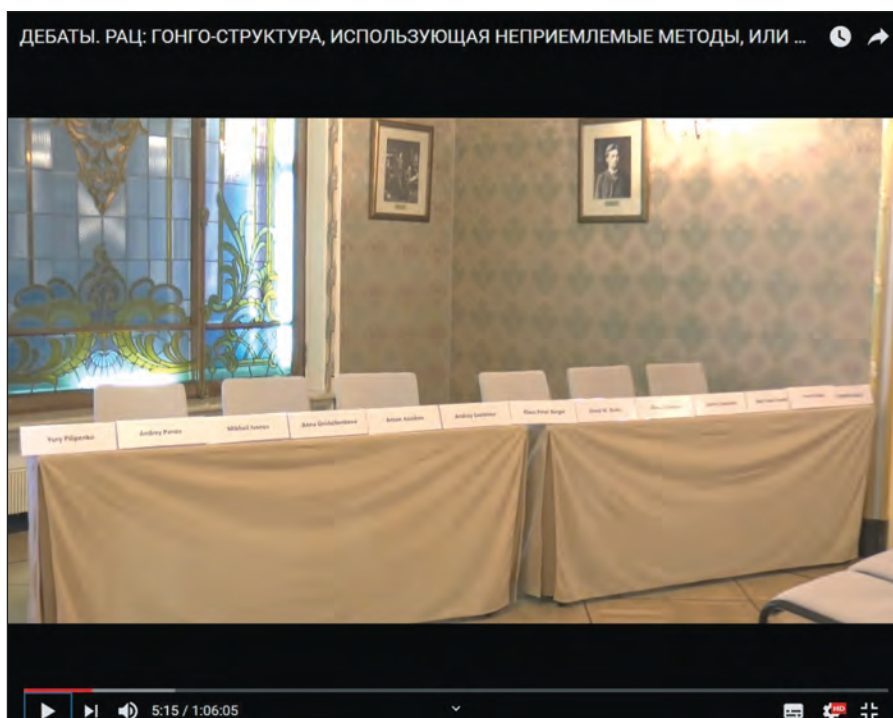
Bearing in mind all difficulties arising out of the coronavirus problem, it was decided to arrange for a video broadcast for those who could not move around Moscow:

<http://proofix.tv/muranov>;

<https://www.youtube.com/watch?v=5BPK1R6eT-c&feature=youtu.be>.

Additionally, RAC and all the members of its Board were invited to hold the debate by video conference. No reply followed.

On 17 March 2020, I attended the proposed debate. Not a single person from RAC was present.



The video broadcast successfully took place, and its recording can be watched by clicking the links above. In the course of the broadcasting I was asked questions online to which I gave answers.

Various people regretted the fact that RAC failed to appear for the debate.

On 18 March 2020 Roman Zykov published very interesting post in the *Treteysky Sud* journal group on *Facebook* analyzing the RAC annual report for 2019.

On 19 March 2020 I sent another letter addressed to the members of RAC Board which was left unanswered.

On 19 March 2020 I placed in the *Treteysky Sud* journal group on *Facebook* the post “The Debate Which RAC Feared and the Study about RAC: Certain Intermediate Results” which stated as follows:

“As could have been easily predicted, on 17 March 2020 RAC did not turn up for the debate.

The video recording can be watched here: <https://www.youtube.com/watch?v=5BP-KlR6eT-c&feature=youtu.be>

More could probably be said about the default award against RAC, as well its statements that the study are false.

RAC has the following options available:

- 1) to be as silent as the grave because they have nothing to say in reply;*
- 2) to present an ‘alternative truth’ and ‘alternative facts’, including by employing an auditor to help with the ‘laundering’ [;]*
- 3) to initiate a civil or criminal case against me. I have no doubts about their chances of success: the Ministry of Justice will help them.*

We can summarize intermediate results of this small research experiment. Here are some of them:

1) It has become even clearer that RAC is afraid of the truth: and that they are unable to object to it.

Ultimately they declare that they are being bullied, that it is trolling and a smear campaign. An infantile explanation.

And Anna Grishchenkova (a member of the RAC Board) pretending to be unaware of what is going on has offered to serve as a guide for Vladimir Khvalev to take him on a tour around RAC.

There is another excuse made up by Andrey Panov: ‘We are busy with serious matters unlike you, you are wasting your time’. Without a doubt, they are busy with serious matters. Of 262 claims submitted to RAC in 2019, 194 cases are connected with the nuclear industry. How can they not be occupied with serious matters if they have first stolen arbitration from a company and then

are benefiting from it? Others have stolen nothing and, obviously, they cannot have the 194 nuclear power industry cases.

Another variation on this theme from Andrey Panov and Andrey Gorlenko: ‘We will not let you make any hype at our expense. This is your sacred war and not ours’. But there is no war. There is also no guerilla movement because everything is done in public. Nor is there any other type of war as no war may be waged against a robber and a rapist. Nobody is going to call for the overthrow of power and military struggle: I’m not a Bolshevik or a political terrorist unlike the Ministry of Justice and RAC. These are merely observations, studies, a collection of materials for further work and for the future (but with public coverage of this process);

2) RAC shows disrespect for the public because it simply issues amusing press releases and publishes funny posts from its Board members. At the same time, the previous policy of RAC was also quite obviously ‘the plebs will lap it up’;

3) RAC is trying to influence some foreigners to prevent them from disseminating the study about the RAC;

4) In their posts in this group some members of the RAC Board have made it clear that they would wish to distance themselves in some degree from RAC. No doubt RAC feels a bit offended by that;

5) RAC’s competitors, first and foremost the Chamber of Commerce and Industry of Russia, were glad to see the study about the RAC. They are like crabs in an arbitration barrel;

6) We have fixed certain features of the present-day situation for future generations which is quite important: they have a right to know what our reality was like;

7) Besides, a certain educational success about the present stage in history can in any case be seen, among foreigners as well;

8) The www.centerarbitrgongo.ru website was launched which, I hope, will develop;

9) As a result of the study, books have been prepared in Russian and English which will be published shortly and will be available in electronic format everywhere[;]

10) It also became clear that RAC and its Board members do not have the skills to conduct a tough discussion. A strange fact given that they include famous attorneys, lawyers and even the chairman of the Federal Chamber of Attorneys [;]

11) It is now also obvious that RAC and some of its Board members do not know how to react to a joke. Instead they only know how to get offended like little children.

It is not expected that anything will change: as we have already mentioned, the purpose of this study is different. They will keep gnawing at arbitration like they have always done, sometimes throwing a few bones to others. They will lie. They will hold conferences etc., which, no doubt, will be attended by people. How could it be otherwise?


But they will be unable to repeat success of the Soviet FTAK (Foreign Trade Arbitration Commission) which managed to become recognized in the West 40–50 years after its existence (a conventional success, it should be noted). But these times are different.

History repeats itself: first as tragedy, then as farce. The elimination of arbitration in the USSR in the 1920s and the creation in the USSR of the Maritime Arbitration Commission and the Foreign Trade Arbitration Commission was a tragedy (inter alia, because around 50 % of arbitrators became victims of deathly repressions, and control over these institutions was exercised by the security agencies), while today it is already farce, a clowns' parade”.

The silence of RAC proves that RAC has nothing to say in reply.

At least there should be a *default award* against RAC.

<http://modernarbitration.ru/en/institute/about-the-institute/>



**The Russian Institute
of Modern Arbitration**

Autonomous Non-Profit
Organisation
"Russian Institute of Modern
Arbitration"

NEWS

EVENTS

EDUCATIONAL PROGRAM

**COUNCIL OF MODERN
ARBITRATION**

MOOT COURTS

ANALYTICS

INSTITUTE

CONTACTS

PYC | ENG

Home - Institute - About the Institute

About the Institute

The Russian Institute of Modern Arbitration is aimed at promoting and popularizing arbitration in Russia. It has a goal of increasing attractiveness of Russia as a place for business and dispute resolution. The Institute of Modern Arbitration regularly hosts conferences and workshops devoted to development of arbitration. The Russian Arbitration Center, administering arbitration of civil disputes, is created at the Russian Institute of Modern Arbitration.

Our Goal

Development and popularization of professional and independent arbitration in Russia.

Our Mission

The Russian Institute of Modern Arbitration intends to become a free and open platform. It wishes to unite Russian and foreign specialists, businessmen and scholars, who are interested in promotion of ADR in Russia and who are ready to create a high-quality school of arbitration comparable to the best international ones.

Our Principles and Values

- We are always open to any form of discussion;
- We appreciate any and all points of view;
- We engage those who are interested in arbitration and unite them;
- We respect everyone's dignity;
- We balance between the theory and practice;

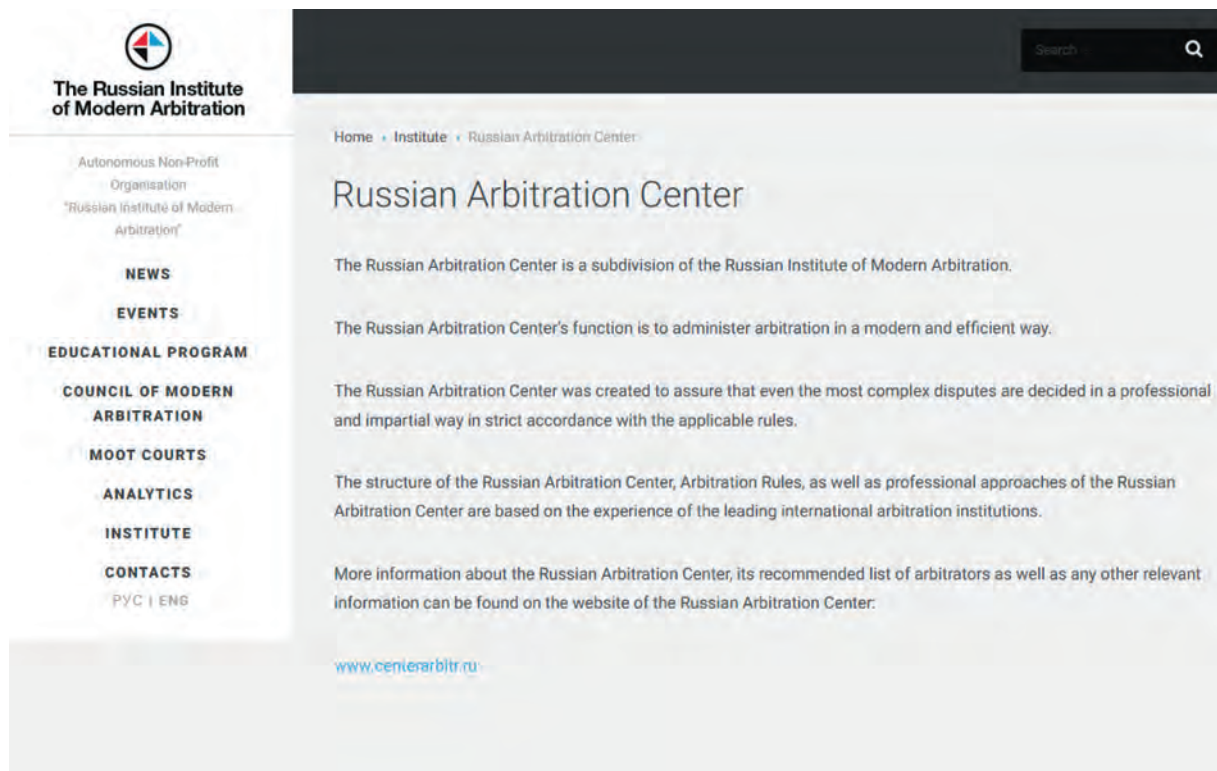
Cooperation


The Russian Institute of Modern Arbitration is always open to cooperation. Over the course of the activities, the Russian Institute of Modern Arbitration has signed cooperation agreements with the following institutions:

- Khabarovsk regional division of Association of Lawyers of Russia
- Beijing Arbitration Commission
- Government of the Sakhalin region
- Government of the Primorsky Krai
- National Research University Higher School of Economics
- Autonomous non-profit organization "Scientific and Methodological Center for Mediation and Law"
- Japan Association of Arbitrators

- Singapore International Arbitration Centre
- Chamber of Commerce and Industry of the Kamchatka Krai
- Kamchatka regional division of Association of Lawyers of Russia
- Government of Kaliningrad region
- Hong Kong International Arbitration Centre
- Moscow regional division of Association of Lawyers of Russia
- Association of Mediators and Intermediaries of the APR
- Association of Regional Overhaul Operators
- Institute of air and space law AEROHELP
- Saint Petersburg State University
- Commission on the Legal Support of the Digital Economy at the Moscow regional division of Association of Lawyers of Russia
- National Alternative Investment Management Association
- Korean Commercial Arbitration Board

<http://modernarbitration.ru/en/institute/arbitration-center/>




The Russian Institute of Modern Arbitration

Autonomous Non-Profit Organisation
"Russian Institute of Modern Arbitration"

NEWS

EVENTS

EDUCATIONAL PROGRAM

COUNCIL OF MODERN ARBITRATION

MOOT COURTS

ANALYTICS

INSTITUTE

CONTACTS

РУС | ENG

Home • Institute • Russian Arbitration Center

Russian Arbitration Center

The Russian Arbitration Center is a subdivision of the Russian Institute of Modern Arbitration.

The Russian Arbitration Center's function is to administer arbitration in a modern and efficient way.

The Russian Arbitration Center was created to assure that even the most complex disputes are decided in a professional and impartial way in strict accordance with the applicable rules.

The structure of the Russian Arbitration Center, Arbitration Rules, as well as professional approaches of the Russian Arbitration Center are based on the experience of the leading international arbitration institutions.

More information about the Russian Arbitration Center, its recommended list of arbitrators as well as any other relevant information can be found on the website of the Russian Arbitration Center:

www.centerarbitr.ru

<https://centerarbitr.ru/en/far-eastern-division/general-information/>

The screenshot displays the website of the Russian Arbitration Center (RAC) at the Russian Institute of Modern Arbitration. The page is titled "General Information" and is part of the "Far Eastern Division" section. The navigation menu includes "About", "News", "Events", "Contacts", and language options "RU", "ZH", "JA". There is also an "Online arbitration system" button. The main content area features a large header image with the text "General Information" and a small photo of Adolph von Menzel, a counselor who reads tabulated papers in 1887. Below the header, there is a search bar and a sidebar menu with options like "About us", "About the Center", "Team", "Territorial Divisions", "Far Eastern Division", and "General Information". The main text area contains the following information:

Far Eastern Division of the Russian Arbitration Center

On September 1, 2017, the Russian Arbitration Center at the Russian Institute of Modern Arbitration opened its first regional division – the Far Eastern Division in Vladivostok.

The parties from Far East Region and Asian countries, as well as those who prefer the Far East Region as a seat of arbitration or a venue of oral hearings, may now choose to arbitrate their disputes in the Far Eastern Division. This shall be specified in the arbitration agreement.

Below this, there is a section titled "Arbitration clause" with the text: "The Far Eastern Division of the Russian Arbitration Center has all necessary facilities for efficient administration of arbitration. The Division has modern premises equipped with audio- and videoconference. The parties' documents may be sent directly to the Far Eastern Division of the Russian Arbitration Center." This is followed by a section titled "The database of specialists of the Far Eastern Division" with the text: "The Russian Arbitration Center has approved the database of specialists of the Far Eastern Division, which includes the arbitrators from the Far Eastern Region as well as from Asia – Pacific countries." Finally, there is a section titled "The database of specialists of the Far Eastern Division" with the text: "Andrey Gorkenko was appointed as a head of the Far Eastern Division."

The footer of the page includes a "Subscribe" button and a form to "Enter your e-mail".

<https://centerarbitr.ru/en/western-division/western-division/>

The screenshot displays the website of the Russian Arbitration Center. At the top, the logo and name 'Russian Arbitration Center' are on the left, and navigation links for 'Russian Disputes', 'International Arbitration', 'Corporate Disputes', and 'Arbitrators' are on the right. A search icon is also present. Below the header, a breadcrumb trail reads 'Main page / Western Division / General information'. The main content area features a large blue banner with the text 'General information' and a profile picture of 'Edvard Munch' with the text 'Jurisprudence, 1887'. A left sidebar contains a menu with 'About us' expanded, showing 'About the Center', 'Team', 'Territorial Divisions' (with sub-items 'Far Eastern Division' and 'Western Division'), and 'General Information'. The main text area is titled 'Western Division' and contains three paragraphs: the first mentions the opening of the second regional division in Kaliningrad on December 28, 2017; the second describes the division's purpose in making Kaliningrad a more attractive place for business; the third states the cooperation agreement with the Russian Institute of Modern Arbitration. Below the text, there is a 'Download PDF' link for 'The Standard Recommended Arbitration Clause with Oral Hearings in the Office of the Western Division'. At the bottom, a dark 'Subscribe' banner includes an email input field and social media icons.

<https://centerarbitr.ru/en/about-3/ural-division/general-information/>

The screenshot displays the website for the Russian Arbitration Center, specifically the 'General information' page for the Ural division. The page features a dark blue header with the center's logo and navigation links. A large banner image shows a group of people in a meeting, with the text 'General information' overlaid. Below the banner, there is a search bar and a navigation menu. The main content area is titled 'Ural division of the Russian Arbitration Center' and contains three paragraphs of text. A sidebar on the left provides a menu of links, including 'About us', 'Territorial Divisions', and 'Database of Specialists'. At the bottom of the page, there is a dark blue footer with a 'Subscribe' button and an email input field.

Russian Arbitration Center
at the Russian Institute of Modern Arbitration

About News Events Contacts RU ZH JA Online arbitration system

Russian Disputes International Arbitration Corporate Disputes Arbitrators

Main page / About / Ural Division / General information

General information

Gerard David
The Judgment of Cambyses,
1498

About us Search through the page

Ural division of the Russian Arbitration Center

In September 2018, the Russian Arbitration Center at the Russian Institute of Modern Arbitration launched its third regional division – the Ural Division in Ekaterinburg.

The Ural division of the RAC is aimed at strengthening the investment attractiveness of Sverdlovsk region as a place of doing business and resolving disputes, and can administer both domestic and international arbitration.

The Russian Arbitration Center has formed the database of arbitrators of the Ural Division that includes legal professionals from Ekaterinburg and other Ural cities.

Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators

Go to
Database of specialists of the Ural Division

The Ural Division of the RAC is located at the premises of the Ural branch of Russian School of Private Law at the following address: 9-a Vaynera street, Yekaterinburg, 620014, Russian Federation. **You can apply to the Ural division to file the documents for commencement of arbitration or to get more information about the activities of the Russian Arbitration Center.**

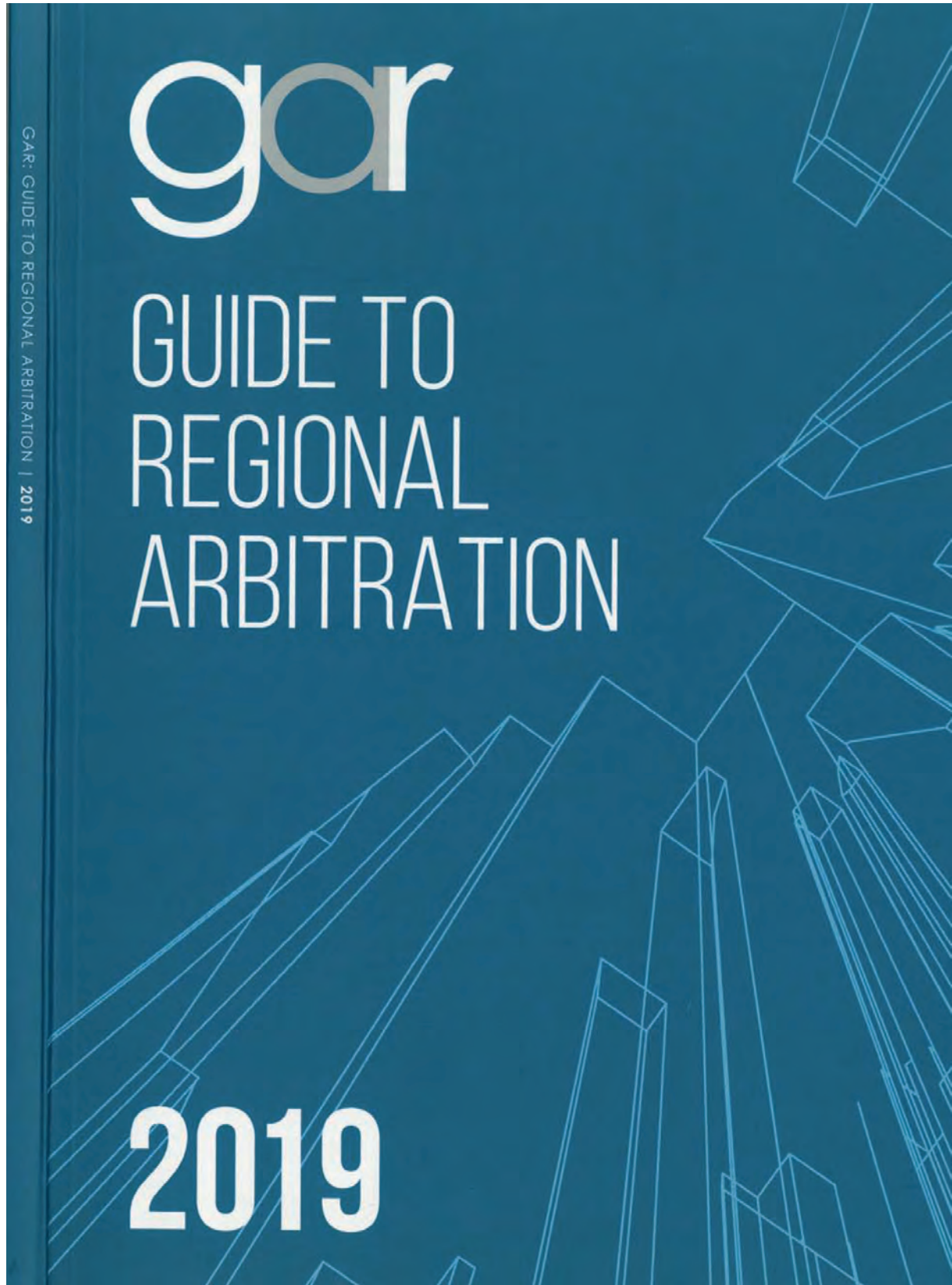
The parties may choose the Ural Division of the RAC as a place for conducting oral hearings by adding the following wording to their arbitration agreement:

“The seat of arbitration shall be in Ekaterinburg, Russian Federation. Oral hearings shall be held at the address of the Ural Division of the Russian Arbitration Center at the Autonomous Non-profit Organisation “Russian Institute of Modern Arbitration”.

Subscribe

Enter your e-mail

We won't give your e-mail to anyone



promoted by the government, especially if the government makes its use mandatory (as recently happened with ISTAC and public procurement contracts).

Ziya Akinci, when this point was raised at GAR Live Istanbul 2018, was at pains to emphasise that ISTAC is financially fully independent (it is funded through fees and the Turkish Bar Association). He also reminded people of the calibre of individuals on its board.

Nevertheless, the current political climate in Turkey isn't doing ISTAC any favours. It's harder to appear independent when based in an authoritarian state.

What are the rules like?

Recognisably modern, with all the latest innovations, including fast-track arbitration and emergency arbitrators, and a couple of regionally specific twists. They're particularly flexible on how to begin proceedings; as well as allowing you to exclude the jurisdiction of the Turkish courts if you so wish, which some may appreciate.

What's the best reason for using ISTAC rather than another brand?

There's probably an enforcement advantage, if enforcing locally. Turkish judges have been described as "psychologically more comfortable" with enforcing an ISTAC award rather than one from a foreign institution.

RUSSIAN ARBITRATION CENTER AT THE RUSSIAN INSTITUTE OF MODERN ARBITRATION (RIMA)

Why is it worth a closer look?

Previously this guide has listed the Russian Arbitration Association (RAA) in this section. However, to date, the RAA has not been granted a licence (now needed to be an arbitral institution) in Russia and administer cases.

The Institute of Modern Arbitration, however, has. It is therefore listed as an option – subject to caveats.

What are those caveats?

It is a controversial organisation in Russian arbitration circles, where some believe it is secretly backed by the government. Such fears are fuelled by a lack of clarity on its ownership structure and source of funding.

While doubts persist, it is best approached with caution.

When was it founded?

RIMA was founded in 2016 as a team effort by the Federal Bar of Attorneys of Russia and the Saint Petersburg International Legal Forum.

It's led by Andrey Gorlenko, a former practitioner at Debevoise & Plimpton, and it has a board that includes arbitration specialist Anna Grishchenkova from Russian firm KIAP.

What are its rules like?

It unveiled its first set of rules in 2017, available in Russian and English. The rules contain various cost and time-saving provisions, including the consolidation of multiple claims and proceedings, the option for multiparty arbitration, as well as emergency arbitration and expedited arbitration procedures, and online arbitration. Parties are also free to choose either ad valorem or hourly rates when calculating arbitration costs.

The rules also feature a special procedure for corporate disputes.

Is it busy?

Apparently so. In August 2018, it released its first official statistics, which indicated that it had 100 cases underway, worth a collective US\$117 million.

It has also already expanded domestically. In 2017, it opened two regional offices and hearing centres – one in the eastern port city of Vladivostok and one in the western city of Kaliningrad between Poland and Lithuania.

The Vladivostok office is expected to attract disputes from Japan, China and Korea, and the centre is already looking east after signing cooperation agreements with the HKIAC, SIAC and the Japan Association of Arbitrators.

How international is it?

The centre has some impressive names on its roster including Brigitte Stern, Stanimir Alexandrov, Klaus Reichert SC and Juan Fernández-Armesto.

On the other hand, as mentioned earlier, there is nothing equivalent to an international oversight boards or court of the kind one finds at most aspiring regional centres. Some may regard this as (another) reason to take RIMA with a pinch of salt, at least for now.

Meanwhile, the RAA is about to apply for a licence again (its third application). If successful, it will return to these pages in the next edition.

<https://globalarbitrationreview.com/insight/guide-to-regional-arbitration-volume-7-2019/1178466/whitelist-institutions-worth-a-closer-look->

Russian Arbitration Center at the Russian Institute of Modern Arbitration (RIMA)

Why is it worth a closer look?

Previously this guide has listed the Russian Arbitration Association (RAA) in this section. However, to date, the RAA has not been granted a licence (now needed to be an arbitral institution) in Russia and administer cases.

The Russian Institute of Modern Arbitration ("RIMA"), however, has. It is therefore listed as an option – subject to caveats.

What are those caveats?

RIMA's funding is an occasional topic of conversation in Russian arbitration circles, with the central question being who really funds it. This talk is "very Russian" and focusses on the presence of shell companies in the ownership chains of some of its five founders (the name for shareholders of non-profit organisations in Russia) combined with the fact no founder is obviously wealthy. Nor does revenue from current caseload appear to cover RIMA's current operating budget (\$1.1 million or so).

RIMA says that the fact the founders in question are "foundations" insulates them entirely under Russian corporate law from any external control - and by extension also RIMA.

Still, some regard it as important to flag this debate.

When was it founded?

RIMA was founded in 2016 as a team effort by the Federal Bar of Attorneys of Russia and the Saint Petersburg International Legal Forum.

It's led by Andrey Gorlenko, a former practitioner at Debevoise & Plimpton, and it has a board that includes arbitration specialist Anna Grishchenkova from Russian firm KIAP.

What are its rules like?

It unveiled its first set of rules in 2017, available in Russian and English. The rules contain various cost and time-saving provisions, including the consolidation of multiple claims and proceedings, the option for multiparty arbitration, as well as emergency arbitration and expedited arbitration procedures, and online arbitration. Parties are also free to choose either ad valorem or hourly rates when calculating arbitration costs.

The rules also feature a special procedure for corporate disputes.

Is it busy?

Apparently so. In August 2018, it released its first official statistics, which indicated that it had 100 cases underway, worth a collective US\$117 million.

It has also already expanded domestically. In 2017, it opened two regional offices and hearing centres – one in the eastern port city of Vladivostok and one in the western city of Kaliningrad between Poland and Lithuania.

The Vladivostok office is expected to attract disputes from Japan, China and Korea, and the centre is already looking east after signing cooperation agreements with the HKIAC, SIAC and the Japan Association of Arbitrators.

While 100-plus disputes appears impressive at such an early stage, it should be noted that the majority are legacy items from the nuclear industry: on its formation, RIMA absorbed the arbitration court of Rosatom, an umbrella body for all entities engaged in activities with nuclear fuel. These matters are fee capped and not particularly remunerative.

How international is it?

The centre has some impressive names on its roster including Brigitte Stern, Stanimir Alexandrov, Klaus Reichert SC and Juan Fernández-Armesto.

On the other hand, as mentioned earlier, there is nothing equivalent to an international oversight boards or court of the kind one finds at most aspiring regional centres. Some may regard this as (another) reason to take RIMA with a pinch of salt, at least for now.

Meanwhile, the RAA is about to apply for a licence again (its third application). If successful, it will return to these pages in the next edition.

Regional Arbitration Centres

Copyright © Law Business Research

[RSS](#) [E-mail preferences](#) [Privacy](#) [Terms and Conditions](#) [Contact](#) [Advertising](#) [Subscribe](#)

Company Number: 02201000 VAT: GB 150 7529 10

https://mansors.com/media/blog/russian_appetite_for_local_arbitration_remains_low_for_now/

MANSORS

THE FIRM PRACTICES PEOPLE MEDIA CONTACT RU EN

RUSSIAN APPETITE FOR LOCAL ARBITRATION REMAINS LOW, FOR NOW

Aug 9, 2019

MAIN ▶ MEDIA ▶ BLOG

Law360 (August 8, 2019, 4:59 PM EDT) -- A move by Russia to allow arbitral institutions from Hong Kong and Vienna to administer disputes within its borders has expanded the range of options for companies doing business in Russia, but it's unclear whether that will change a deep-seated preference in the country to arbitrate disputes abroad.

The Vienna and Hong Kong centers now join three institutions in Russia that are able to administer Russian corporate disputes, providing options to international businesses that may be wary of local arbitral institutions with ties to Moscow amid lingering concerns of undue influence and possible corruption.

[...]

Several years ago, Russia enacted legislation aimed at modernizing its arbitration landscape. Among the adopted changes was the requirement that foreign arbitral institutions register with and obtain permission from the Russian government, part of an attempt to ensure that the minimum standards in the arbitration laws are being met.

The requirement came about through efforts to stop the practice of so-called "pocket arbitration courts," many of which were linked to large Russian corporations. For example, the Russian natural gas giant Gazprom — which is majority-owned by the Russian government — had its own arbitration court, to which the company referred all of its disputes, according to Roman Zykov, the secretary-general of the Russian Arbitration Association.

But the reform efforts, and particularly the licensing requirements, have been criticized even within Russia. Many stakeholders say that the reform efforts have come up short, and that they may not persuade wary foreign companies, or even Russian companies, to arbitrate their disputes in the country.

"It's a turbulent time. I don't think everyone is satisfied and happy with what's going on," Zykov said.

He noted that of the three domestic institutions allowed to administer arbitrations in the country, two are closely connected to, and perhaps even funded by, the Russian state.

Complicating matters is the fact that enforcing arbitral awards in Russia remains a dicey affair. Although about 80 percent of arbitral awards are recognized and enforced in Russia, most of those are very small cases, according to Zykov.

He noted that of awards valued at more than \$10 million, only about one out of three is enforced in the country.

"Russian courts are still heavy-handed when dealing with arbitration," said Zykov. "I wouldn't say it's crazy to go arbitrate in Russia, but I would say it's safer and more predictable in terms of the results to do it in one of the established jurisdictions."

By Caroline Simson

[Law360.com](#) a Lexis Nexis Company



<https://centerarbitr.ru/en/about-3/general-information/>;
<https://centerarbitr.ru/en/presidium-2/>

The screenshot displays the website of the Russian Arbitration Center. The top navigation bar includes 'About', 'News', 'Events', and 'Contacts', along with language options 'RU', 'ZH', and 'JA', and a button for the 'Online arbitration system'. A secondary navigation bar lists 'Russian Disputes', 'International Arbitration', 'Corporate Disputes', and 'Arbitrators'. The main content area features a large banner for the 'Team' section, with a sub-header 'The Board'. Below this, a paragraph describes the Board's role: 'The Board of the Russian Arbitration Center at the Russian Institute of Modern Arbitration is a collective body, which is elected from the list of arbitrators and subject to partial rotation every 3 years. The Board performs such important functions as appointment of arbitrators, examination of challenges of arbitrators, prolongation of procedural terms as well as other functions accorded to the Board by the Arbitration Rules.' A second paragraph states: 'The RAC Board has formed two subcommittees performing functions of the Board with regard to arbitration of domestic disputes and international commercial arbitration.' Below the text is a list of board members under the heading 'The subcommittee on international arbitration'. The list includes: Anton Asoskov (Professor at Lomonosov Moscow State University), Klaus Peter Berger (Chairholder Professor for Civil Law, German and International Commercial, Economic and Banking Law, Private International Law and Comparative Law at Cologne University), Elizabeth Gloster, DBE, PC (International commercial arbitrator at One Essex Court, former Vice-President of the Civil Division of the Court of Appeal (England and Wales)), Anna Grishchenkova (Partner at KIAP Law Firm), Mikhail Ivanov (Partner and Head of the Russian Litigation and Arbitration practice at Dentons (Saint Petersburg)), Neil Trevor Kaplan, QC (Independent International Arbitrator), David W. Rivkin (Co-Chair of International Dispute Resolution Group at Debevoise & Plimpton, Past President of the International Bar Association (IBA)), and Francis Xavier, SC (President of the Chartered Institute of Arbitrators (CI Arb), President of the Inter-Pacific Bar Association (IPBA), Partner at Rajah & Tann).

Russian Arbitration Center
 at the Russian Institute of Modern Arbitration

About News Events Contacts RU ZH JA Online arbitration system

Russian Disputes International Arbitration Corporate Disputes Arbitrators

Main page / About / Team Share f in t

Team

Adolph von Menzel
 Counselor reads falsified papers, 1887

About us

- About the Center
- Team**
- Territorial Divisions >
- Specialized Divisions >
- Status and Documents

The Board

The Board of the Russian Arbitration Center at the Russian Institute of Modern Arbitration is a collective body, which is elected from the list of arbitrators and subject to partial rotation every 3 years. The Board performs such important functions as appointment of arbitrators, examination of challenges of arbitrators, prolongation of procedural terms as well as other functions accorded to the Board by the Arbitration Rules.

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

Russian Disputes International Arbitration Corporate Disputes Arbitrators

The subcommittee on international arbitration

- Anton Asoskov – Professor at the Lomonosov Moscow State University
- Klaus Peter Berger – Chairholder Professor for Civil Law, German and International Commercial, Economic and Banking Law, Private International Law and Comparative Law at the Cologne University
- Elizabeth Gloster, DBE, PC – International commercial arbitrator at One Essex Court, former Vice-President of the Civil Division of the Court of Appeal (England and Wales)
- Anna Grishchenkova – Partner at KIAP Law Firm
- Mikhail Ivanov – Partner and Head of the Russian Litigation and Arbitration practice at Dentons (Saint Petersburg)
- Neil Trevor Kaplan, QC – Independent International Arbitrator
- David W. Rivkin – Co-Chair of International Dispute Resolution Group at Debevoise & Plimpton, Past President of the International Bar Association (IBA)
- Francis Xavier, SC – President of the Chartered Institute of Arbitrators (CI Arb), President of the Inter-Pacific Bar Association (IPBA), Partner at Rajah & Tann

RAC Premises for Hearings

- Arbitration >
- Mediation >
- Arbitrators >
- News
- Events
- Contacts



Russian Disputes International Arbitration Corporate Disputes Arbitrators



The subcommittee on arbitration of domestic disputes

- Anton Asoskov – Professor at the Lomonosov Moscow State University
- Andrey Gorlenko – Partner at Ivanyan & Partners Law Firm
- Anna Grishchenkova – Partner at KIAP Law Firm
- Mikhail Ivanov – Partner and Head of the Russian Litigation and Arbitration practice at Dentons (Saint Petersburg)
- Andrey Panov – Counsel at Allen & Overy
- Yury Pilipenko – President of the Russian Federal Chamber of Lawyers
- Dmitry Stepanov – Partner at Egorov Puginsky Afanasiev & Partners
- Elena Uksusova – Professor of the Department of Civil and Administrative Procedure at Kutafin Moscow State Law University



Russian Disputes International Arbitration Corporate Disputes Arbitrators



Yury Pilipenko

President of the Board President of the Russian Federal Chamber of Lawyers



Anton Asoskov

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



Prof. Dr. Klaus Peter Berger, LL.M.

Chairholder Professor at University of Cologne



The Right Honourable Dame Elizabeth Gloster, DBE, PC




Andrey Gorlenko


Partner at Ivanyan & Partners Law Firm




Anna Grishchenkova


Partner at KIAP Law Firm, MCI Arb.

 Russian Arbitration Center


Russian Disputes International Arbitration Corporate Disputes Arbitrators 




Mikhail Ivanov
Partner at Dentons




Neil Trevor Kaplan, QC, JP, CBE, SBS
Independent International Arbitrator




Francis Xavier, SC, PBM
Partner at Rajah & Tann (Singapore)




Andrey Panov
Counsel at the Moscow office of Allen & Overy, FCI Arb




David W. Rivkin
Partner at Debevoise & Plimpton LLP (New York, USA)



Dmitry Stepanov
Partner at Egorov Puginsky Afanasiev & Partners

 Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators 




Elena Uksusova


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







Administrative Office and Executive Administrator


Administrative Office of the Russian Arbitration Center at the Russian Institute of Modern Arbitration performs all functions related to organizational and technical administration of arbitration. While performing their functions, the Administrative Office personnel respect the confidentiality and guarantee the efficient administration of an arbitration. The Administrative Office is headed by the Executive Administrator.


The Administrative Office is always ready to be of any assistance to the parties to arbitration and arbitrators. Shall you have any questions related to the services of the Russian Arbitration Center at the Russian Institute of Modern Arbitration, do not hesitate to consult the Administrative Office.







 Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators 

		
Yulia Mullina Executive Administrator ymullina@centerarbitr.ru	Martin Kroll Legal Counsel mkroll@centerarbitr.ru	Alexandra Skiba Legal Counsel askiba@centerarbitr.ru
		
Ekaterina Balyuk Case Manager balyuk@centerarbitr.ru	Valeria Butyrina Case Manager vbutyrina@centerarbitr.ru	Sabina Ganieva Case Manager sganieva@centerarbitr.ru

 Russian Arbitration Center


Russian Disputes International Arbitration Corporate Disputes Arbitrators 

		
Elizaveta Mikaelyan Case Manager emikaelyan@centerarbitr.ru	Anna Kiseleva Junior Case Manager akiseleva@centerarbitr.ru	Darya Tokareva Junior Case Manager dtokareva@centerarbitr.ru
		
Konstantin Cymbalov Junior Case Manager kcymbalov@centerarbitr.ru	Alina Shirinyants Senior Assistant ashirinyants@centerarbitr.ru	Irina Zhigaleva Chief Accountant izhigaleva@centerarbitr.ru

Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators


Specialized Division for Disputes in Nuclear Field



Alexander Plakhin
Director
aplakhin@centerarbitr.ru




Vladimir Molchanov
Legal Counsel - Chief Expert
vmochanov@centerarbitr.ru




Ilya Kurbatov
Legal Counsel - Chief Expert
ikurbatov@centerarbitr.ru

Russian Arbitration Center


Russian Disputes International Arbitration Corporate Disputes Arbitrators




Tatiana Trapeznikova
Legal Counsel - Chief Expert
ttrapeznikova@centerarbitr.ru




Nadezhda Balakhonova
Leading Expert
nbalakhonova@centerarbitr.ru



Elena Pogorelova
Leading Expert
epogorelova@centerarbitr.ru

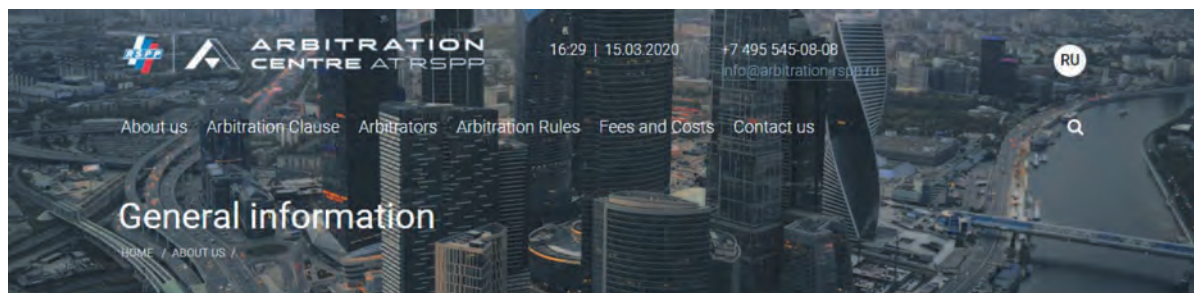


Boris Sergeev
Financial Counsel
bsergeev@centerarbitr.ru



Regina Enikeeva
Assistant
renikeeva@centerarbitr.ru

<https://arbitration-rspp.ru/en/about-us/information/>



The Arbitration Centre at the Russian Union of Industrialists and Entrepreneurs is an independent permanent arbitral institution which administers arbitration in accordance with the Federal Law "On Arbitration (Arbitral Tribunals) in the Russian Federation" and the Law of the Russian Federation "On International Commercial Arbitration".

Vast Practical Experience

The Arbitration Centre is the successor of the Arbitration court at RSPP (established in 2006), the Arbitration commission at PJSC "Moscow Stock Exchange" (established in 1994) and the Arbitration court of the National Association of Securities Market Participants (NAUFOR) (established in 1997).

Professional Staff

Key staff members of the Arbitration Centre have more than 10 years of experience in arbitration and have been trained in the Chartered Institute of Arbitrators (CI Arb).

We guarantee a friendly approach, help and advice on any procedural questions, including those on the enforcement of arbitral awards.

We collaborate with leading international arbitral institutions and participate in all key events in the field of arbitration.

Arbitration in Russia

The license to administrate arbitration by the Arbitration Centre was granted by the Russian Federal Government Resolution No. 798-p, April 27, 2017. The Arbitration Centre was the first arbitral institution being granted a license to administrate arbitration in Russia.

The Arbitration Rules and regulations of the Arbitration Centre are deposited with the Ministry of Justice of the Russian Federation, which signifies their conformity to the legal requirements.

The Arbitration Centre may administrate any disputes that can be subject to arbitration, including domestic arbitration, international commercial arbitration, and arbitration of corporate disputes.


The arbitral proceedings are governed by modern arbitration rules, which represent the best Russian and international experience and ensure the confidentiality of disputes.

Credible Arbitrators

Our list of arbitrators includes leading lawyers and counsel, retired judges, well-known professors, business representatives and public figures. All of them are highly skilled professionals well acquainted with specificities of disputes arising in different sectors of economy and spheres of law.

- 16 Arbitrators bear the title of Honored Jurist of the Russian Federation;
- 50 Arbitrators hold doctoral degrees in law or are Candidates of Juridical Studies;
- 53 Arbitrators have more than 10 years of experience in dispute resolution.

<https://arbitration.ru/en/arbitration-association/>



**RUSSIAN
ARBITRATION
ASSOCIATION**

Рус En
Login Registration
E-mail

Arbitration Association
Dispute Resolution
Arbitrators
Media
RAA25
RAA40
Seminars
Events
Journal

RAA / Arbitration Association

- About Arbitration Association
- Governance
- Documents
- Minutes of Meetings
- Working Groups
- Professional committees
- Events
- Press
- Membership
- Partners
- Contact

About association

The Arbitration Association was founded in April 2013 in Moscow to unite legal practitioners, law firms and academics. The Association represents broad interests of the business, legal and education communities involved in the alternative dispute resolution in Russia and the CIS.

The main objective of the Association is cooperation in the development of arbitration in the Russian Federation and the CIS countries, popularizing Russia as a venue for arbitration, promotion of Russian arbitrators at national and international levels within the arbitration context, as well as the promotion of foreign arbitrators interested in arbitral proceedings, directly or indirectly relating to Russia and the CIS countries.

In order to achieve its aims the Arbitration Association focuses on the following programs:

- Dispute Resolution services under the UNCITRAL Arbitration Rules
- Developing training programs for arbitrators and party representatives
- Organization of conferences
- Developing recommended standards for the local arbitration institutions (Code of Best Practice)
- Drafting proposals for improvement of legislation on arbitration

The Arbitration Association is governed by the:

- General Meeting of Members
- Board
- Secretary General
- Internal Audit Committee

The Arbitration Association supports a professional group for young arbitration practitioners Arbitration Association 40 which aim is to promote arbitration and educate lawyers on alternative dispute resolution.

Arbitration Association
Dispute Resolution
Arbitrators
Media
RAA25
RAA40
Seminars
Events
Journal

- About Arbitration Association
- Governance
- Documents
- Minutes of Meetings
- Working Groups
- Professional committees
- Events
- Press
- Membership
- Partners
- Contact

A. International recognition:

- The Arbitration Association is a signatory to 9 [International agreements](#) with foreign associations and arbitration centers;
- The United Nations Commission on International Trade Law (UNCITRAL) granted an observer status to the Arbitration Association;
- A leading International agency Global Arbitration Review recognized the Arbitration Association as the only new arbitration center in Russia to watch;
- The Chairman of Board was elected as a member of the Board of the International Council for Commercial Arbitration (ICCA).

B. Popularization of Russia as a place of arbitration and promotion of Russian arbitrators Internationally;

C. Development of arbitration standards. The Arbitration Association was the first Russian arbitration center to adopt:


- The Arbitration Association Internal Rules which included the rules of conflict of interest;
- Arbitration Rules for corporate disputes;
- Online Arbitration Rules.

D. [Organizing](#) arbitration and mediation [events](#) in the form of roundtables, lectures, seminars and conferences on arbitration in Russia and abroad (more than 60 events).

E. Socially significant projects:

- Taking part in discussion of draft laws on arbitration;
- Assisting the Russian Supreme Court in analysis of the international practice on arbitration;
- Research on arbitration:
 - The best practices in international arbitration in the CIS (2014);
 - The [Impact of Sanctions](#) on International Arbitration (2016);
 - Recognition and enforcement of foreign arbitral awards in Russia (2017);
 - Women in [arbitration](#) (2017).

Arbitration Association Dispute Resolution Arbitrators Media RAA25 RAA40 Seminars Events Journal	
<ul style="list-style-type: none"> About Arbitration Association Governance Documents Minutes of Meetings Working Groups Professional committees Events Press Membership Partners Contact 	<p>F. Organizing the largest moot in the CIS on online arbitration. In 2016 26 teams took part in the contest, while in 2017 already 44 teams from 20 cities of Russia and Belarus took place in the competition.</p> <p>G. Cooperating with business organizations:</p> <ul style="list-style-type: none"> • Drafting the special rules for resolving venture disputes in association with the Russian Venture Capital Association; • Drafting the Insurance Disputes Arbitration Rules in association the representatives of the insurance industry. <p>H. Establishing the electronic library on arbitration and preparation of the Commentary to the Russian Arbitration Laws.</p> <p>I. Publishing the Arbitration Association Annual Reports.</p> <p>J. Education programs for arbitrators, mediators and parties' representatives in the international arbitration.</p> <p>I. Establishing the Arbitration Association database of arbitrators.</p> <p>The Arbitration Association database of arbitrators enables any interested person -parties to the dispute or their representatives- to search for a candidate arbitrator using a number of criteria, for example, citizenship, place of residence, knowledge of languages, areas of specialization, jurisdiction or experience in arbitration or litigation.</p> <p>J. The Arbitration Association provides efficient, flexible and impartial resolution of disputes via arbitration:</p> <p style="padding-left: 20px;">i. Online Arbitration Rules</p> <p>The Rules serves to facilitate the independent, impartial and efficient resolution of small commercial disputes arising out of contractual and non-contractual relations, by electronic means of transfer and storage of information.</p> <p style="padding-left: 20px;">ii. Venture investments Rules</p> <p>The Rules provide not only for the resolution of disputes by the venture investment professionals but they also cover mediation, fast-track arbitration via online arbitration procedure. The Rules provide for a mandatory mediation procedure although there is a rather straightforward mechanism for the parties to withdraw from the mediation procedure. In addition, there are two types of arbitration procedures in the Rules: one is for big cases and the other one is for small claims disputes (using fast track online arbitration rules).</p> <p style="padding-left: 20px;">iii. Arbitration Rules for Corporate disputes</p> <p>The new Russian arbitration legislation requires permanent arbitration institutions to have specialized rules in order to administer arbitrations of certain types of corporate disputes.</p> <p style="padding-left: 20px;">iv. Institutional Rules</p> <p>In accordance with the Rules, the Arbitration Association administers international arbitration and domestic arbitration.</p> <p style="padding-left: 20px;">v. Ad hoc arbitration</p> <p>The Arbitration Association administers disputes in accordance with the Regulations for the Arbitration Proceedings under the UNCITRAL Arbitration Rules.</p> <p>Generally, all projects are conducted by the Arbitration Association Working groups, for further information please click here.</p> <p>Regarding the Arbitration Association membership please visit the following page.</p>
<ul style="list-style-type: none"> Minutes of Meetings Working Groups Professional committees Events Press Membership Partners Contact 	

Arbitration Association Dispute Resolution Arbitrators Media RAA25 RAA40 Seminars Events Journal	Search <input style="width: 50px;" type="text"/>	
Copyrights© 2013-2020 Arbitration Association		T: +7 495 201 29 59 115191, Moscow, Russia Dukhovskoy per 17 bld 12 office 404
Privacy and GDPR Policy	Сделано в Enzolab	

<https://centerarbitr.ru/en/2017/10/18/mou-with-siac/>


Russian Arbitration Center

[Russian Disputes](#) [International Arbitration](#) [Corporate Disputes](#) [Arbitrators](#)



[Main page](#) / [News](#) / [Memorandum of Understanding with SIAC](#)

[Share](#)   

Memorandum of Understanding with SIAC


Adolph von Menzel
Counselor reads fabricated papers, 1887

- [About us](#) >
- [Arbitration](#) >
- [Mediation](#) >
- [Arbitrators](#) >
- [News](#)
- [Events](#)
- [Contacts](#)

The Institute of Modern Arbitration Signs Memorandum of Understanding with Singapore International Arbitration Centre (SIAC)

The **Institute of Modern Arbitration** is pleased to announce that it has entered into a Memorandum of Understanding (MOU) with the **Singapore International Arbitration Centre (SIAC)** to support and promote the development of Singapore and Russia's arbitration regimes.

Under the MOU, SIAC will conduct training programmes, seminars and workshops for IMA and the arbitrators of the Arbitration Center established at the IMA. In addition, the institutions will also co-organise seminars, conferences and workshops in international arbitration.

The MOU was signed by Ms Delphine Ho, Registrar of SIAC, and Mr Andrey Gorlenko, General Director of IMA, at the 8th Session of the High-Level Russia-Singapore Inter-Governmental Commission (IGC8) in Moscow.


Russian Arbitration Center

[Russian Disputes](#) [International Arbitration](#) [Corporate Disputes](#) [Arbitrators](#)



Mr Andrey Gorlenko, General Director of IMA, said, "IMA has established The Arbitration Center at the IMA, which is one of the first permanent arbitral institutions authorised by the Russian Government to administer disputes under the new Russian arbitration law. We are delighted to have entered into an MOU with SIAC, and are confident that this collaboration will enable both institutions to forge closer ties with existing and potential users of international arbitration in both Russia and Singapore."

Ms Lim Seok Hui, CEO of SIAC, commented that "SIAC and IMA agree on the importance of staying focused on providing efficient, expert and enforceable dispute resolution services to parties from diverse legal systems and cultures such as Russia and Singapore. Through this MOU, we hope to work jointly with IMA to promote and develop international arbitration as a preferred mode of dispute resolution for cross-border commercial disputes involving Russian companies and businesses."

Subscribe

We won't give your e-mail to anyone

About Us

- [About the Center](#)
- [Team](#)
- [Territorial Divisions](#)
- [Specialized Divisions](#)
- [Status and Documents](#)
- [RAC Premises for Hearings](#)


Arbitration

- [Why Arbitration](#)
- [Arbitration Rules](#)
- [Arbitration Clauses](#)
- [Calculator](#)
- [Russian Disputes](#)
- [International Arbitration](#)
- [Corporate Disputes](#)

Arbitrators

- [Recommended List of Arbitrators](#)
- [Databases of Specialists](#)
- [Requirements for Arbitrators](#)
- [Impartiality and Independence](#)
- [Arbitrator's Declaration](#)

<http://modernarbitration.ru/en/institute/founders/>



The Russian Institute of Modern Arbitration

Autonomous Non-Profit Organisation
"Russian Institute of Modern Arbitration"

NEWS

EVENTS

EDUCATIONAL PROGRAM

COUNCIL OF MODERN ARBITRATION

MOOT COURTS

ANALYTICS

INSTITUTE


CONTACTS

РУС | ENG

Q

Home - Institute - Founders

Founders




The Federal Chamber of Lawyers of Russian Federation

The all-Russian non-governmental non-profit organisation *The Federal Chamber of Lawyers of Russian Federation* coordinates the activity of regional bar chambers, provides high-quality legal assistance, represents interests of advocates in governmental authorities of the Russian Federation.

The Federal Chamber of Lawyers participates in law-drafting activities, cooperating with special purpose committees of the Council of Federation and the State Duma of the Federal Assembly of the Russian Federation, as well as the Commission on legislative drafting activities of the Government of the Russian Federation. The Russian Federal Chamber of Lawyers is integrated into the international legal community. Among significant recent steps of the Russian Federal Chamber of Lawyers: joining the Council of Bars and Law Societies of Europe (CCBE) as the observer member, developing of cooperation with partners from the Asian region (China, Korea, Japan), strengthening of positions in international professional organizations, especially in the International Bar Association (IBA).

The Russian Federal Chamber of Lawyers has significantly promoted cooperation with long-term foreign partners and has signed cooperation agreements provided for joint events with advocate communities of Great Britain, Germany, France, Spain, etc.




The Foundation for Legal Education and Research

The Foundation for Legal Education and Research deals with realization and support of projects aimed at research and development of international law.

The Foundation established the International and Comparative Law Research Center, the primary aim of which is to stimulate study of international law.

The Foundation organizes the annual award *International Law in the XXI Century*.



LF Academy

LF Academy is an innovative education project that combines the widest range of available tools of online education with unique content, such as lectures given by the leading experts of the global legal community.

LF Academy includes videos of lectures, presentations, roundtables on relevant legal issues and reviews and analyses of Russian and foreign legislation and international legal acts.

For purposes of content formation LF Academy cooperates with participants of the St. Petersburg International Legal Forum, as well as with leading Russian and foreign experts, law firms and law faculties.



International and Comparative Law Research Center

Autonomous non-profit organization 'International and Comparative Law Research Center' conducts research on various issues of international and comparative law that are strategically important for the Russian Federation and Russian business.

The Center develops different educational projects, aimed at encouraging the study of international law, and organizes the annual International Law in the XXI Century Award, as well as conducts seminars and conferences, dedicated to topical issues of international law.

The Center has created the library, which provides access to principal online international legal databases and books of world's leading publishers. The constantly replenished library collection includes both classical works and modern research on public and private international and comparative law in different languages.

Center for Arbitration and Legal Expertise

The private institution "Center for Arbitration and Legal Expertise" promotes arbitration in the nuclear industry. It analyzes and summarizes arbitral disputes in the sphere of nuclear industry and nuclear energy between the companies of the field.

The Center for Arbitration and Legal Expertise takes part in seminars, conferences, trainings of employees of the nuclear industry enterprises on the application of legislation as well as participation in arbitration.



The Russian Institute
of Modern Arbitration

[Liability Disclaimer](#)

[Processing of Personal Data](#)


[Use of Information Published on the Website](#)

[Feedback](#)

[We are in social networks](#)



<http://modernarbitration.ru/en/institute/structure/>



The Russian Institute of Modern Arbitration

Autonomous Non-Profit Organisation
"Russian Institute of Modern Arbitration"

NEWS

EVENTS

EDUCATIONAL PROGRAM

COUNCIL OF MODERN ARBITRATION

MOOT COURTS

ANALYTICS

INSTITUTE

CONTACTS

PYC | ENG

Home » Institute » Structure

Structure

General Meeting of Founders

- The General Meeting of Founders is the supreme collegiate management body of Russian Institute of Modern Arbitration.
- The General Meeting of Founders makes decisions within its competence by the qualified majority in two thirds of founders who are present at a meeting.
- The main function performed by the General Meeting of Founders is definition of priority activities of Russian Institute of Modern Arbitration, its financing, election and appointment of bodies of Russian Institute of Modern Arbitration and other paramount questions connected with functioning of Institute of Modern Arbitration.

Supervisory Board

- The Supervisory Board is a permanent collegiate body of Russian Institute of Modern Arbitration.
- The Supervisory Board considers questions of joint projects of Russian Institute of Modern Arbitration with other organizations, issues relating to the development of its activity and also supports Russian Institute of Modern Arbitration activity for developing and promoting arbitration.
- The structure of the Supervisory Board is approved by the General Meeting of Founders.


- The Supervisory Board is a permanent collegiate body of Russian Institute of Modern Arbitration.
- The Supervisory Board considers questions of joint projects of Russian Institute of Modern Arbitration with other organizations, issues relating to the development of its activity and also supports Russian Institute of Modern Arbitration activity for developing and promoting arbitration.
- The structure of the Supervisory Board is approved by the General Meeting of Founders.

Members of the Supervisory Board:

- Yuri Pilpenko, President of the Russian Federal Chamber of Lawyers;
- Olga Motenko, General Director of LLC "Conference Center «St. Petersburg International Legal Forum»
- Khristofor Ivanyan, Partner at Ivanyan & Partners

General Director

- The General Director is an individual executive body of Russian Institute of Modern Arbitration.
- The General Director is appointed by the General Meeting of Founders for a period of 5 years.
- The General Director is responsible for managing of Russian Institute of Modern Arbitration and ensuring its everyday activity.
- Andrey Gorlenko is the General Director of Russian Institute of Modern Arbitration



The Russian Institute of Modern Arbitration


Liability Disclaimer

Use of Information Published on the Website

Processing of Personal Data

Feedback

We are in social networks



<https://ivanyan.partners/en/news/new-partner-andrey-gorlenko/>

[people](#)

[practice](#)

[about](#)

01.12.2019

Andrey Gorlenko - New Partner of the firm



Andrey Gorlenko has joined the firm as a partner.

For 10+ years, Andrey has been specialising in complex commercial and corporate disputes in Russia and abroad. From 2013 to 2015, he participated as an expert in the working group on the development of new Russian legislation on arbitration. Since 2016, he has headed the Russian Arbitration Centre (RAC) at the Russian Institute of Modern Arbitration. Under Andrey's leadership, the RAC attracted 350+ of the best Russian and foreign arbitrators, developed one of the best sets of arbitration rules in the world, opened three regional offices, and gained a reputation as a professional arbitration institution, both in Russia and internationally.

Andrey joined the firm's newly formed International Arbitration practice. He will focus mainly on investment and commercial arbitration, as well as cross-border commercial disputes.

Khristofor Ivanyan, partner:

"We have known Andrey for a long time; he is one of the best experts in the field of arbitration in Russia. We are happy that he has agreed to join our team. His diverse experience in international and Russian arbitration will expand our capabilities in protecting clients' interests worldwide".

Andrey Gorlenko, partner:

"It is a great honour for me to join such an experienced and well-orchestrated team of professionals. And I will be happy to help strengthen the position of the firm on the international and Russian markets".

Prior to the creation of the RAC in 2016, Andrey worked in one of the leading Russian law firms, as well as in the Moscow office of an international law firm.

https://spblegalforum.ru/en/About_Forum



ST. PETERSBURG
INTERNATIONAL
LEGAL
FORUM

Download "Forum
2019" brochure [pdf]

/ HOME / ABOUT FORUM / ABOUT FORUM

About Forum



ST. PETERSBURG INTERNATIONAL LEGAL FORUM

⬆
☎

SPBILF is a unique international conference that brings together the leading minds of the legal profession.

The annual St. Petersburg International Legal Forum (SPBILF), founded in 2011, is organized under the auspices of the President of the Russian Federation and the Ministry of Justice of the Russian Federation. Over the years, the SPBILF has emerged as a foremost international platform for discussing a broad range of urgent questions confronting the contemporary international community of legal professionals.

Organizers



Ministry of Justice
of the Russian Federation



The State Hermitage Museum



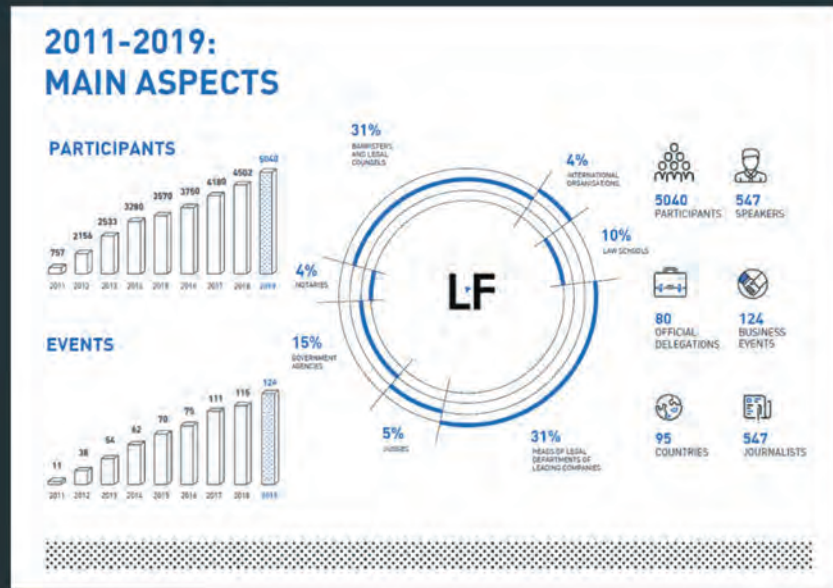
«Saint-Petersburg International Legal
Forum» Foundation

Forum's Mission

The Forum's primary mission is to promote ideas related to modernizing the law amidst the global changes. This includes devising solutions that move toward:

- improved interaction between legal systems and the generation of common approaches to problems of law in the context of globalization;
- modernization of Russian law in accordance with the best international legal practices and bringing Russian legislation in compliance with international standards for protecting the rights and interests of all subjects of legal relations (including entrepreneurs, foreign investors, copyright holders, etc.);
- development of Russian jurisprudence and legal education across the globe.

Forum 2011-2019 in Figures



The highlights of the Forum 2019



St. Petersburg International Legal Forum Private Law Prize

The conferral of this academic award, which is global in scale, is intended as a testimony of the highest academic achievement of the laureate, while the monetary component of the award is meant to assist the laureate in the fulfilment of his or her scientific ideas of global significance.

The members of the Expert Committee of the Prize are academics of worldwide renown, trendsetters of the modern science of law, whose works have nurtured several generations of lawyers.

- **Elizabeth Adjin-Tettey**, Professor, Faculty of Law, University of Victoria, Canada
- **Anton Asoskov**, Professor, Department of Civil Law, Faculty of Law, Lomonosov Moscow State University, Professor, Alexeev Private Law Research Centre under the President of the Russian Federation
- **Michael Bonell**, Emeritus Professor of Comparative Law, Faculty of Law, Sapienza University of Rome, Italy
- **Remy Carbillac**, Professor at the Faculty of Law and Political Science of the University of Montpellier, France
- **Aida Kemelmajer de Carlucci**, Member of the National Academies of Law and Science of Buenos Aires and Córdoba, Argentina
- **John Finnis**, FBA, QC (hon), Professor of Law and Legal Philosophy (Emeritus), University of Oxford, Biolchini Family Professor of Law, University of Notre Dame du Lac, UK
- **Vincent Lamanda**, Former First President of the Court of Cassation of France
- **Claudia Lima Marques**, Professor, Universidade Federal do Rio Grande do Sul in Porto Alegre, Brazil
- **Ken Oliphant**, Professor of Tort Law and Head of School designate, University of Bristol, UK
- **Marta Portegas**, Professor of Private International and Transnational Law at Maastricht University (Netherlands) and University of Antwerp (Belgium)
- **Enrico del Prato**, Dean of the Law Department - Full Professor of Civil Law, Sapienza University of Rome, Italy
- **Elsabe Schoeman**, Professor in the Department of Private Law at the University of Pretoria, South Africa
- **Henk Snijders**, Honorary professor of Civil Law and Civil Procedure, University of Leiden, The Netherlands
- **Jay L. Westbrook**, Benno C. Schmidt Chair Of Business Law, School of Law, The University of Texas at Austin, USA

[To SPBILF Private Law Prize Section >](#)

LF Academy

LF Academy is an innovative educational project, combining the enhanced technological opportunities of distance learning with singular content, delivered in the form of lectures by the foremost authorities of the international professional services community.

The mission of LF Academy is to facilitate the broader availability of unique, high-quality knowledge, skills and competencies in law, offer its own example and its vision as an opportunity to shape the trends in the contemporary legal environment, and generally to be the leading light for the members of the law profession.

LF Academy

LF Academy is an innovative educational project, combining the enhanced technological opportunities of distance learning with singular content, delivered in the form of lectures by the foremost authorities of the international professional services community.

The mission of LF Academy is to facilitate the broader availability of unique, high-quality knowledge, skills and competencies in law, to offer its own example and its vision as an opportunity to shape the trends in the contemporary legal environment, and generally to be the leading light for those who desire to be better professionals.

- Over **1000** hours of lectures
- Over **150** lecturers

SPBILF Events

High-profile international events are staged throughout the year under the auspices of the St. Petersburg International Legal Forum.

The St. Petersburg International Legal Forum introduced a new format – guest conferences – in 2013. London, The Hague, Rome, Paris and Budapest hosted our guest forums that year. The main purpose of our guest conferences is to facilitate legal dialogue and strengthen Russia's cooperation with its international partners.

The Organizing Committee of the St. Petersburg International Legal Forum established an award for outstanding **"Contribution to Promoting Legal Cohesion in Eurasia"** in 2014. The purpose of CPLCE Awards is to promote legal integration within the Eurasian Economic Community, Customs Union and Common Economic Space, and facilitate international collaboration in jurisprudence.

The St. Petersburg International Legal Forum Foundation provides support for an annual competition of research papers on the diverse aspects of international public law: **International Law in the 21st Century Awards**.

Participants about Forum

Asylbek Smagulov

Director of the Institute of Legislation, Minister of Justice of Kazakhstan

"Congratulations for the success of the IV St. Petersburg International Legal Forum. Of course, the programme of the Forum which is dedicated to "The Concept of Rule of Law in Legal Systems: Key Takeaways and Future Prospects" is most topical. The number of participants and delegations, discussion sessions addressing various issues of legal theory and practice are very impressive. Such a large-scale event is perfectly organized. The cultural programme is very interesting. The Forum is irreproachable!"



<http://www.iclrc.ru/en/about>



INTERNATIONAL
AND COMPARATIVE LAW
RESEARCH CENTER

Research Events News Award Summer School Library About the Center RU

About the Center

International and Comparative Law Research Center is a non-profit organization conducting research on various issues of international and comparative law that are strategically important for the Russian Federation and Russian business.

The Center cooperates with Russian and foreign experts having a competence in the sphere of Russian and foreign legislation and experience in the drafting of legislation and comparative law researches for Russian companies and government bodies, leading experts in the field of international law.



The Center's research program is updated annually through discussions with government stakeholders, business and academic communities.

For further detail regarding the areas of our research, please refer to the [Research](#) Section



Our constantly replenished library provides access to books, publications, and online resources on public and private international law, and comparative law.

For further detail, please refer to the [Library](#) Section



Our constantly replenished library provides access to books, publications, and online resources on public and private international law, and comparative law.

For further detail, please refer to the [Library](#) Section



The Center holds workshops and conferences on relevant topics.

For further detail, please refer to the [Events](#) Section



Our Center also organizes the annual International Law in the XXI Century Award.

For more information, see section [Award](#)



The Center holds the Summer School on International Public Law

For more information, see section [Summer school](#)



About the Center



Governance



Reporting



Team



Partners



Contacts



About the Center



Governance



Reporting



Team



Partners



Contacts




+7 (495) 640-65-65
info@iclrc.ru



Разработано в **SLITE**

Partners Contacts
Privacy policy Public oferta

<http://www.iclrc.ru/en/about/partners>




**INTERNATIONAL
AND COMPARATIVE LAW
RESEARCH CENTER**

[Research](#)
[Events](#)
[News](#)
[Award](#)
[Summer School](#)
[Library](#)
[About the Center](#)
[RU](#)

About the Center

International and Comparative Law Research Center is a non-profit organization conducting research on various issues of international and comparative law that are strategically important for the Russian Federation and Russian business.

Partners




Gazprombank

gazprombank.ru

IVANYAN & PARTNERS


Ivanyan & Partners

ivanyanandpartners.ru




St. Petersburg International Legal Forum

spblegalforum.ru




LF Academy

lfacademy.ru




International Justice Journal

ijpp.ru/journal/ijj/



Russian Arbitration Center
at the Russian Institute of Modern Arbitration


centerarbitr.ru



PKIO
俄罗斯-中国法学会
Русско-Китайское Юридическое Общество


Russia-China Law Society

rc-law.ru




Wuhan University Institute of International Law


en.whu.edu.cn




[About the Center](#)




[Governance](#)




[Reporting](#)




[Team](#)




[Partners](#)




[About the Center](#)




[Governance](#)




[Reporting](#)



[Team](#)



[Partners](#)



[Contacts](#)

The screenshot displays a website interface with several organizational logos and a navigation menu. The logos are arranged in a grid-like fashion, with text and website URLs provided for each. The navigation menu is located on the right side of the page.

- Foundation for Legal Education and Research**
Logo: A stylized blue 'F' composed of horizontal bars.
- Russian Polar Initiative Science Center**
Logo: A blue polar bear silhouette with the text "ПОЛЯРНАЯ ИНИЦИАТИВА" below it.
URL: russianpolar.ru
- International Foundation for the Law of the Sea**
Logo: A stylized blue and white wave.
URL: iflos.org
- Research Institute of Legal Policy under the Ministry of Justice of the Republic of Uzbekistan**
Logo: A stylized globe with blue and green waves and the text "RESEARCH INSTITUTE FOR LEGAL POLICY" and "ИССЛЕДОВАТЕЛЬСКИЙ ИНСТИТУТ ПРАВОВОЙ ПОЛИТИКИ" below it.
URL: rilp.uz
- International Institute of Humanitarian Law**
Logo: A blue square with a white swan.
Text: "International Institute of Humanitarian Law", "Institut International de Droit Humanitaire", "Istituto Internazionale di Diritto Umanitario".
URL: iihl.org

Navigation Menu:

- About the Center
- Governance
- Reporting
- Team
- Partners
- Contacts

<http://www.iclrc.ru/en/about/managing>



INTERNATIONAL
AND COMPARATIVE LAW
RESEARCH CENTER

[Research](#)
[Events](#)
[News](#)
[Award](#)
[Summer School](#)
[Library](#)
[About the Center](#)
[RU](#)

About the Center

International and Comparative Law Research Center is a non-profit organization conducting research on various issues of international and comparative law that are strategically important for the Russian Federation and Russian business.

Governance



Foundation for Legal Education and Research



Supervisory Board



General Director

Founder

- Appoints and re-appoints the Supervisory Board
- Oversees the Center's activities

The highest governance body

- Assigns the Center's priorities
- Supervises the activities of the Center and monitors compliance with decisions made by Supervisory Board

Chairman of the Supervisory Board
Elena Borisenko

Members of the Supervisory Board:
Ilya Kryzhanovskiy
Olga Motenko
Igor Rusanov

Chief Executive

- Manages the day-to-day activities of the Center
- Ensures implementation of the Supervisory Board's decisions and the Center's activity plans

General Director
Victoria Manko



About the Center



Governance



Reporting



Team



About the Center



Governance



Reporting



Team



Partners



Contacts

https://centerarbitr.ru/wp-content/uploads/2017/10/2.1.список_арбитров_121_en.pdf



**Russian
Arbitration
Center**

at the Russian
Institute
of Modern
Arbitration

Recommended List of Arbitrators of Russian Arbitration Center at the Russian Institute of Modern Arbitration

№	Name	City	Information
1.	Alena Kucher	Moscow	Partner at Debevoise & Plimpton Law Firm, Associate Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Ph.D.
2.	Alexander Belous	Moscow	Lawyer in private practice, Chairman of the Court of Arbitration at the Chamber of Commerce and Industry of the City of Sochi from 1997 to 2017
3.	Alexander Bolomatov	Moscow	Attorney at Law, Partner at YUST Law Firm
4.	Alexander Molotnikov	Moscow	Associate Professor of the Department of Business Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Executive Director at Law and Business, President at Russian-Chinese Legal Society
5.	Alexander Sergeyev	Saint-Petersburg	Head of the Department of Civil Law and Procedure at National Research University Higher School of Economics (HSE), Counsel at DLA Piper, LL.D.
6.	Alexander Yagelnitsky	Moscow	Associate Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Associate Professor of the Department of Civil Law at the Research Center of Private Law n.a. S.S. Alekseev under the President of Russian Federation, Ph.D.
7.	Alexey Dudko	Moscow	Partner at Hogan Lovells Law Firm, Head of Dispute Resolution Practice, Attorney at Law, LL.M, Ph.D.
8.	Alexey Petrov	Kazan	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Povolzhie District, Russia
9.	Andrey Egorov	Moscow	First Vice-president at the Research Center of Private Law n.a. S.S. Alekseev under the President of the Russian Federation, Editor in Chief of Journal " <i>Arbitrazh</i> (Commercial) Practice for Lawyers", Ph.D.
10.	Andrey Mateenkov	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Moscow Region, Russia

11.	Andrey Shirvindt	Moscow	Assistant Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Counsel at the Research Center of Private Law n.a. of S.S. Alekseev under the President of the Russian Federation. LL.M., Ph.D.
12.	Andrey Zelenin	Moscow	Managing Partner at Lidings Law Firm, Head of Dispute Resolution and Intellectual Property Practice
13.	Anna Grishchenkova	Moscow	Partner at KIAP Law Firm, Included in the Lists of Arbitrators of VIAC, KLRCA, HKIAC, LL.M.
14.	Anton Alexandrov	Moscow	Partner at Monastyrsky, Zyuba, Stepanov & Partners law firm
15.	Anton Asoskov	Moscow	Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Member of the Presidium and President of the Nomination Committee for Arbitration of Corporate Disputes of International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation (ICAC), LL.D.
16.	Arkadiy Mayfat	Ekaterinburg	Partner at Private Law Bar Association, Professor at Ural State University, LL.D.
17.	Artem Karapetov	Moscow	Head of the M-Logos Law Institute, Professor at National Research University Higher School of Economics (HSE), LL.D.
18.	Bronislav Gongalo	Ekaterinburg	President of Ural Branch of the Research Center of Private Law n.a. S.S. Alekseev under the President of the Russian Federation, Ph.D.
19.	Dmitriy Dozhdev	Moscow	Professor, Leading Researcher at the Institute of State and Law of Russian Academy of Sciences, Dean of the Faculty of Law at Moscow School of Social and Economic Sciences (MSESES), LL.D.
20.	Dmitriy Lomakin	Moscow	Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), LL.D.
21.	Dmitriy Nazarenkov	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
22.	Dmitry Stepanov	Moscow	Partner at Egorov Puginsky Afanasiev & Partners Law Firm, Ph.D., LL.M., MPA

23.	Ekaterina Smirnova	Moscow	Partner at Yakovlev & Partners Law Firm, Head of Government Procurement and Administrative and Legal Proceedings Practice, Attorney-at-Law
24.	Ekaterina Tilling	Moscow	Senior Partner at Tilling Peters Law Firm, Head of Intellectual Property Practice, Assistant Professor of International Think-Tank on Law of Information Technologies and Intellectual Property at National Research University Higher School of Economics (HSE), Assistant Professor at the Department of Governance at Moscow State University of International Relations (MGIMO)
25.	Ekaterina Tynovskaya	Nizhny Novgorod	Attorney-at-Law at Bar № 3 of Nizhny Novgorod
26.	Elena Ermakova	Moscow	Associate Professor of the Department of Civil and Labor Law at People's Friendship University of Russia (RUDN), Included in List of Arbitrators of ICAC, Ph.D.
27.	Elena Kapshtyk	Kemerovo	Judge (ret.), President of Panel of Judges of <i>Arbitrazh</i> (Commercial) Court of Kemerovo District, Russia
28.	Elena Krivosheina	Nizhny Novgorod	Judge (ret.) of Kanavinsky District Court of Nizhny Novgorod Region, Russia
29.	Elena Uksusova	Moscow	Head of the Department of Civil and Administrative Procedure at Kutafin Moscow State Law University (MSAL), LL.D.
30.	Elena Zotova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
31.	Evgeniy Zanezdov	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Moscow District, Russia
32.	Evgeny Petrov	Ekaterinburg	Associate Professor of the Department of Civil Law at the Research Center of Private Law n.a. S.S. Alekseev under the President of Russian Federation, Ph.D.
33.	Evgeny Rashevsky	Moscow	Partner, Head of International Arbitration and Litigation Practice at Egorov Puginsky Afanasiev & Partners Law Firm, Ph.D.
34.	Faima Poluektova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia

35.	Fedor Vyacheslavov	Moscow	Partner at VLawyers Law Firm, Assistant of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Ph.D.
36.	Galina Bugaeva	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
37.	Galina Kudeneeva	Moscow	Judge (ret.) of Tenth <i>Arbitrazh</i> (Commercial) Court of Appeal
38.	Galina Simonova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Primorskiy Region, Russia
39.	Georgiy Ilyin	Petropavlovsk-Kamchatskiy	Judge (ret.), President of <i>Arbitrazh</i> (Commercial) Court of Kamchatskiy District, Russia, Honored Lawyer of the Russian Federation
40.	Grigory Sergeyev	Kazan	Judge (ret.) of Federal <i>Arbitrazh</i> (Commercial) Court of Povolzhie District, Russia, Honored Lawyer of Republic of Tatarstan
41.	Igor Glushchenko	Belgorod	Judge (ret.), President of Solnechnogorsk Garrison Court-martial
42.	Igor Renz	Ekaterinburg	Professor of the Department of Civil Procedure at Ural State University, Ph.D.
43.	Igor Zenkin	Moscow	Attorney-at-Law at Bar of Moscow Region, Professor, LL.D.
44.	Ildar Latypov	Kazan	Judge (ret.), Vice-president of Panel of Judges of <i>Arbitrazh</i> (Commercial) Court of Republic of Tatarstan, Russia, Honored Lawyer of Republic of Tatarstan
45.	Iliia Rachkov	Moscow	Partner at King & Spalding Law Firm, International Trade & Litigation Practice, Associate Professor at Moscow State University of International Relations (MGIMO), LL.M., Ph.D.
46.	Ilya Matantsev	Ekaterinburg	Judge (ret.) of Federal <i>Arbitrazh</i> (Commercial) Court of Ural District, Russia, Ph.D.

47.	Inessa Polubenina	Moscow	Judge (ret.) of Supreme <i>Arbitrazh</i> (Commercial) Court of the Russian Federation
48.	Irina Kofanova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
49.	Irina Lukianova	Moscow	Senior Researcher of the Department of Civil Law, Civil and <i>Arbitrazh</i> Procedure at the Institute of State and Law of Russian Academy of Sciences, Ph.D.
50.	Irina Nikulina	Kazan	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Republic of Tatarstan, Russia, Honored Lawyer of Republic of Tatarstan
51.	Irina Shitkina	Moscow	Professor of the Department of Corporate Law at Lomonosov Moscow State University (MSU), Independent Director at TransContainer PJSC, President of the Board at Elinar Holdings, LL.D.
52.	Ivan Marisin	Moscow	Senior partner at Kuznetsov, Marisin & Partners Law Firm
53.	Konstantin Kroll	Moscow	Partner at Orrick Law Firm, Solicitor, Attorney at Law, LL.M.
54.	Konstantin Sklovskiy	Moscow	Associate Professor at the Research Center of Private Law n.a. S.S. Alekseev under the President of the Russian Federation, Attorney at Law, LL.D.
55.	Leonid Mukhin	Sochi	President of the Forth Collegium of Advocates at the Krasnodar Region Bar, Russia
56.	Leonid Syukasev	Moscow	Honored Lawyer of the Russian Federation, 3rd Class State Counsellor of Justice
57.	Ludmila Dronova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
58.	Lutsia Azizova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia

59.	Maria Miroshnikova	Moscow	Partner at Ivanyan and Partners Law Firm, Attorney at Law, Ph.D.
60.	Marina Osipova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
61.	Marina Rozhkova	Moscow	Head of Educational Project "IP CLUB", Professor at Kutafin Moscow State Law University (MSAL), LL.D.
62.	Mariya Erokhova	Moscow	Head of the Department of Civil and <i>Arbitrazh</i> Procedure of the Faculty of Law at Moscow School of Social and Economic Sciences (MSSES), Attorney at Law, LL.M, Ph.D.
63.	Maxim Bashkatov	Moscow	Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Leading Researcher at National Research University Higher School of Economics (HSE) — Skolkovo Institute for Law and Development, Master of private law
64.	Mikhail Ivanov	Saint-Petersburg	Partner and Head of the Russian Litigation and Arbitration practice of Dentons law firm
65.	Mikhail Kleandrov	Moscow	Judge (ret.) of Constitutional Court of the Russian Federation, Honored Lawyer of the Russian Federation, LL.D.
66.	Mikhail Skuratovskiy	Ekaterinburg	Judge (ret.), President of Panel of Judges of <i>Arbitrazh</i> (Commercial) Court of Sverdlovsk District, Russia, Professor of the Department of Civil Procedure at Ural State University, Honored Lawyer of the Russian Federation, Ph.D.
67.	Nail Latypov	Kazan	Judge (ret.), First Vice-president of <i>Arbitrazh</i> (Commercial) Court of Republic of Tatarstan, Russia, Honored Lawyer of the Russian Federation
68.	Natalia Peryazeva	Vladivostok	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Primorskiy Region, Russia
69.	Natalia Semilutina	Moscow	Chairwoman of the Department of Civil Law of Foreign States at the Institute of Legislation and Comparative Law under the Government of the Russian Federation, LL.D.
70.	Nataliia Kozlova	Moscow	Professor of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), Attorney-at-Law, LL.D.

71.	Nataliya Gaidaenko-Schaer	Moscow	Senior Advocate at Secretan Troyanov Schaer Law Firm, Mediator, Ph.D.
72.	Nataliya Gulyaeva	Moscow	Partner at Hogan Lovells Law Firm, Head of Intellectual Property Practice, Ph.D.
73.	Nataliya Prisekina	Vladivostok	Vice-president of the Department of Science and Innovation at Far Eastern Federal University, Ph.D., LL.M.
74.	Nikolay Scherbakov	Moscow	Assistant of the Department of Civil Law of the Faculty of Law at Lomonosov Moscow State University (MSU), 1st Class State Counsellor of Justice
75.	Nikolay Serov	Khabarovsk	Judge (ret.), President of <i>Arbitrazh</i> (Commercial) Court of Khabarovsk District, Honored Lawyer of the Russian Federation
76.	Nikolay Tolcheev	Moscow	Judge (ret.), President of Panel of Judges of the Supreme Court of the Russian Federation, Honored Lawyer of the Russian Federation
77.	Norajr Babadjanian	Moscow	Attorney-at-Law at Redstone Chambers, solicitor (England and Wales), FCI Arb, LL.M.
78.	Oleg Zaitsev	Moscow	Counsel at the Research Center of Private Law n.a. S.S. Alekseev under the President of the Russian Federation, Master of private law., Ph.D.
79.	Olga Koneva	Kemerovo	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of Kemerovo District, Russia
80.	Olga Petelina	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
81.	Olga Popova	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
82.	Olga Stepanova	Kemerovo	Judge (ret.), President of Panel of Judges of <i>Arbitrazh</i> (Commercial) Court of Kemerovo District, Russia


83.	Oxana Oleynik	Moscow	Tenured Professor of the Department of Civil and Business Law of the Faculty of Law at National Research University Higher School of Economics (HSE), Member of the HSE Academic Council, LL.D.
84.	Pavel Bulatov	Moscow	Counsel at White & Case Law Firm
85.	Pavel Chutkov	Kemerovo	Associate Professor at Kemerovo State University, Managing Partner of Law Firm
86.	Pavel Pertsev	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
87.	Petr Azanov	Ekaterinburg	Judge (ret.) of Federal <i>Arbitrazh</i> (Commercial) Court of Ural District, Russia
88.	Roman Bevzenko	Moscow	Partner at Pepeliaev Group Law Firm, Professor of the Department of Civil Law at the Research Center of Private Law n.a.S.S. Alekseev under the President of the Russian Federation, Ph.D.
89.	Roman Zaitsev	Moscow	Partner at Dentons Law Firm, Head of Dispute Resolution Practice, Ph.D.
90.	Ruslan Ibragimov	Moscow	Member of Board of Directors, Vice-president for Corporate and Legal Affairs of MTS PJSC, Ph.D.
91.	Rustem Miftakhutdinov	Moscow	Head of the Department for the Support of Bankruptcy Procedures and Recovery of Problem Debts of the Department of Litigation of PJSC Rosneft Oil Company, Associate Professor of the Department of Business and Corporate Law of the Moscow State Law University. O. E. Kutafina (MSLA), Ph.D.
92.	Sergey Amosov	Moscow	Vice-president (ret.) of Supreme <i>Arbitrazh</i> (Commercial) Court of the Russian Federation, Honored Lawyer of the Russian Federation, LL.D.
93.	Sergey Chumakov	Vladivostok	Judge (ret.), President of <i>Arbitrazh</i> (Commercial) Court of Primorskiy Region, Russia, Honored Lawyer of the Russian Federation, Ph.D.
94.	Sergey Kosorukov	Moscow	Partner at Reznik, Gagarin and Partners Law Firm, Attorney at Law, Ph.D.


95.	Sergey Nazarets	Moscow	Judge (ret.), President of Panel of Judges of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
96.	Sergey Sarbash	Moscow	Judge (ret.) at Supreme Arbitrazh (Commercial) Court of the Russian Federation, Honored Lawyer of the Russian Federation, LL.D.
97.	Sergey Tretyakov	Omsk	Judge (ret.) of Court of Omsk District, Russia
98.	Sergey Zavriev	Moscow	Deputy-chairman of the Department of Civil Law at the Institute of Legislation and Comparative Law under the Government of the Russian Federation, Ph.D.
99.	Stefan Yovkov	Sofia (Bulgaria)	Managing Partner at Kovlev, Yovkov and Partners Law Firm, Attorney at Law, Included in the List of Arbitrators of International Arbitration Court at "Legal Interaction Alliance"
100.	Svetlana Belltskaya	Moscow	Judge (ret.) of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia
101.	Svetlana Karelina	Moscow	Professor of the Department of Business Law of the Faculty of Law at Lomonosov Moscow State University (MSU), LL.D.
102.	Tatiana Gdanskaya	Moscow	Judge (ret.), President of Panel of Judges of <i>Arbitrazh</i> (Commercial) Court of City of Moscow, Russia, Honored Lawyer of the Russian Federation
103.	Tatiana Karpushina	Khabarovsk	Judge (ret.) of Federal <i>Arbitrazh</i> (Commercial) Court of Far Eastern Region, Russia
104.	Tatiana Makarova	Kemerovo	Judge (ret.), Vice-president of <i>Arbitrazh</i> (Commercial) Court of Kemerovo District, Russia
105.	Tatiana Menshenina	London (United Kingdom)	Partner at Withers LLP Law Firm, Solicitor – Advocate with Higher Rights of Audience, Civil Proceedings, LL.M.
106.	Tatiana Tereshchenko	Saint-Petersburg	Head of Analytical Direction at Prime Advice St. Petersburg Law Firm, Attorney at Law, FCI Arb, Professor of the Department of Civil Law and Procedure at National Research University Higher School of Economics (HSE Saint-Petersburg), Ph.D.

107.	Vasily Kuznetsov	Moscow	Managing Partner, Kuznetsov, Marisin & Partners Law Firm
108.	Vera Tsukanova	Petropavlovsk-Kamchatskiy	Judge (ret.) of Court of City of Petropavlovsk-Kamchatskiy, Ph.D.
109.	Victor Gerbutov	Moscow	Partner at Noerr Law Firm, Head of the Litigation, Arbitration & ADR practice and co-heads of the IP practice, Associate Professor at the Research Center of Private Law n.a. S.S. Alekseev under the President of Russian Federation, Ph.D.
110.	Victor Tevs	Tumen	Judge (ret.), President of <i>Arbitrazh</i> (Commercial) Court of Tumen District, Russia, Honored Lawyer of the Russian Federation
111.	Viktor Batsiev	Moscow	Head of Department "Tax.Support" at the Cultural-Educational Project "Support", 3rd Class State Counsellor of Justice, Master of private law
112.	Viktor Martynov	Kazan	Judge (ret.), Vice-president of <i>Arbitrazh</i> (Commercial) Court of Republic of Tatarstan, Russia, Honored Lawyer of Republic of Tatarstan
113.	Vladimir Belykh	Ekaterinburg	Director of the Institute of Law and Business of the Ural State Law University, LL.D.
114.	Vladimir Landa	Moscow	Counsel for legal department of Government of City of Moscow, Ph.D.
115.	Yuliy Tai	Moscow	Managing Partner at Bartolius Law Firm, Associate Professor at Moscow State University of International Relations (MGIMO), Ph.D.
116.	Yuliya Dotsenko	Petropavlovsk-Kamchatskiy	Judge (ret.) of Court of City of Petropavlovsk-Kamchatskiy
117.	Yuliya Goryacheva	Moscow	Judge (ret.) of Supreme <i>Arbitrazh</i> (Commercial) Court of the Russian Federation, Honored Lawyer of the Russian Federation
118.	Yuriy Makhonin	Moscow	Head of Dispute Resolution Practice at Moscow office of Dechert Law Firm, Senior Associate

119.	Yuriy Timoféev	Ekaterinburg	Judge (ret.) of Court of Sverdlovsk District, Russia, Ph.D.
120.	Yury Pilipenko	Moscow	President of the Russian Federal Chamber of Lawyers, Senior Partner at YUST Law Firm, Professor at the Institute of Advocacy and Notary at Kutafin Moscow State Law University (MSAL), LL.D.
121.	Zhanna Potikhonina	Moscow	Judge (ret.) of Supreme <i>Arbitrazh</i> (Commercial) Court of the Russian Federation

<http://фирмаюст.рф/en/partners/item.shtml?item=6>





THE FIRM

PARTNERS

PRACTICES

PUBLICATIONS

SERVICES

EVENTS

NEWS

VACANCIES

Partners



PLIGIN
Vladimir Nikolayevich

Areas of expertise:
constitutional law, foreign investment, civil, arbitration and criminal procedure, legislation relating to natural resources, international private law, corporate law, legislation relating to cultural property.

- Senior partner of the Law firm "YUST".
- Member of the Moscow Bar Association «Law firm "YUST"». *In December 2003, his status as an advocate was suspended in connection with his election to the State Duma of the Federal Assembly of the Russian Federation.*
- Graduated cum laude from the Leningrad State University (St. Petersburg).
- Holder of the degree of Doctor of Law.
- Head of the Department of Business Law at the Higher School of Privatization and Enterprise.
- Arbitrator at the International Commercial Court of Arbitration (St. Petersburg).
- Author of more than 40 articles in Russia and abroad; co-author of a number of textbooks in the field of economics and law.
- Awarded the Russian Federation's Order of Merit.
- Winner of Russia's highest juridical award – the Themis.
- Winner of Russia's annual national "Personality of the year award" in 2007. Nominated in the "Personality in Politics" category for extensive contributions made to the development of constitutional legislation.
- Awarded the F.N. Plevako gold medal for extensive contributions made to the development of Russian advocacy.

[back](#)

Founded in 1992

43, Sivtsev Vrazhek Lane,
119002 Moscow, RUSSIA
tel.: +7 (495) 795 0845
tel.: +7 (495) 795 3272
fax: +7 (499) 241 1948
e-mail: welcome@yust.ru

https://en.wikipedia.org/wiki/Dmitry_Kozak



WIKIPEDIA
The Free Encyclopedia

Main page
Contents
Featured content
Current events
Random article
Donate to Wikipedia
Wikipedia store

Interaction
Help
About Wikipedia
Community portal
Recent changes
Contact page

Tools
What links here
Related changes
Upload file
Special pages
Permanent link
Page information
Wikidata item
Cite this page

In other projects
Wikimedia Commons

Print/export
Download as PDF
Printable version

Languages
Deutsch
Français
Русский
Українська
中文

Portugués
Русский
Татарча/татарça
Українська
中文

ⓘ 7 more

↻ Edit links

Article Talk

Read Edit View history

Search Wikipedia

Dmitry Kozak

From Wikipedia, the free encyclopedia

Dmitry Nikolayevich Kozak (Russian: Дми́трий Никола́евич Коза́к, IPA: [dʲmʲitrʲɪj nʲɪkɐ ladʲvʲɪtʲɕ kɐ zək], Ukrainian: Дмитро́ Никола́йович Козак; born 7 November 1958) is a Russian politician who served as the Deputy Prime Minister of Russia from 2008–2020.

Known as the *Cheshire Cat* (Russian: Чеширский кот) because of his smile, Kozak is part of the *Vlast'* (Russian: Власть) or power group from St. Petersburg close to Putin.^{[1][2][3][4][5]}

He served previously as the Regional Development Minister in the Russian cabinet headed by Viktor Zubkov from 2007 to 2008. From 2004 to 2007 he served as Presidential Plenipotentiary Representative in the Southern Federal District (North Caucasus and Southern European Russia).^[6]

Dmitry Kozak is a close ally of Vladimir Putin, having worked with him in the St Petersburg city administration during the 1990s and later becoming one of the key figures in Putin's presidential team. During the 2004 Russian presidential election he worked as the head of Putin's election campaign team.^[7] Kozak was one of several members of Putin's circle touted in the media^[which?] as a possible candidate to succeed Putin as president in 2008.^[8]

Contents [hide]

- Early life and career
- Political career
- Sanctions
- Honours and awards
- Personal life
- Notes
- References
- External links

Early life and career [edit]

Dmitry Kozak was born on 7 November 1958 in the village of Bandurovo, in the Kirovohrad region of the Ukrainian Soviet Socialist Republic (part of the USSR).^[9]

From 1976 to 1978, Kozak served in the special forces (Spetsnaz GRU) of the Soviet military's Main Intelligence Directorate (GRU).^{[2][10]}

After Spetsnaz, he studied at the Vinnitsa Polytechnic Institute^[6] before he moved to Leningrad.^[2]

Kozak graduated from Leningrad State University (now St. Petersburg State University) in 1985 with a degree in law.

From 1985 to 1989, he worked in the Leningrad prosecutor's office as a Prosecutor and Senior Prosecutor. He moved into the business sector in 1989, working as head of the legal department at Monolit-Kirovstroy construction company and chief legal consultant for the Association of Trade Ports.^[12]

Political career [edit]

Kozak worked as a public prosecutor in Leningrad and after the collapse of the Soviet Union, holding various legal offices in the city's administration. In 1998 he became Deputy Governor of Saint Petersburg.

In 1999, along with other St. Petersburg city officials, he joined the government of Vladimir Putin. He was Chief of Staff from 1999 to 2000. Dmitry Kozak became deputy head of the presidential administration and remained in this position under various titles until 2004. In 2003 he briefly entered international politics and unsuccessfully attempted to solve the conflict between Transnistria and Moldova (see *Kozak memorandum*).

In September 2004, Kozak was appointed Presidential Plenipotentiary Envoy to the Southern Federal District, replacing Vladimir Yakovlev. On 24 September 2007, he was appointed to the new Russian cabinet headed by Viktor Zubkov as regional development minister, succeeding Vladimir Yakovlev again, and leaving his previous position. On 14 October 2008, he became deputy prime minister of Russia and served until 2020. On 15 January 2020, he resigned as part of the cabinet, after President Vladimir Putin delivered the Presidential Address to the Federal Assembly, in which he proposed several amendments to the constitution.^[13]

According to Stanislav Belkovsky, Kozak is not well liked by Putin's entourage, but Vladimir Putin does like Kozak, apparently wanting to appoint Kozak as prime minister in 2004 and tapping Kozak as the successor to Putin as president in 2008, however, Dmitry Medvedev won the presidential race. Alexei Makarkin of the Center for Political Technologies said that Putin trusts Kozak as one of his men.^[10]

Dmitry Kozak was the main overseer for the XXII Olympic Winter Games in Sochi.^[14]

Following Russia's intervention into Crimea, Kozak was appointed to greatly strengthen Crimea's social, political, and economic ties to Russia.^{[10][15]}

Sanctions [edit]

On 28 April 2014, following the Crimean status referendum, the U.S. Treasury put Kozak on the Specially Designated Nationals List (SDN), a list of individuals sanctioned as "members of the Russian leadership's inner circle."^{[16][17][18]} The sanctions freeze any assets he holds in the US^[17] and ban him from entering the United States.^{[19][20][21]}

On 29 April 2014, Kozak was added to the European Union sanctions list due to his role in the 2014 Crimean crisis.^{[22][23]} He is barred from entering the EU countries, and his assets in the EU are frozen.^[24]

Honours and awards [edit]

- Order of Merit for the Fatherland
 - 1st class (2014)^[25]
 - 2nd class (6 November 2008)
- Paralympic Order – 2014^[26]

Dmitry Kozak
Дмитрий Козак



Deputy Prime Minister of Russia

In office

14 October 2008 – 15 January 2020

Acting: 15 January 2020 – present

Minister of Regional Development

In office

24 September 2007 – 14 October 2008

Preceded by Vladimir Yakovlev

Succeeded by Viktor Basargin [v]

Personal details

Born  7 November 1958 (age 61)
Bandurovo, Kirovohrad Oblast,
Ukrainian SSR, Soviet Union

Political party United Russia

Personal life [edit]

As of 2016 he lives in Moscow in the same building as Sergei Ivanov, Victor Ivanov, and German Gref.^[2]

Kozak is married and has two sons Alexey (born 1984) and Alexander (born 1988).^[2]

Alexey Dmitriyevich Kozak (Russian: Алексей Дмитриевич Козак; born 1984) became an Investment Manager of the Direct Investment and Special Projects Department with VTB Capital, a subsidiary of the VTB Group, in 2009.^[2] He owns a stake in the firm YUVA (Russian: ЮВА) in Moscow, which is affiliated with the First Mining Company of the Summa group (Russian: Первой горнорудной компанией группы "Сумма"). He is close friends with the Magomedov (Russian: Магомедов) brothers, who were financially tied to the Sochi Olympics.^[2]

Alexander Dmitriyevich Kozak (Russian: Александр Дмитриевич Козак; born 1988) graduated from the Higher School of Economics (Russian: «Высшая школа экономики», НИУ ВШЭ) in 2009.^[2]

Notes [edit]

- ↑ From 1976-1989, *Ivan Vasilyevich Kuzmin*, an expert in cybernetics, was the head of the Vinnitsa Polytechnic Institute (Russian: Винницкий политехнический институт, Ukrainian: Вінницький Національний Технічний Університет), which is now known as the Vinnitsa National Technical University (Russian: Винницкой Национальный Технический Университет) at Vinnytsia, Ukraine.^[11]

References [edit]

- ↑ Работнова, Виктория Владимировна (10 November 2003). "В ПИТЕРЕ ЕГО СРАВНИВАЛИ С ЧЕШИРСКИМ КОТОМ: Казалось, улыбка Дмитрия Козака оставалась висеть в воздухе даже после того, как ее хозяин уже попорочался и убежал" *Novaya Gazeta* (in Russian). Moscow. Archived from the original on 7 April 2016. Retrieved 26 March 2016.
- ↑ "«Ветеринар» Козак Дмитрий Николаевич" (in Russian). Перебейчик.ru. Archived from the original on 11 April 2016. Retrieved 26 March 2016.
- ↑ Илья Булавинов. "Колода РФ. Питерские" (трефы) (in Russian). Компромат.Ru. Archived from the original on 7 April 2016. Retrieved 26 March 2016.
- ↑ Булавинов, Илья (12 January 2003). "Колода Российской Федерации" *Kommersant* (in Russian). Moscow. Archived from the original on 6 April 2016. Retrieved 26 March 2016.
- ↑ "Вертикаль власти" становится тверже: Путин и Козак будут вытеснять неудобных губернаторов, составляя рейтинг (in Russian). Moscow. NEWSru: 11 April 2008. Archived from the original on 8 April 2016. Retrieved 26 March 2016.
- ↑ "Putin announces new Russian government line-up" *Reuters*. 24 September 2007. Archived from the original on 20 May 2011. Retrieved 27 September 2007.
- ↑ "Putin ally takes charge of 2014 Olympics preparations" *Russia Today*. 14 October 2008. Archived from the original on 14 November 2012. Retrieved 12 June 2009.
- ↑ Compare: "Russia's Medvedev: Expect surprises in Kremlin race" *Reuters*. 30 September 2007. Archived from the original on 14 November 2012. Retrieved 14 June 2009. "Putin's close ally Dmitry Kozak, recently promoted to the post of regional development minister, will not run, Russian media reported on Sunday."
- ↑ "Biography of Dmitry Kozak" *Kommersant* (in Russian). Moscow. 25 September 2007. Archived from the original on 14 November 2012. Retrieved 14 June 2009.
- ↑ "Sukhov, Oleg (28 March 2014). "From Olympics to Crimea, Putin Loyalist Kozak Entrusted with Kremlin Mega-Projects" *The Moscow Times*. Archived from the original on 4 April 2016. Retrieved 4 March 2016.
- ↑ "История университета" [History Institute]. *Винницкий Национальный Технический Университет website (vntu.edu.ua/ru/home)* (in Russian). 22 November 2019.
- ↑ Дмитрий Козак. Биография [Biography of Dmitry Kozak] (in Russian). RIA Novosti. 24 September 2007. Archived from the original on 8 March 2012.
- ↑ Carroll, Oliver (January 15, 2020). "Russian PM resigns in shock move as Putin announces dramatic constitutional shake-up" *The Independent*. Retrieved January 17, 2020.
- ↑ Kuzmin, Vladimir (24 May 2012). "Назначенцы-2012" [Appointees 2012]. *Rossiyskaya Gazeta* (in Russian). The Kremlin in Moscow. Archived from the original on 6 March 2016. Retrieved 4 March 2016.
- ↑ Dawisha, Karen (2014). *Putin's Kleptocracy: Who Owns Russia?*. Simon & Schuster. pp. 87, 377. ISBN 978-1-4767-9519-5.
- ↑ "Specially Designated Nationals List (SDN)" *United States Department of the Treasury*.
- ↑ "Announcement Of Additional Treasury Sanctions On Russian Government Officials And Entities" *US Treasury*. 28 April 2016. Retrieved 29 February 2016.
- ↑ Rupar, Terri (28 April 2014). "U.S. announces new sanctions on Russians: Who's on the list" *The Washington Post*. Retrieved 29 February 2016.
- ↑ President of The United States (10 March 2014). "Ukraine EO13660" (PDF). Federal Register. Retrieved 4 March 2016.
- ↑ President of The United States (19 March 2016). "Ukraine EO13661" (PDF). Federal Register. Retrieved 20 February 2016.
- ↑ "Ukraine and Russia Sanctions" *United States State Department*. Retrieved 4 March 2016.
- ↑ "Factbox: EU targets politicians, military chiefs in sanctions on Russia" *Reuters*. 29 April 2014. Retrieved 15 May 2014.
- ↑ "Council Implementing Decision 2014/238/CFSP of 28 April 2014 implementing Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (EUR-Lex - 32014D0238 - EN)" *EUR-Lex*. 29 April 2014.
- ↑ "Ukraine crisis: Russia and sanctions" *BBC*. 19 December 2014. Retrieved 4 March 2016.
- ↑ Награждённые государственными наградами Российской Федерации *Kremlin.ru* (in Russian). 24 March 2014. Archived from the original on 24 March 2014. Retrieved 26 March 2014.
- ↑ "The Paralympic Order" *Paralympic Movement*. Retrieved 1 October 2017.


External links [edit]

- Dmitry Kozak: Biography on Russian government website (in Russian)
- Dmitry Kozak: Biography on Renaissance Capital website




https://www.infocreditworld.com/company/11697819_wigmore-holding-limited/#?session-id=0394f089de0bd27fb72d751f168ccbd2

[LOGIN](#) [REGISTER](#) [MY BASKET \(0\)](#)
[ACCESS YOUR DATA](#)


[HOME](#) [ABOUT](#) [SERVICES](#) [GLOBAL NETWORK](#) [OUR METHOD](#) [CONTACT US](#)

Product List

 **WIGMORE HOLDING LIMITED**

Company Status: Registered and operational
 Registration No: C133959
 VAT No: N/A
 Last Updated on: 02/05/2007
 Country: Cyprus

[Return to search results](#)

Available Products

Reports

Product Name	Delivery speed	Price	Sample	Add to Basket	From Balance	Download
Comprehensive Report	Normal (4 - 5 workdays)	€70.00	View	+		
Comprehensive Report Plus	Normal (4 - 5 workdays)	€80.00	View	+		
Credit Assessment Report	Normal (5 - 6 workdays)	€90.00	View	+		
KYC Report	Normal (3 workdays)	€50.00	View	+		
Structure Report	Normal (4 - 5 workdays)	€40.00	View	+		
Structure Report Enhanced	Normal (4 - 5 workdays)	€60.00	View	+		
Credit Report - ICG GDPR	Normal (5 workdays)	€106.86	View	+		
International Relationships	Normal (2 - 3 workdays)	€250.00	View	+		
Credit Assessment Report - GDPR	Normal (5 - 6 workdays)	€90.00	View	+		


Custom-Built Reports

Product Name	Delivery speed	Price	Sample	Add to Basket	From Balance	Download
Due Diligence Enhance	-	Upon request	View	-		
Credit Report with KYC Component	Normal (4 workdays)	€140.00	View	+		

Certificates and Official Documents

Product Name	Delivery speed	Price	Sample	Add to Basket	From Balance	Download
Certificates/Official Documents (Any)	-	Upon request	View	-		
Certificate Of Director & Secretary	Normal (5 - 6 workdays)	€250.00	View	+		
Certificate Of Goodstanding	Normal (5 - 6 workdays)	€250.00	View	+		
Certificate Of Shareholder	Normal (5 - 6 workdays)	€250.00	View	+		

<https://beta.companieshouse.gov.uk/company/03317162/officers>

 **Companies House**

Companies House does not verify the accuracy of the information filed

[Sign in / Register](#)

WIGMORE HOLDINGS LIMITED

Company number **03317162**

Follow this company
File for this company

Overview
Filing history
People
Registers
View all

[Officers](#) [Persons with significant control](#)

Filter officers

Current officers

11 officers / 9 resignations

[MILLS, Stephen John](#)

Correspondence address
Unit 203, Second Floor, China House, 401 Edgware Road, London, United Kingdom, NW2 6GY

Role ACTIVE	Date of birth	Appointed on
Director	April 1959	1 June 2004
Nationality	Country of residence	Occupation
British	England	Accountant

[POTTER, Irene Wai Keng](#)

Correspondence address
Unit 203, Second Floor, China House, 401 Edgware Road, London, United Kingdom, NW2 6GY

Role ACTIVE	Date of birth	Appointed on
Director	September 1955	1 June 2004
Nationality	Country of residence	Occupation
British	England	Lawyer

[LANDMAN, Martin](#)

Correspondence address
Charles House, Finchley Road, London, NW3 5JJ

Role RESIGNED	Appointed on	Resigned on
Secretary	12 February 1997	25 April 2017
Nationality	Occupation	
British	Chartered Accountant	

[HALLMARK SECRETARIES LIMITED](#)

Correspondence address
120 East Road, London, N1 6AA

Role RESIGNED	Appointed on	Resigned on
Nominee Secretary	12 February 1997	12 February 1997

<https://beta.companieshouse.gov.uk/company/03317162/officers>

HALLMARK REGISTRARS LIMITED

Correspondence address

120 East Road, London, N1 6AA

Role	RESIGNED	Appointed on	Resigned on
Nominee Director		12 February 1997	12 February 1997

LANDMAN, Martin

Correspondence address

Charles House, Finchley Road, London, NW3 5JJ

Role	RESIGNED	Date of birth	Appointed on	Resigned on
Director		September 1954	12 February 1997	25 April 2017

Nationality	Country of residence	Occupation
British	United Kingdom	Chartered Accountant

LEWIS, Miriam Elizabeth Patricia

Correspondence address

Charles House, 108-110 Finchley Road, London, United Kingdom, NW3 5JJ

Role	RESIGNED	Date of birth	Appointed on	Resigned on
Director		July 1941	12 February 1997	30 November 2014

Nationality	Country of residence	Occupation
British	United Kingdom	Company Director

NAHON, Leon Rodolfo

Correspondence address

Garden Cottage, Garden Road, London, NWS 9PR

Role	RESIGNED	Date of birth	Appointed on	Resigned on
Director		November 1938	12 February 1997	19 March 2003

Nationality	Country of residence	Occupation
British	United Kingdom	Chartered Accountant

SHORE, Michael Howard

Correspondence address

38 Wigmore Street, London, United Kingdom, W1U 2HA

Role	RESIGNED	Date of birth	Appointed on	Resigned on
Director		November 1951	30 March 2004	9 February 2010

Nationality	Country of residence	Occupation
British	United Kingdom	Chartered Accountant

STONE, Peter Benedict

Correspondence address

Charles House, Finchley Road, London, NW3 5JJ

Role: RESIGNED	Date of birth	Appointed on	Resigned on
Director	March 1954	12 February 1997	13 July 2017

Nationality	Country of residence	Occupation
British	England	Chartered Accountant

SYKES, David Anthony

Correspondence address

38 Wigmore Street, London, United Kingdom, W1U 2HA

Role: RESIGNED	Date of birth	Appointed on	Resigned on
Director	May 1956	24 August 1999	30 June 2011

Nationality	Country of residence	Occupation
British	Switzerland	Director

[Tell us what you think of this service](#)[Is there anything wrong with this page?](#)[Policies](#) [Cookies](#) [Contact Us](#) [Developers](#)

<https://opencorporates.com/companies/gi/01533>

Now available: over 400m key company lifecycle events, from officer changes to gazette notices. [Read more on our blog.](#)

opencorporates
The Open Database Of The Corporate World

Company name or number **SEARCH**

Companies Officers Log in/Sign up

WIGMORE HOLDINGS LIMITED

Company Number 01533
Status Dead
Jurisdiction Gibraltar

Source Companies House Gibraltar, <http://www.companieshouse.gi>, 11 May 2012

ADD DATA (WEBSITE, ADDRESS, ETC)

Company network

Not yet available for this company. [Click to find out more](#)

Latest Events

- Before 2012-05-11 Incorporated

[See all events](#)

Corporate Grouping USER CONTRIBUTED

None known. [Add one now?](#)
[See all corporate groupings](#)

Similarly named companies

- WIGMORE HOLDINGS LIMITED** (United Kingdom, 12 Feb 1997-)
- WIGMORE PROPERTY HOLDINGS LIMITED** (Isole of Man, 19 Nov 2015-)
- WIGMORE HOLDINGS LIMITED** (Jersey, 3 Sep 1999-20 Dec 1993)
- WIGMORE MANagements B HOLDINGS LIMITED** (United Kingdom, 6 Feb 2019-)
- WIGMORE INTERNATIONAL HOLDINGS LIMITED** (Gibraltar)
- WIGMORE HOLDINGS PTY LTD** (Australia, 20 Apr 2016-)
- Wigmore Holdings Ltd.** (Bahamas)

* While we strive to keep this information correct and up-to-date, it is not the primary source, and the company registry (see source, above) should always be referred to for definitive information

Data on this page last changed January 13 2014

<http://modernarbitration.ru/en/institute/internal-documents-and-reports/>

The screenshot displays the website for The Russian Institute of Modern Arbitration. The header includes the institute's logo and name, a search bar, and a breadcrumb trail: Home - Institute - Internal documents and reports. The main content area is titled 'Internal documents and reports' and lists five items:

- 1 Charter of RIMA
- 2 Certificate of incorporation of legal entity
- 3 Certificate of tax registration
- 4 Certificate of state registration with the Ministry of Justice of RIMA
- 5 Sponsorship policy of RIMA

The left sidebar contains a navigation menu with the following items: NEWS, EVENTS, EDUCATIONAL PROGRAM, COUNCIL OF MODERN ARBITRATION, MOOT COURTS, ANALYTICS, INSTITUTE, CONTACTS, and PVC | ENG. The footer contains the institute's logo, 'The Russian Institute of Modern Arbitration', and links for 'Liability Disclaimer', 'Processing of Personal Data', 'Use of Information Published on the Website', 'Feedback', and 'We are in social networks' with a Facebook icon.

<https://www.insidethegames.biz/articles/1073130/lisin-sets-up-potentially-game-changing-10-million-development-fund-for-shooting-sport>

inside the games
The inside track on world sport

News Features History Olympics Paralympics Commonwealth Games Major Games University Sport ANOC Sports Jobs Shop

Popular ANOC Weightlifting Fitness and Bodybuilding Sambo FISU Judo Baseball and Softball OCA Taekwondo Karate Teqball

insidetheblogs

Ian Reid: As countdown clock starts ticking, we are confident Birmingham 2022 will be an amazing Games

Philip Barker: Glorious monuments to Rome 1960 remain in the Eternal City

[More blogs](#)

INTERNATIONAL SAMBO FEDERATION

Want to work for us?

[Apply](#)

Read The

insidethegames.biz Magazine here

insidethegames.biz

THE BRUNN ONLINE MEDIA AWARDS

Best Freelance Writer & Best Commercial Innovation (commemorative)

Vote on our Poll

insidethephotos

AIBA in Amman for Asian Continental Forum

[More picture galleries](#)

Fact of the day

At the 2004 Olympic Games in Athens, Iranian judoka Arash Miresaeili was disqualified for winning in a

Sign up for FREE daily e-alerts
Click here to get the latest news direct to your inbox

Lisin sets up potentially game-changing \$10 million development fund for shooting sport

By David Owen Saturday, 8 December 2019 [Add comment](#) [N](#) [S](#) [f](#) [14](#) [T](#) [+](#) [3](#)

Vladimir Lisin, newly-elected President of the International Shooting Sport Federation (ISSF), is to use \$10 million (£7.9 million/€8.8 million) of his own money to establish a development fund for the sport.

The success of NLMK, the steelmaker which he heads, has made the 62-year-old Russian one of the world's wealthiest men, so it is a gesture he can easily afford.

But it should make a huge difference to a body which is heavily dependent on the funding it receives from the International Olympic Committee (IOC) as a consequence of shooting's place on the Summer Olympic Games programme.

According to its newly-published 2017 accounts, the ISSF generated just €882,000 (£762,600/\$1 million) of its own income over and above its near €4 million (£3.5 million/\$4.5 million) per annum IOC subsidy. This over a year in which expenditures reached €5.6 million (£5 million/\$6.35 million).

Lisin has committed to contribute an initial \$10 million (£7.9 million/€8.8 million) of his "personal means" to the new fund.

This is to cover the 2019-2022 period, with the money transferred to ISSF accounts not later than January 10, 2019. Industry players are being invited to make their own contributions - "financial or material" - to the fund, which is to be run by a board of trustees.

run by a board of trustees.

The cash injection should make a substantial difference to shooting's accounts

According to the ISSF, grantees will fall into three categories: member federations requiring assistance to develop shooting sport in their countries, federations awarded quota places for Tokyo 2020 and athletes who head year-end ISSF rankings.

Creating a development fund was the third of ten "targets" in Lisin's succinct two-page election manifesto, though there was no mention either of the amount or that Lisin himself would make such a substantial contribution.

Asked last week by *insidethegames* whether he envisaged using more of his own money to help shooting sport, Lisin indicated that he already contributed to certain development, youth and television production efforts.

"I give them rods not fish," he said, implying a belief in helping organisations and athletes to help themselves.

Lisin won the ISSF Presidency by a margin of just four votes over Italy's Luciano Rossi at the body's 68th General Assembly in Munich on November 30.

He succeeded Mexico's Olegario Vázquez Raña, who stepped down after 38 years in charge.

The Big Read

There is uncertainty over the lighting of the Olympic Flame due to the coronavirus crisis, but there has been uncertainty over the lighting before. Philip Barker reports.

[Read more](#)

[Big Read Archive](#)

SEE YA IN SANYA

ANOC News

Poll Results

Most Popular

1. US Olympic trials for Tokyo 2020 hit by coronavirus pandemic
2. Abe pledges Japan will hold Olympic and Paralympic Games "without problems" despite virus fears
3. IOC tells staff to work from home and closes Olympic Museum
4. Indian Olympic Association's Tokyo 2020 visit postponed
5. SportAccord World Sport and Business Summit cancelled

Vote on our Poll

Should Tokyo 2020 be cancelled or postponed because of the coronavirus pandemic?

[Vote on this poll](#)

<https://www.insidethegames.biz/articles/1073130/lisin-sets-up-potentially-game-changing-10-million-development-fund-for-shooting-sport>

Debevoise & Plimpton

- Capabilities
- Professionals
- Experience
- Insights & Publications
- News
- Careers
- About Us
- Diversity & Inclusion
- Alumni
- Locations
- Contact Us
- Search

© 2020 Debevoise & Plimpton LLP

Lord Goldsmith QC
Partner
[email](#) | [vCard](#)

London | **Paris**

Tel: +44 20 7766 9088 | Tel: +33 1 40 73 12 12

[Overview](#) | [Biography](#) | [Insights & Publications](#) | [News](#)

Lord (Peter) Goldsmith QC, PC, London Co-Managing Partner and Chair of European and Asian Litigation, joined Debevoise in 2007. Lord Goldsmith served as ...

[+ Read Full Biography](#)

Experience

The Russian Federation in an arbitration brought by Financial Performance Holdings (a former Yukos Oil subsidiary) ("FPH") under the Energy Charter Treaty and the UNCITRAL Rules relating to an alleged expropriation and other breaches. FPH withdrew its claims and the Russian Federation successfully applied to have its full costs paid.

The Russian Federation in an arbitration brought by Yukos Capital (a former Yukos Oil subsidiary) under the Energy Charter Treaty and the UNCITRAL Rules relating to an alleged expropriation and other breaches. The claims relate to certain alleged inter-company loans.

Tethyan Copper Company in its US\$6 billion arbitration win against the Islamic Republic of Pakistan, which is the second-largest ICSID award ever rendered.

The State of Qatar and Qatari entities and individuals in international claims arising out of the measures imposed by the United Arab Emirates, Saudi Arabia, Bahrain, and Egypt against Qatar, including twice prevailing in proceedings on provisional measures before the International Court of Justice against the United Arab Emirates, and in investment arbitrations and claims in other international tribunals.

The Center for Reproductive Rights in an intervention in the UK Supreme Court in Northern Ireland Human Rights Commission v. Attorney General of Northern Ireland, regarding the criminality of abortion in certain circumstances in Northern Ireland.

Tatneft in its victory in the English Court of Appeal in *Tatneft v Bogolyubov & others*.

An international pharmaceutical company in an ICC emergency arbitration concerning supply obligations.

The Russian Federation in an arbitration brought by Luxtona (a former Yukos Oil subsidiary) under the Energy Charter Treaty and the UNCITRAL Rules relating to an alleged expropriation and other breaches. The claims relate to shares allegedly held by Luxtona in its former parent company.

Human Dignity Trust in a joint intervention on behalf of the Human Dignity Trust, International Committee of Jurists and Commonwealth Lawyers Association, which saw a law in Belize that disproportionately affects gay men ruled unconstitutional. London co-managing partner Lord Goldsmith QC also acted as lead advocate before the Supreme Court of Belize in the course of the proceedings.

Helios Investment Partners and its investment vehicle Samba Luxco Sarl in the settlement of claims made in an ICC Arbitration regarding Samba's stake in Africatel BV. The settlement involved reducing Samba's stake in Africatel BV from 25% to 14%, and the transfer from Africatel BV to Samba of a 34% stake in Mobile Telecommunications Limited, the Namibian telecoms operator.

Ust-Kamenogorsk Hydropower Plant, a subsidiary of Samruk Energy, as advocates to the appellant in the UK Supreme Court on a landmark arbitration appeal to determine whether the English Court has jurisdiction to grant an anti-suit injunction in circumstances where no arbitration is intended or in prospect.

British Caribbean Bank Ltd, in successfully defending anti-arbitration injunction proceedings brought by the Government of Belize to avoid arbitration under a BIT in the courts of Belize and the Caribbean Court of Justice (before which Debevoise is believed to have been the first non-Caribbean firm to argue a case).

Property developer Paddy McKillen in the UK Court of Appeal against the Barclay brothers concerning the £1 billion Mayfair Group of hotels.

A major London-based mining company and its African subsidiary, one of the largest mining and metals companies in Africa, in four parallel LCIA arbitrations relating to a \$500 million dispute with a major contractor over short delivery and other alleged breaches of a contract for mining services at an open cast copper mine in Southern Africa.

Practices

- [Litigation](#)
- [Arbitration & International Disputes](#)
- [Public International Law](#)
- [White Collar & Regulatory Defense](#)
- [Commercial Arbitration](#)
- [Investor-State Arbitration](#)
- [Energy & Natural Resources Arbitration](#)
- [Internal Investigations](#)
- [Business Integrity](#)
- [Accounting Fraud](#)

Industries

- [Energy & Natural Resources](#)
- Regions**
- [Europe](#)
- [Middle East/Africa](#)
- [Asia](#)

**Debevoise
& Plimpton**

- Capabilities
- Professionals
- Experience
- Insights & Publications
- News
- Careers
- About Us
- Diversity & Inclusion
- Alumni
- Locations
- Contact Us
- Search

© 2022 Debevoise & Plimpton, L.P.

A Canadian mining group in a dispute with the government of an African country, concerning claims of breach of the tax stabilisation and other provisions of an agreement for the operation of a copper treatment facility, and an expropriation of certain of the mining company's rights.

The Attorney-General of St. Kitts and Nevis in the Eastern Caribbean Supreme Court (St. Kitts and Nevis) and Court of Appeal in constitutional proceedings brought against the Government by Members of Parliament seeking to carry a motion of no confidence in the Government.

BTL Employees' Trust, a shareholder in Belize Telemedia Limited, concerning the re-nationalisation without compensation of BTL, and the amendment of the Belize Constitution to enshrine the nationalisations and to curtail the courts' power to protect fundamental rights, including the right to property.

Vincent Tchenguiz, in judicial review proceedings brought in respect of search warrants issued against Mr. Tchenguiz and Vincos Ltd, a company which provides advice to the Tchenguiz Family Trust and which is chaired by Mr. Tchenguiz, relating to a Serious Fraud Office investigation into the collapse of Kaupthing HF, an Icelandic bank.

A major automotive corporation as claimant in consolidated ICC London arbitration proceedings against Volkswagen in respect of a dispute involving a multibillion euro cross-shareholding and arising out of a commercial alliance formalised in December 2009.

Norilsk Nickel and Interros International Investments in a dispute with United Company Rusal, including LCIA arbitration proceedings and related court litigation in the United States, England, Russia, Switzerland, St. Kitts & Nevis and The Netherlands.

An Asian government in an inter-state treaty dispute in an ad hoc international arbitration under the auspices of the Permanent Court of Arbitration.

Nambaryn Enkhbayer, the former President of Mongolia, in defence of corruption charges brought against him by the current Government of Mongolia. We advised on strategy concerning domestic legal proceedings and liaised with press and lobbying NGOs and foreign governments to bring attention to and explain the various abuses of the former president's human rights that occurred during these proceedings.

Subscribe
Site Map
Legal
Privacy
UK Modern Slavery Act
Transparency Statement
Visitor Login
Debevoise Login

Login Help
Debevoise Women's Review

<https://www.debevoise.com/alyonakucher>

Debevoise & Plimpton

- Capabilities
- Professionals
- Experience
- Insights & Publications
- News
- Careers
- About Us
- Diversity & Inclusion
- Alumni
- Locations
- Contact Us
- Search

© 2020 Debevoise & Plimpton LLP

Alyona N. Kucher
Partner
email | vCard

Moscow
Tel: +7 495 439 4007

Overview
Biography
Insights & Publications
News

Alyona Kucher is a partner based in the Moscow office. She is recognised as a leading corporate lawyer in Russia by Chambers Global, Chambers Europe and ...

[+ Read Full Biography](#)

Experience

- o *Mergers & Acquisitions*

One of the leading oil and gas field service contractors in Russia and the CIS in its acquisition of a Kazakhstan oilfield services business from one of the largest global oilfield services corporations.

A Russian investment company in the restructuring of its group consisting of investment, management and development companies (including antitrust filings with the FAS of Russia).

Zurich Insurance in the sale of Zurich Russia's general insurance business to Olma, and restructuring of its Russian global corporate business.

Sberbank in its transaction with BNP Paribas Personal Finance whereby Sberbank is transferring its car loan business, generated through partnerships with auto manufacturers and car dealers, to Cetelem Bank, the joint banking venture owned by Sberbank and BNP Paribas Group.

Mitsui in its \$240 million joint venture with EVRAZ Group to develop the Denisovskoye coal deposit.

Sberbank in the acquisition of 70% stake in Cetelem Bank and formation of a joint venture with BNP Paribas Personal Finance.

DaimlerChrysler in the establishment of a joint venture for the assembly of DaimlerChrysler motor vehicles in the Kaliningrad Special Economic Zone.

Chrysler in the establishment of a joint venture for the production of Chrysler motor vehicles at an existing GAZ Group plant in accordance with an investment agreement for motor vehicle assembly signed with the Russian government.

Practices

- Corporate Governance [>](#)
- Mergers & Acquisitions [>](#)
- Real Estate [>](#)
- Finance [>](#)
- Project Finance & Infrastructure [>](#)
- Insurance [>](#)
- Healthcare & Life Sciences [>](#)

Industries

- Energy & Natural Resources [>](#)
- Real Estate [>](#)
- Infrastructure [>](#)
- Insurance [>](#)
- Healthcare & Life Sciences [>](#)

Debevoise & Plimpton

- Capabilities
- Professionals
- Experience
- Insights & Publications
- News
- Careers
- About Us
- Diversity & Inclusion
- Alumni
- Locations
- Contact Us
- Search

© 2020 Debevoise & Plimpton LLP

- o *Real Estate/Infrastructure*

Sberbank of Russia subsidiary in its acquisition from International Centre JSC of an office and retail complex, including underground parking space, with a total area of over 300,000 square metres located at the crossing of Kutuzovskiy Avenue and Kulneva street, opposite Moscow International Business Center (Moscow-City). The complex comprises three buildings on two land plots and will be used for the purpose of developing a new headquarters for Sberbank ("Sberbank City"). Debevoise provided overall legal support for the transaction at all stages, including due diligence of the relevant entities, buildings, land plots and other assets of the complex, transaction structuring, drafting and negotiating transaction documents and legal support of transaction closing.

Transneft in its \$1.2 billion acquisition of the Evolution Tower office building in the Moscow International Business Center (Moscow-City) from City Palace LLC. Representation of Transneft included legal due diligence of the building and land plot, preparation and negotiation of a draft sale and purchase agreement for the future real estate, and legal support in the signing and closing of the transaction. This deal is the largest on the Russian commercial real estate market.

Mosinzhproekt in the development of options for implementation of the project for the construction of the South-West metro line from Novatorov Street station to Stolbovo station and commercial and residential real estate jointly with Chinese investors China International Fund Limited and China Railway Construction Corporation Limited. The work on the project included development of the contractual model for implementation of the project, options for financing of the project by the Chinese investors, and analysis of options for provision of the land plot for construction of the metro line and the commercial and residential real estate.

A private investment company in its acquisition of a 50% interest in six office buildings in Moscow and the establishment of a 50/50 JV.

Meridian Capital CIS Fund in its joint venture investment with PIK Group to develop certain commercial real estate in Moscow.

Transneft in proposed purchase of business center in Moscow.

RusHydro in its acquisition of an office building in Moscow.

Aeroflot and its subsidiary Terminal in all aspects of the development, design, construction and financing of a new terminal at Moscow's Sheremetyevo airport, and advice on a high-speed rail project to connect the airport terminals with Moscow city center.

Ukraine's largest industrial conglomerate in the negotiation and execution of contracts for the \$250 million financing and construction of a new five-star soccer stadium in Donetsk to FIFA/UEFA standards.

Inter RAO in its acquisition of a business centre in Moscow from Horus Capital.

Briz Company in the construction of a shopping and entertainment mall in Saint Petersburg.

Regions

- Russia [>](#)

**Debevoise
& Plimpton**

Capabilities

Professionals

Experience

Insights & Publications

News

Careers

About Us

Diversity & Inclusion

Alumni

Locations

Contact Us

Search

© 2020 Debevoise & Plimpton LLP

NLMK in the acquisition of commercial real estate in Moscow; the development of industrial facilities in Saint Petersburg and residential real estate in Lipetsk.

OGK-3 in a review of their EPC contracts for construction of various energy facilities.

Costa Construction, a major Turkish construction company, in a number of Russian construction projects including building in Kozikhinsky Lane in Moscow, a business center and a hotel in Rostov-on-Don..

○ *Arbitration/Litigation*

Costa Construction, a major Turkish construction company, in a number of Russian construction projects (including pre-litigation advice on a land-marking Moscow residential property).

A consumer electronics retailer in its claim in Russian state commercial court against ZAO Centurion Alliance on the state registration of the Long Term Lease Agreement for Shop Centre EuroPark.

A large Russian bank in a dispute concerning accounting warranties, among other issues, which arose following its acquisition of a pan-CIS banking group. The matter settled on terms favorable to our client.

A Cypriot company in a complex commercial arbitration in Stockholm under the SCC Rules, engaging contractual and fiduciary claims under German, Cypriot and Swedish law.

Participation in the working group of the Ministry of Justice of Russia on the reform of arbitration legislation in Russia, including drafting new arbitration law.

○ *Other*

Vladimir Potanin Foundation in the organization of an unprecedented exhibition of Soviet and Russian contemporary art at the Centre Pompidou in Paris.

Education

Moscow State University, Faculty of Law, 2002, Ph.D.

Moscow State University, Faculty of Law, 2000, Law Degree

Languages

Russian

<https://en.wikipedia.org/wiki/Rosatom>



- Main page
- Contents
- Featured content
- Current events
- Random article
- Donate to Wikipedia
- Wikipedia store
- Interaction
- Help
- About Wikipedia
- Community portal
- Recent changes
- Contact page
- Tools
- What links here
- Related changes
- Upload file
- Special pages
- Permanent link
- Page information
- Wikidata item
- Cite this page
- In other projects

Article Talk

Read Edit View history

Search Wikipedia

Rosatom

From Wikipedia, the free encyclopedia

This article is about a corporation established in 2007. For Rosatom government body in 2004–2008, see Rosatom (Federal Agency).

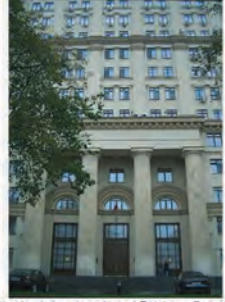
Rosatom, (Russian: Росатом, tr. *Rosaatom*, IPA: [rɐsˈatəm]) stylized as **ROSATOM** and also known as the **Rosatom State Nuclear Energy Corporation**, the **State Atomic Energy Corporation Rosatom**, or the **Rosatom State Corporation**, is a Russian state corporation headquartered in Moscow that specializes in nuclear energy. Established in 2007, the organization comprises more than 360 enterprises, including scientific research organizations, the nuclear weapons complex, and the world's only nuclear icebreaker fleet.

The state corporation is one of the leaders in the world's nuclear energy industry. The organization ranks first as the largest electricity generating company in Russia, producing 202.868 bn kWh of electricity, 18.9% of the country's total electricity production, in 2017. The corporation also ranks first in the largest portfolio of foreign construction projects: 33 nuclear power plant units in 12 countries. Rosatom also manufactures equipment and produces isotopes for nuclear medicine, carries out research, material studies, it also produces supercomputers and software as well as different nuclear and non-nuclear innovative products. Rosatom's strategy is also to develop renewable energy, and has announced it will invest in wind power. Rosatom with its 1/3 world market share takes the lead in global uranium enrichment services and covers 17.7% of the global nuclear fuel market.^[5]

Rosatom is a nonprofit organization, and while its tasks include the development of nuclear energy, the growth of enterprises of the nuclear fuel cycle, and the fulfillment of the functions assigned to it by the state, it also ensures national security (nuclear deterrence), nuclear and radiation safety, as well as development of applied and fundamental science. In addition, the state corporation is authorized on behalf of the state to fulfill Russia's international obligations in the field of the use of nuclear energy and of non-proliferation of nuclear materials. Rosatom is also involved with large-scale projects such as ITER and FAIR.

As of Jan 2017, the total portfolio orders of Rosatom reached \$300 billion.^[6]

State Atomic Energy Corporation Rosatom



Rosatom's headquarters at Bolshaya Chryunika Street in Moscow

Wikimedia Commons

- Print/export
- Download as PDF
- Printable version
- Languages
- العربية
- Español
- Français
- Հայերեն
- Bahasa Indonesia
- 日本語
- Portugués
- Русский
- Suomi
- 中文 18 more
- Edit links

Contents [hide]

- History
- Organization
- Operations
 - Uranium enrichment
 - Marketing
 - Machine-building
 - Nuclear power plants
 - In operation
 - Under construction
 - Abroad
 - Icebreaker fleet
 - Nuclear waste
 - NovaWind
 - Other activities
- Corporate governance
 - Supervisory Board
 - Management Board
 - General Director
 - Public Council
- Criticism
 - Transparency
- See also
- References
- External links

Native name	Государственная корпорация по атомной энергии «Росатом»
Type	State corporation
Industry	Nuclear power
Predecessor	Federal Agency on Atomic Energy
Founded	1 December 2007, 12 years ago ^[1]
Founder	Vladimir Putin by signed law ^[2]
Headquarters	Moscow, Russia
Area served	Worldwide
Key people	Sergey Kiriyenko (Chairman) Alexey Likhachev (Chief General Director)
Products	Nuclear reactors
Revenue	₽967 billion ^[3] (2017)
Net income	▲₽64.5 billion ^[4] (2014)
Total assets	₽3.44 trillion ^[3] (2017)
Number of employees	256,600 (2015)
Subsidiaries	See organization
Website	rosatom.ru/en/ig/

History [edit]

Further information: Ministry of Nuclear Engineering and Industry of the Soviet Union and Federal Agency on Atomic Energy (Russia)

The history of the Rosatom is linked with the history of the nuclear industry in Russia and its predecessor, the Soviet Union. On June 26, 1953, by the decision of the Council of Ministers, the First Main Directorate under the Council of Ministers supervising the nuclear industry was transformed into the Ministry of Medium Machine Building (Minsredmash). In addition to developing and testing nuclear weapons, the ministry also dealt with production of nuclear power. In 1954, the world's first grid-connected nuclear power plant, Obninsk, was opened and put under operation under the direction of Igor Kurchatov, a Soviet nuclear physicist in Obninsk, Kaluga Oblast. As the Soviet nuclear industry grew, so did the ministry, and from the 1970s to the 1980s, more than 1.5 million people worked in the ministry's organizations and enterprises. In 1989, Minsredmash and the Ministry of Atomic Energy merged to form the Ministry of Nuclear Engineering and Industry of the USSR.^{[7][8]}

The Ministry for Atomic Energy of the Russian Federation [(Russian: Министерство по атомной энергии Российской Федерации, also known as Minatom (Russian: Минатом)] was established as a successor to the Russian part of the Ministry of Nuclear Engineering and Industry of the USSR on January 29, 1992 after the dissolution of the Soviet Union. The newly created ministry received about 80% of the enterprises of the union department, including 9 nuclear power plants with 28 power units. Under this name, the ministry existed until March 9, 2004, when it was transformed into the Federal Agency on Atomic Energy, also known as Rosatom, in accordance to presidential decree. Physicist and academician of the Russian Academy of Sciences, USSR State Prize winner laureate, and former Minister for Atomic Energy Alexander Rumyantsev was appointed head of the agency. On November 15, 2005, he was replaced by Sergey Kiriyenko. In 2006, the agency adopted target program "Development of the Russian Nuclear Energy Complex for 2007-2010 and for the Future to 2015" which 26 nuclear power units were to be launched in Russia before 2020.^{[7][8]}

On December 1, 2007, Russian President Vladimir Putin signed a law adopted by the Federal Assembly under which the Federal Atomic Energy Agency were to be abolished, and its powers and assets were to be transferred to the newly created "State Atomic Energy Corporation Rosatom." On December 12 of the same year, the agency transformed into a state corporation with Sergey Kiriyenko appointed general director. In July 2008, Rosatom adopted an activity program designed to last till 2023. Rosatom's positions were further strengthened by the transfer of the nuclear civil icebreaking fleet FSUE Atomflot under Rosatom's jurisdiction.^{[7][9]}

In 2009, nuclear technologies is assigned as one of the priorities for developing Russia's economy. By 2011, Rosatom's investments in research and development work have grown seven-fold compared to 2006. Another important direction of the development of the corporation was an increase in its influence on foreign markets, since the number of contracts for the construction of nuclear power plants abroad was almost doubled in 2011. According to Sergey Kiriyenko, the ten-year portfolio of orders of Rosatom State Corporation abroad was estimated at more than \$100 billion at the end of 2014.^{[7][10]} A programme of government support for the construction of nuclear power plants will finish in 2020.^[11]

In 2017, Rosatom decided to invest in wind power, believing that rapid cost reductions in the renewable industry will become a competitive threat to nuclear power, and has started to build wind turbines. Rosatom was also concerned that nuclear export opportunities were becoming exhausted. In October, Rosatom was reported to be considering postponing commissioning new nuclear plants in Russia due to excess generation capacity and that new nuclear electricity prices are higher than for existing plant. The Russian government is considering reducing support for new nuclear under its support contracts, called Dogovor Postavki Moshnosti (DPM), which guarantee developers a return on investment through increased payments from consumers for 20 years.^{[12][13][14]}

Organization [edit]

Company structure.^[15]

- AKME Engineering
- Aliantransatom
- Angarsk Electrolysis Chemical Complex
- ASE Group
- Atom-Okhрана
- Atomenergomash Group
 - Atom mash
 - OKB Gidropress
 - OKBM Afrikantov
- Atomenergoprom
 - ARIMZ Uranium Holding
 - Rosenergoatom
 - Technobexport (TENEX)
 - TVEL
 - Uranium One
- Atomenergoremont
- AtomEnergoSbyt
- Atomflot
- Atomic Reactor Research Institute
- Atomkomplekt
- Atomspetstrans
- Atomtechenergo
- JSC Atomtechexport (ATEX)
- Bazalt
- Bochvar National Research Institute for Inorganic Materials
- The Branch Centre of the Capital Construction of Rosatom
- JSC Consolidated NPP Equipment Procurement Directorate (CEPD)
- Dollezhal Research and Development Institute of Power Engineering
- Federal Center for Nuclear and Radiation Safety (JSC FCNRS)
- International Uranium Enrichment Centre
- Isotope
- Karpov Institute of Physical Chemistry
- JSC NPK Khimprominzhihiring (a brand of UMATEX Group)
- Machine Building Plant (Elemash)
- Mayak Production Association
- Mining and Chemical Plant
- JSC NovaWind
 - JSC VetroOGK
- National Operator for Radioactive Waste Management
- NIKIMT Atomstroy
- JSC OTEK
- FSUE Radon
- RAOS Project Oy
- Rosatom Emergency Service
- RosRAO
- JSC Rusatom Healthcare
- Rusatom International Network
- Rusatom Overseas
- Rusatom Service
- Russian Electrotechnical Institute named after Vladimir Lenin
- Russian Institute of Precise Chemistry Technology (VNIHT)
- Russian Research and Development Institute for Nuclear Power Machinery
- Russian Research Institute for Chemical Technology
- Russian Research Institute for Experimental Physics
- JSC Saint-Petersburg ISOTOPE
- Science and Innovation
- Siberian Chemical Plant
- Tochmash
- Troitsk Institute for Innovation and Fusion Research
- Turbine Technology AAEM Limited Liability Company
- United Corporation for Innovations
- Venta, Mashine-building plant
- VNIPromtehnologii National Research and Design Institute for Industrial Technology
- Zababakhin Russian Research Institute for Technical Physics
- Zarubezhatomenergostroy

Operations [\[edit \]](#)

As of the beginning of 2014, Rosatom included more than 360 organizations of various organizational and legal forms. Most of them belong to the enterprises of the nuclear power complex, which includes organizations of nuclear energy, nuclear engineering, and the nuclear fuel cycle, including enterprises for the exploration and production of natural uranium, conversion and enrichment of uranium, production of nuclear fuel, electricity and equipment, development of new technologies of nuclear fuel and gas centrifuge technological platform. The civilian assets of the Russian nuclear industry are concentrated within Rosatom's holding company Atomenergoprom, which unites more than seventy enterprises.^[16]

The companies of the nuclear power complex of Rosatom are integrated within separate divisions: mining, fuel, sales and trading, machine building and electric power divisions, foreign construction divisions and the construction division in Russia. The functions of the mining division include exploration, extraction and processing of uranium. The managing company of the Russian uranium mining assets of the corporation is ARMZ Uranium Holding. The main uranium mining enterprise in its composition for more than 40 years is the Priargunsk Mining and Chemical Association, which extracts up to 90% of uranium in the country. Foreign assets are managed by Uranium One, a Canadian holding company owned by Rosatom. Rosatom is the world's fifth largest producer of uranium and the second largest in terms of uranium reserves.^{[17][18]}

Uranium enrichment [\[edit \]](#)

The fuel division of the state corporation consolidates assets specializing in conversion and uranium enrichment, managed by the holding company TVEL. The division's tasks include the fabrication of nuclear fuel, conversion and enrichment of uranium, and the production of gas centrifuges. Owing 36% of the world's market share, Rosatom is the leader in the world market of services for uranium enrichment. Concentrating plants of the corporation under the management of the unified company "Separation-Sublimate Complex" are the Angarsk Electrochemical Plant in Angarsk, Irkutsk Oblast, Zelenogorsk Electrochemical Plant in Zelenogorsk, Krasnoyarsk Krai, Ural Electrochemical Plant in Novouralsk, Sverdlovsk Oblast, and the Siberian Chemical Plant in Seversk, Tomsk Oblast.^{[19][20]}



Work on a fuel cassette of the nuclear power reactor at the Novosibirsk Chemical Concentrates Plant, a TVEL subsidiary

Marketing [\[edit \]](#)

The sales and trading division is managed by Technobexport. Its tasks include the export of services to the international uranium enrichment market and uranium products. Technobexport was founded in 1963 as a foreign trade agent of the Soviet nuclear industry, the company is known on the foreign market under the trademark TENEX. In 1993, a Russian-American intergovernmental program, the Megatons to Megawatts Program, in which the aims were converting highly enriched uranium extracted from Russian nuclear warheads into low-enriched uranium for use by American nuclear power plants, was signed thanks to Technobexport's efforts, and lasted until 2013. By the end of the agreement, about 500 tons of weapons-grade uranium were recycled from 20,000 Russian warheads. The fuel thus produced provided about half of all energy produced by US nuclear power plants (and about 10% of all electricity produced in the US).^{[21][22]}

Machine-building [\[edit \]](#)











The machine-building division is represented by holding company Atomenergomash, founded in 2006. The division's enterprises produce equipment for the construction of nuclear power plants and other facilities for both the nuclear industry and related industries. Atomenergomash consists of about thirty large companies, including production enterprises, engineering centers and research organizations in Russia, Ukraine, Czechia, and Hungary. The total number of employees in the company is over twenty-five thousand people. According to the group's own data, 13% of nuclear power plants in the world and 40% of thermal power stations in the CIS and the Baltic states use the holding equipment. In addition, Atomenergomash is the largest producer of equipment for the VVER reactor and the world's only producer of the fast-neutron reactor (BN). OKB Gidropress, which develops the current Russian nuclear reactor VVER, is a subsidiary of Rosatom. OKBM Afrikantov, which develops the current Russian BN-series such as BN-800 and BN-1200, is a subsidiary of Rosatom.^{[23][24]}

Nuclear power plants [\[edit \]](#)

The management company Rosenergoatom operates all of Russia's nuclear power plants and represents the electric power division of the state corporation Rosatom. As of July 2017, ten nuclear power plants (35 power units) operated in Russia with a total capacity of 27.9 GW, producing about 18% of all electricity produced in Russia.

In operation [\[edit \]](#)

Name	Image	Location	Units operated	Name	Image	Location	Units operated
Balakovo		Balakovo, Saratov Oblast	<ul style="list-style-type: none"> № 1 - VVER-1000 - in operation № 2 - VVER-1000 - in operation № 3 - VVER-1000 - in operation № 4 - VVER-1000 - in operation № 5 - VVER-1000 - canceled № 6 - VVER-1000 - canceled 	Leningrad		Sosnovy Bor, Leningrad Oblast	<ul style="list-style-type: none"> № 1 - RBMK-1000 - decommissioned № 2 - RBMK-1000 - in operation № 3 - RBMK-1000 - in operation № 4 - RBMK-1000 - in operation

Beloyarsk		Zarechny, Sverdlovsk Oblast	<ul style="list-style-type: none"> № 1 - AMB-100 - decommissioned № 2 - AMB-200 - decommissioned № 3 - BN-600 - in operation № 4 - BN-800 - in operation 	Leningrad II		<ul style="list-style-type: none"> 1200 - in operation № 2 - VVER-1200 - under construction № 3 - VVER-1200 - planned № 4 - VVER-1200 - planned
Bilibino		Bilibino, Chukotka Autonomous Okrug	<ul style="list-style-type: none"> № 1 - EGP-6 - in operation № 2 - EGP-6 - in operation № 3 - EGP-6 - in operation № 4 - EGP-6 - in operation 	Novovoronezh		<ul style="list-style-type: none"> № 1 - VVER-210 - decommissioned № 2 - VVER-365 - decommissioned № 3 - VVER-440 - decommissioned № 4 - VVER-440 - in operation № 5 - VVER-1000 - in operation
Kalinin		Udomlya, Tver Oblast	<ul style="list-style-type: none"> № 1 - VVER-1000 - in operation № 2 - VVER-1000 - in operation № 3 - VVER-1000 - in operation № 4 - VVER-1000 - in operation 	Novovoronezh II		<ul style="list-style-type: none"> № 1 - VVER-1200 - in operation № 2 - VVER-1200 - in operation № 3 - VVER-1300 - planned № 4 - VVER-1300 - planned
Kola		Polyarnye Zori, Murmansk Oblast	<ul style="list-style-type: none"> № 1 - VVER-440 - in operation № 2 - VVER-440 - in operation № 3 - VVER-440 - in operation № 4 - VVER-440 - in operation 	Rostov		<ul style="list-style-type: none"> № 1 - VVER-1000 - in operation № 2 - VVER-1000 - in operation № 3 - VVER-1000 - in operation № 4 - VVER-1000 - in operation
Kursk		Kurchatov, Kursk Oblast	<ul style="list-style-type: none"> № 1 - RBMK-1000 - in operation № 2 - RBMK-1000 - in operation № 3 - RBMK-1000 - in operation № 4 - RBMK-1000 - in operation № 5 - RBMK-1000 - canceled № 6 - RBMK-1000 - canceled 	Smolensk		<ul style="list-style-type: none"> № 1 - RBMK-1000 - in operation № 2 - RBMK-1000 - in operation № 3 - RBMK-1000 - in operation № 4 - RBMK-1000 - canceled

As a result of reforms and reassignments in the period from 2012 to 2014, Rosatom's engineering activities were concentrated within the management company Atomenergoproekt-Atomstroyexport (NIAEP-ASE), based in Nizhny Novgorod. Earlier, Atomstroyexport was engaged in foreign construction, and a number of independent engineering institutes with the name Atomenergoproekt were engaged in the design and construction of facilities in Russia: Moscow, St. Petersburg, and Nizhny Novgorod. Since October 2014 on the basis of NIAEP-ASE, Rosatom forms a unified engineering division, not including design company on nuclear power facilities and technologies Atomproekt. According to Kommersant, such a strategy is aimed at eliminating internal competition, deliberately created earlier. This measure can be effective from the economic point of view in view of a large number of domestic and foreign orders.^[25]

Under construction [edit]

Rosatom is one of the world leaders in the number of simultaneously constructed power units. In addition to the construction of new power units for existing plants, the state corporation is building five new stations in Russia and three abroad. It has also announced plans to build a nuclear power plant in the Buysky District in Kostroma Oblast. The construction of the station began in 1979, but stopped in 1990. In 2008, Rosatom decided to resume the project – a station with two power units with VVER-1200 reactors is planned to be built by 2030. Moreover, according to the strategy of territorial planning of Russia in the field of energy that was approved in November 2013, three more new stations are planned to be built by 2030: the South Ural Nuclear Power Plant near Ozyorsk, Chelyabinsk Oblast, Tatar Nuclear Power Plant near Kamskye Polyany, Tatarstan, and replace the decommissioned Sibirskaya Nuclear Power Plant with the Seversk Nuclear Power Plant in Tomsk Oblast. According to analysts of the Atomic Expert magazine, in the period from 2014 to 2030, 30 power units with a total capacity of 35.5 GW are planned to be put into operation in Russia (17 power units with a total capacity of 13 GW are expected to be launched during the same period). Construction of a nuclear power plant in Kaliningrad started on 25 February 2010 but construction was suspended for the project to be redesigned [29][27][28][29][30][31][32]



Leningrad Nuclear Power Plant II under construction on 20 July 2010 [3]

Plant name	Location	Unit number	Reactor type	Power (MW)	Construction start	Expected completion date
Floating Nuclear Power Station Akademik Lomonosov	Vilyuchinsk, Kamchatka Krai	1	KLT-40S	35	2007	2016
		2	KLT-40S	35	2007	2016
Kursk NPP II	Makarovka, Kursk Oblast	1	VVER-1300/510	1,255	2016	2023
		2	VVER-1300/510	1,255	2018	2025
		3	VVER-1300/510	1,255		
		4	VVER-1300/510	1,255		

As of February 20, 2016 [33]

Abroad [edit]

Rosatom owns 67% of the world nuclear plant construction market and, currently, the orders portfolio exceeded \$133 billion. Rosatom has taken the lead in offering nuclear power plants to emerging countries [34][35] 37% of nuclear reactors under construction worldwide being built by Rosatom itself, usually the OKB Gidropress' VVER type. Rosatom received \$66.5 billion of foreign orders in 2012, including \$28.9 billion for nuclear plant construction, \$24.7 billion for uranium products and \$12.9 billion for nuclear fuel exports and associated activities. Nuclear power plants in China, India, and Iran, were either designed and built by Rosatom or with the corporation's participation. Rosatom is involved with the construction of the Tianwan Nuclear Power Plant in China, the construction of Unit № 2 of Kudankulam Nuclear Power Plant in India, and the construction of Unit № 1 of the Belarusian Nuclear Power Plant in Belarus [36][37][38][39][40]



Tianwan Nuclear Power Plant in Lianyungang, China on 8 October 2010. [3]

In December 2013, Rosatom signed a €6.4 billion contract with Fennovoima in Finland of the single-unit Hanhikivi NPP using OKB Gidropress' VVER-1200 pressurized water reactor in the town of Pyhäjoki, with construction planned to start in 2018 and commencement planned in 2024. On 11 November 2014, Rosatom's General Director Sergey Kiriyenko and head of Atomic Energy Organization of Iran Ali Akbar Salehi have signed a Protocol to Russian-Iranian Intergovernmental Agreement of 1992, according to which the sides will cooperate in construction of eight power generating units with VVER reactors. Four of these reactors are planned to be constructed for the second construction phase of Bushehr Nuclear Power Plant and the other four will be constructed on another site. Construction of Bushehr Units 2 and 3 started on March 14, 2017 with units planned to be completed in 2024 and 2026. In December 2014, Rosatom and the MVM Group of Hungary signed an agreement for the construction of new station units of the Paks NPP with construction planned to start on 2018. Rosatom also started construction of Turkey's Akkuyu NPP on December 10, 2017. The state corporation has also signed agreements with Egypt on construction of the El-Dabaa NPP and with Bangladesh on construction of the Rooppur NPP, with construction starting on November 30, 2017 [33][41][42][43][44][45][46][47]



Kudankulam Nuclear Power Plant in Koodankulam, India on 6 January 2014. [3]

Failed bids includes the cancellation of Units 3 and 4 of Khmelniyskiy NPP in Ukraine. [48][49]

International NPP projects in the Russian nuclear industry

Plant name	Country	Location	Unit number	Status	Type	Power (MW)	Construction start	Completion date
Akkuyu	Turkey	Akkuyu, Mersin	1	Under construction	VVER-1200/491	1,200	March 2016 [50]	2022 [51]
			2					
			3					
			4					
Belarusian	Belarus	Astravets, Grodno Region	1	Under construction	VVER-1200	1,200	6 November 2013	2019–2020
			2					
Bushehr	Iran	Bushehr	1 [52]	Operational	VVER-1000/446	1,000	1 May 1975, 1995	September 23, 2013
			2 [53]					
			3 [53]					
			4 [56]					
El Dabaa	Egypt	El Dabaa, North Coast	1	Approved	VVER-1200	1,200	-	2024
			2					

Hanhikivi	Finland	Pyhäjoki, Northern Ostrobothnia	1	Approved	VVER-1200	1,200	2021 ^[57]	2028 ^[57]			
Kudankulam	India	Koodankulam, Tamil Nadu	1	Operational	VVER-1000/412	917	March 31, 2002	October 22, 2013 ^[58]			
			2					October 15, 2015			
			3	Under construction				June 29, 2017 ^[59]	-		
			4								
			5	Approved ^[61]						-	
			6								
Paks	Hungary	Paks, Tolna County	5	Approved ^[62]	VVER-1200	1,200	2018				2025
			6				2020				2027
Rooppur	Bangladesh	Rooppur, Ishwardi	1	Under construction	VVER-1200	1,200	2017	2023			
			2	Approved			2018	2024			
Tianwan	China	Lianyungang, Jiangsu	1	Operational	VVER-1000/428	990	20 October 1999	17 May 2007			
			2		VVER-1000/428		20 October 2000	16 August 2007			
			3		VVER-1000/428M		27 December 2012	15 February 2018 ^[63]			
			4		VVER-1000/428M		27 September 2013	22 December 2018 ^[64]			
			7	Approved ^[65]	VVER-1200	1,150	May 2021 (planned)	2026 (planned)			
			8				March 2022 (planned)	2027 (planned)			
			Mochovce	Slovakia	Mochovce, Nitra Region	1	Operational	VVER 440/213	436	November 1982	29 October 1998
						2				11 April 2000	
3	Under construction	November 2008				2019 (planned)					
4	Under construction	November 2008				2020 (planned)					

Icebreaker fleet [\[edit\]](#)

Since 2008, the structure of Rosatom includes the Russian nuclear icebreaker fleet, which is the largest in the world^[66] with five nuclear-powered icebreakers (four operated), a container ship, and four service vessels. Its tasks include navigation on the routes of the Northern Sea Route and rescue operations in ice. Operation and maintenance of the fleet is carried out by FSUE Atomflot, also known as Rosatomflot, a company based in Murmansk.^[67]

Nuclear icebreakers of Rosatomflot

In operation/Under construction			Decommissioned			
Name	Type	Year	Name	Type	Year	Notes
<i>Sevmorput</i>	-	1988–2007, 2016–present	<i>Arktika</i>	<i>Arktika</i> -class	1975–2008	Currently moored in Murmansk
<i>Taymyr</i>	<i>Taymyr</i> -class	1989–present	<i>Rossiya</i>	<i>Arktika</i> -class	1985–2013	Laid up in Murmansk
<i>Vaygach</i>	<i>Taymyr</i> -class	1990–present	<i>Sovetskiy Soyuz</i>	<i>Arktika</i> -class	1989–2012	Laid up in Murmansk, to be converted to a command ship ^[68]
<i>Yamal</i>	<i>Arktika</i> -class	1993–present				
<i>50 Let Pobedy</i>	<i>Arktika</i> -class	2007–present				
<i>Arktika</i>	Project 22220	2019 (planned)				
<i>Sibir</i>	Project 22220	2020 (planned)				
<i>Ural</i>	Project 22220	2021 (planned)				



Taymyr-class icebreaker *Taymyr* [\[69\]](#)



Arktika-class icebreaker *Yamal* [\[69\]](#)

Nuclear waste [\[edit\]](#)

To prevent nuclear and radiation hazards, Rosatom handles radioactive waste and spent nuclear fuel, as well as the decommissioning of nuclear power and energy facilities, in the last stage of the nuclear fuel cycle. Processing and storage of radioactive waste and spent nuclear fuel are carried out by the Mining and Chemical Combine, the Federal Center for Nuclear and Radiation Safety, the V. G. Khipin Radium Institute, and sometimes FSUE Atomflot. In 2008, the follow companies were subjected to specialized Russian companies dealing with radioactive waste management, later merged to the federal enterprise RosRAO.^{[69][70]}

NovaWind [\[edit\]](#)

In 2017 Rosatom established NovaWind to control Rosatom's wind energy assets and to implement its future wind energy strategy.^[71] This includes Rosatom's first large-scale wind farm, a 150 MW wind park in *Aoygea*, and a 1.2 GWe wind farm in *Kochubeyevsky District* to begin power production in 2022.^[72]

Other activities [\[edit \]](#)

The company JSC Rosatom Overseas, established in 2011, is engaged in the promotion of Russian nuclear technologies abroad. Its tasks include the integration and promotion of the global proposal of the state corporation, as well as the implementation of projects for the construction of nuclear power plants outside of Russia.^[73]

The main institutes of Rosatom, conducting fundamental and theoretical research, are the Institute of Experimental Physics and the Institute of Technical Physics, both based in the closed city of Sarov. The holding company Atomenergoprom also includes research and development as OKB Gidropress, OKBM Afrikantov, Research Institute of Chemical Technology, Research Institute of Inorganic Materials, Research Institute of Atomic Reactors, Institute of Physics and Power Engineering, and the Troitsk Institute for Innovation and Thermonuclear Research.^[74]

The development of chemical fibers and carbon fiber reinforced polymers are done by JSC Khimpromengineering, owned by the holding company UMATEX.^[15]

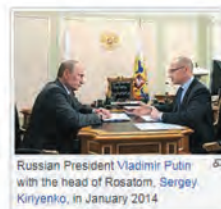
In addition to civil facilities, Rosatom also includes military enterprises. Nuclear Weapons Complex Directorate includes nuclear centers in Sarov and Snezhinsk, the Mayak company in Ozyorsk, the plant Elektrokhimpribor in Lesnoy, and the Instrument-Making Plant in Tryokhgorny.^[15]

Corporate governance [\[edit \]](#)

Supervisory Board [\[edit \]](#)

The highest executive body of Rosatom is the Supervisory Board, consisting of nine people, including the chairman. The board is headed since 2005 by chairman Sergey Kiriyenko. Other Board members are:^[75]

- Igor Borovkov - the head of the apparatus of the Military-Industrial Commission
- Larisa Brychyova - Assistant to the President of Russia
- Alexey Likhachev - General Director of Rosatom
- Andrei Klepach - Deputy Minister for Economic Development
- Sergey Korolev - Director for Economic Security of the Federal Security Service
- Alexander Novak - Minister of Energy of Russia
- Yuriy P. Trutnev - representative of the President of Russia in the Far-Eastern Federal District
- Yuriy V. Ushakov - Assistant to the President of Russia



Russian President Vladimir Putin with the head of Rosatom, Sergey Kiriyenko, in January 2014

Management Board [\[edit \]](#)

Strategies, policies and objectives of Rosatom are established by its Management Board, consisting of fourteen people, including the General Director. The board is headed since 2016 by General Director Alexey Likhachev.^[76]

- Alexey Likhachev - General Director of Rosatom
- Ivan Kamenskikh - First Deputy Director General for Nuclear Weapons
- Kirill Komarov - First Deputy Director General for Corporate Development and International Business
- Alexander Lokshin - First Deputy Director General for Operations Management
- Nikolay Solomon - First Deputy Director General for Corporate Functions and CFO
- Konstantin Denisov - Deputy Director General for Security
- Sergey Novikov - State Secretary – Deputy Director General for Execution of State Powers and Budgeting
- Nikolay Spassky - Deputy Director General for International Relations
- Oleg Kiyukov - Director for Public Policy on Radioactive Waste, Spent Nuclear Fuel and Nuclear Decommissioning
- Andrey Nikipelov - CEO of Atomenergomash
- Sergey Obozov - Director for Rosatom Production System, Member of Rosenergoatom's Board of Directors
- Yuri Olenin - Deputy Director General for Innovation Management
- Andrei Petrov - Director General of Rosenergoatom
- Yuri Yakovlev - Deputy Director General for the State Safety Policy in the Defense Uses of Atomic Energy

General Director [\[edit \]](#)

The sole executive body of Rosatom is the General Director, who manages the day-to-day operations. Sergey Kiriyenko, who headed the Russian nuclear industry in 2005, became general director of Rosatom since its creation until he got replaced in October 5, 2016 by Alexey Likhachev, former Deputy Minister for Economic Development.^[77]

- Sergey Kiriyenko (December 1, 2007 – October 5, 2016)
- Alexey Likhachev (October 5, 2016–present)

Public Council [\[edit \]](#)

The Public Council of Rosatom works with civic organizations to utilize nuclear power, protect the environment, and ensure nuclear and radiation safety. Objectives of the council are:

- Raise public awareness of Rosatom's activities
- Involve civic organizations in making policies on nuclear power
- Negotiate nuclear issues with the general public
- Communicate efficiently with stakeholders

Council members are:^[78]

- Alexey Likhachev - General Director of Rosatom, Chairman of the Public Council
- Alexander Lokshin - First Deputy Director General for Operations Management
- Sergey Baranovsky - President of the Russian Green Cross, Chairman of the Russian Ecological Congress, Deputy Chairman of the Public Council
- Rudolf Aleksakhin - Leading Ecologist of ROSATOM's Proriv (Breakthrough) Project
- Rafael Arutyunyan - First Deputy Director of the Institute for Safe Development of Nuclear Energy of Russian Academy of Sciences
- Valery Bochkarev - Head of Radiation Safety Division, Federal Centre for Nuclear and Radiation Safety
- Natalia Davydova - Director of "Environmental Projects Consulting Institute"
- Mark Gilinsky - First Deputy CEO of the Gidropetsgeologia Geological Survey
- Vladimir Grachev - Advisor to the ROSATOM CEO, Chairman of the Public Council with the Federal Nuclear, Industrial, and Environmental Regulatory Authority of Russia (Rostekhnadzor)
- Alexander Harichev - Head of Local Communities Relations Unit, Advisor to the ROSATOM CEO (Secretary of the Public Council)
- Viktor Ivanov - Deputy Director of the Russian Academy of Medicine Research Centre for Medical Radiology, Chairman of the Russian Federation Commission on Radiation Protection
- Valery Menshikov - Member of the Council with the Russian Environmental Policy Centre
- Oleg Muratov - Executive Secretary of North-West Section of Russian Nuclear Society, Member of the Academy of Ecology, Safety of Human and Nature
- Alexander Nikitin - Chairman of the *Bellona Foundation* (Saint Petersburg office)
- Vladimir Ognev - Chairman of the Interregional Public Movement of Nuclear Industry and Power Veterans
- Natalia Shandala - Deputy General Director of *Burnazyan Federal Medical and Biophysical Centre*
- Yuriy Tebin - Vice-President of Chamber for Trade and Commerce of Moscow Oblast
- Albert Vasiliev - Chief Scientific Officer at the Dollezhal Research and Design Institute for Power Engineering
- Valeriy Vassilyev - Member of the Citizens' Assembly of Krasnodarsk Area, Public Council of the Russian Federation
- Andrey Vazhenin - Chief Doctor of Chelyabinsk Regional Clinical Oncologic Treatment Center, Corresponding member of Russian Academy of Medical Science
- Yan Vlasov - Chairman of the Public Council for Protection of Patients' Rights at Roszdravandzor, Co-chairman of All-Russia Union of Patients' Public Organizations
- Sergey Zhavoronkin - Secretary of the Public Council for Nuclear Safety in Murmansk Oblast
- Elena Yakovleva - Chief Editor of the International Magazine Safety of Nuclear Technologies and Environment, Head of the Internet-project of Russian Nuclear Society
- Sergey Yudinsev - Corresponding Member of the Russian Academy of Sciences, Head of the Laboratory of Radiogeology and Radiogeocology, Institute of Geology of Ore Deposits, Petrography, Mineralogy, and Geochemistry, Russian Academy of Sciences^[79]

Criticism [edit]

See also: *Uranium One controversy*.

Transparency [edit]

On 28 June 2017, *The Financial Times* criticized Rosatom for the lack of transparency through its expansionist agenda as its role as a "Kremlin-controlled company".^[80] On 20 March 2018, this criticism was underlined by the *Bellona Foundation* as well, focusing on the scarce data available on Rosatom's progress in Sudan.^[81]

See also [edit]

- Energy policy of Russia
 - Nuclear power in Russia
- Alomenergoprom, civil nuclear activities including Tekhstabexport (fuel/uranium exporter), Rosenergoatom
- Ministry of Medium Machine Building of the USSR, Soviet ministry in charge of civil nuclear activities in the USSR
- Institute for Theoretical and Experimental Physics
- Institute for High Energy Physics
- List of companies of Russia
- Companies similar to Rosatom
 - Hitachi
 - Horizon Nuclear Power
 - Korea Hydro & Nuclear Power
 - Mitsubishi Heavy Industries
 - Atmea
 - Mitsubishi FBR Systems
 - Orano
 - Toshiba
 - Westinghouse Electric Company



<https://en.wikipedia.org/wiki/Rosatom>

The screenshot shows the top portion of the Gazprombank website. The header is dark blue with white text for navigation: PERSONAL BANKING, CORPORATE BANKING, FINANCIAL INSTITUTIONS, INVESTOR RELATIONS, ABOUT GAZPROMBANK (underlined), and ANALYTICS. A search icon is in the top right. Below the header is the Gazprombank logo and name, with 'Exchange Rates' and 'Feedback' links to the right. The main heading is 'About Gazprombank' in large white font. Below it is a secondary navigation bar with links: GROUP, ABOUT (underlined), SHAREHOLDERS, CORPORATE GOVERNANCE, GLOBAL PROJECTS AND REPRESENTATIVE OFFICES, BANK DETAILS, and DISCLOSURE / DOCUMENTS. A blue banner below the navigation contains the text: 'Key information on Gazprombank business activities and foreign representative offices'.

About

Gazprombank (Joint Stock Company) is one of the largest multi-faceted financial institutions in Russia, providing a wide range of banking, financial, investment products and services to corporate and private customers, financial institutions, institutional and private investors. The Bank is one of the three largest banks in Russia by all major indicators and ranks third in the list of banks in Central and Eastern Europe in terms of equity.

The bank provides services to key sectors of the Russian economy – gas, oil, nuclear, chemical and petrochemical, ferrous and nonferrous metallurgy, electric power industry, engineering and metalworking, transport, construction, communications, agriculture, trade and other industries.

Retail business is also a strategically important activity of the Bank, and its scale is consistently increasing. Private customers are offered a full range of services: credit programs, deposits, payment transactions, electronic bank cards, etc.

Gazprombank has a strong position on national and global financial markets, holding Russian leadership in arranging and underwriting corporate bond issues, asset management, private banking, corporate financing, and other areas of investment banking.

The Bank's customers number about 5 mln individuals and about 45,000 legal entities.

Gazprombank currently participates in the equity of banks located in Russia, the Republic of Belarus, Switzerland and Luxembourg, runs financial companies in Cyprus and Hong Kong, and has offices in Nur-Sultan (ex.Astana) (Kazakhstan), Beijing (China), Ulaanbaatar (Mongolia) and New Delhi (India).

In Russia, the regional network of Gazprombank consists of 20 branches located from Kaliningrad to Yuzhno-Sakhalinsk. The total number of offices providing high-quality banking services exceeds 350.

Gazprombank is a member of the Russian National Committee of the International Chamber of Commerce.



General License No. 354
issued by the Central Bank of Russia

Press center

[News](#)

[Contacts](#)

[Subscription](#)

Documents and Tariffs

[General documents/reports](#)

[Corporate Banking](#)

[Investors](#)


[+7 495 913 7474](#)

mailbox@gazprombank.ru

[16 Nametkina Street, building 1,
Moscow, 117420, Russia](#)

[RUS](#)

<https://centerarbitr.ru/en/about-3/why-choose-arbitration-center-at-the-institute-of-modern-arbitration/191/>



at the Russian Institute of Modern Arbitration

About News Events Contacts RU ZH JA [Online arbitration system](#)

Russian Disputes International Arbitration Corporate Disputes Arbitrators

Main page / About / About the Center Page 191

Share [Facebook] [LinkedIn] [Twitter]

About the Center

William Hogarth
Bambridge on Trial for Murder by a Committee of the House of Commons, 1729


About us Search through the page

- About the Center
- Team
- Territorial Divisions
- Specialized Divisions
- Status and Documents
- RAC Premises for Hearings

Why Choose Russian Arbitration Center at the Russian Institute of Modern Arbitration?

1. Russian Permanent Arbitral Institution (PAI) Officially Authorized by the Government of the Russian Federation

Under the Russian arbitration legislation, only those arbitral institutions that received an official PAI status from the Russian Government may administer arbitral proceedings with a seat in Russia.



Russian Disputes International Arbitration Corporate Disputes Arbitrators

- Arbitration
- Mediation
- Arbitrators
- News
- Events
- Contacts


The official status of a PAI provides certain advantages, as compared with foreign arbitral institutions or ad hoc arbitration:

- Only PAIs may administer arbitration of corporate disputes involving Russian companies (including M&A disputes arising from SPAs);
- Parties referring disputes to a PAI may enter into so-called direct (special) arbitration agreements that allow to "fine-tune" their arbitration (e.g., exclude annulment proceedings in state court and other forms of state courts' assistance and supervision in regard of arbitral proceedings);
- Arbitral tribunal or parties in the arbitration administered by a PAI may apply to a state court to seek assistance in obtaining evidence.
- Russian Arbitration Center at the Russian Institute of Modern Arbitration was granted the PAI status by the Order of the Government of the Russian Federation No. 799-p dated 27 April 2017, becoming one of the first and few arbitral institutions in Russia with such status.


2. Transparent Structure and Collegial Decision-Making Process

Russian Arbitration Center at the Russian Institute of Modern Arbitration operates at autonomous non-profit organization "Russian Institute of Modern Arbitration" (RIMA) steered by the Federal Bar of Attorneys of Russia and the Saint-Petersburg International Legal Forum.

The main body of the Russian Arbitration Center is the Board comprising 9 reputable legal professionals. The Board and its members are completely independent from the RIMA, as they are elected by the arbitrators from the recommended list of arbitrators. The Board now includes prominent academics, partners of Russian and international law firms, retired judges of the Supreme Arbitrazh (Commercial) Court. The Board is subject to partial rotation every 3 years.


Russian Arbitration Center


[Russian Disputes](#) [International Arbitration](#) [Corporate Disputes](#) [Arbitrators](#)




3. Recommended List of Arbitrators and International Database of Arbitrators

The recommended list of arbitrators of the Russian Arbitration Center at the Russian Institute of Modern Arbitration includes more than 90 legal professionals, among whom there are leading practitioners, counsels, academics, retired judges. However, the parties referring their disputes to arbitration administered by the Russian Arbitration Center may appoint any arbitrators, even not included in the Russian Arbitration Center's list of arbitrators.

The Russian Arbitration Center also maintains a separate international arbitration database that includes more than 40 foreign practitioners from various jurisdictions (UK, France, Sweden, Switzerland, Singapore, Hong Kong, Japan, Australia, USA) who have consented to act as arbitrators in the proceedings administered by the Russian Arbitration Center.


Russian Arbitration Center

[Russian Disputes](#) [International Arbitration](#) [Corporate Disputes](#) [Arbitrators](#)



4. Arbitration Rules 2017

Arbitration Rules 2017 are one of the most advanced modern arbitration rules based on the best worldwide practices and recent trends in global arbitration.


Arbitration Rules 2017 are applicable to domestic arbitration, international commercial arbitration and arbitration of corporate disputes involving Russian companies. Arbitration Rules 2017 also provide for a mechanism of expedited arbitration allowing parties to reduce time and costs.


For ensuring the efficiency of arbitration, Arbitration Rules 2017 include such features as:
Case management conference and timetable of arbitral proceedings;


- Arbitration of multiple claims;
- Consolidation of arbitrations;
- Joinder of additional claimants, respondents and third parties;
- Detailed provisions on confidentiality.


The Parties may also agree to apply hourly rates to their proceedings, instead of default ad valorem rates to attract highly professional arbitrators or in case of huge sums of claims.

Subscribe



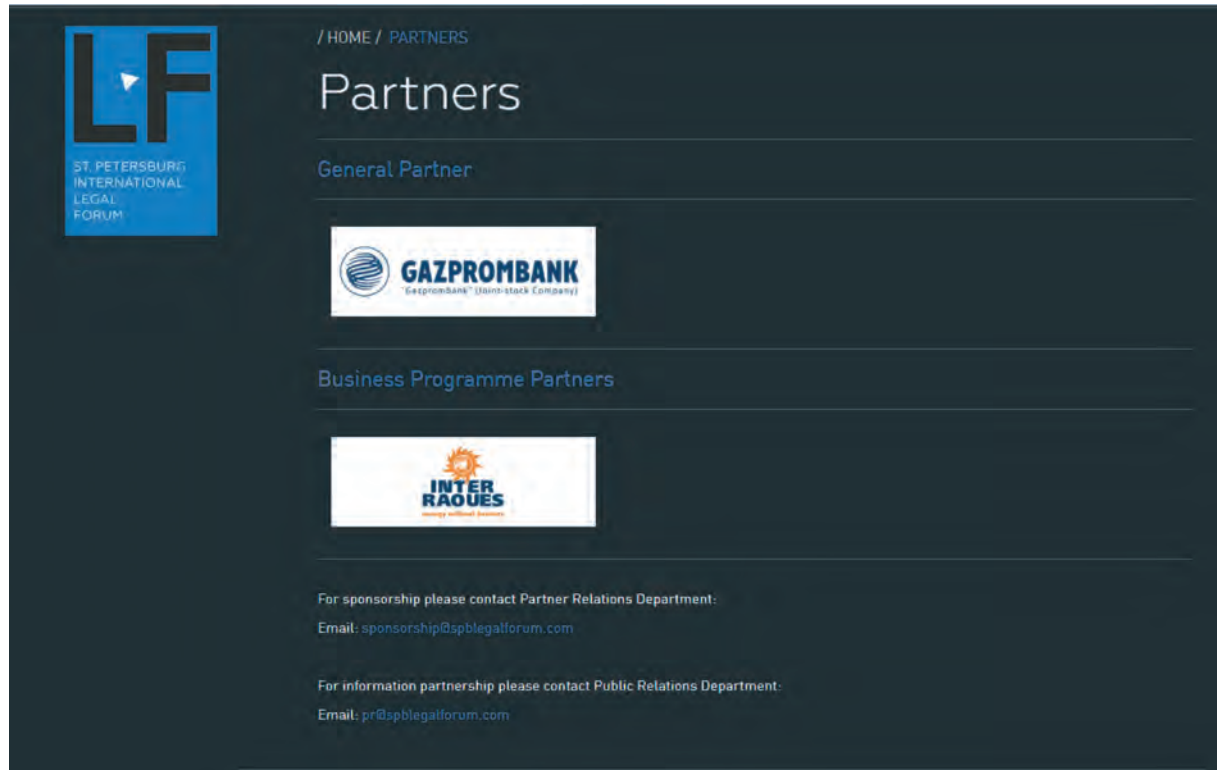







We won't give your e-mail to anyone

<https://spblegalforum.ru/en/Partners>



The screenshot shows the 'Partners' page of the St. Petersburg International Legal Forum (LF). The page has a dark blue background. In the top left corner is the LF logo, which consists of the letters 'LF' in a stylized font, with 'ST. PETERSBURG INTERNATIONAL LEGAL FORUM' written below it. To the right of the logo, the breadcrumb navigation reads '/ HOME / PARTNERS'. The main heading is 'Partners' in a large, white, sans-serif font. Below this heading, there are two sections. The first section is titled 'General Partner' and features the logo for 'GAZPROMBANK', which includes a globe icon and the text 'GAZPROMBANK' and 'Gazprombank® (Joint-stock Company)'. The second section is titled 'Business Programme Partners' and features the logo for 'INTER RAQUES', which includes a sun icon and the text 'INTER RAQUES' and 'energy without borders'. At the bottom of the page, there are two lines of contact information: 'For sponsorship please contact Partner Relations Department: Email: sponsorship@spblegalforum.com' and 'For information partnership please contact Public Relations Department: Email: pr@spblegalforum.com'.

<https://spblegalforum.ru/en/Contacts>



/ HOME / CONTACTS

Contacts

The operator of the St. Petersburg International Legal Forum is "Conference-centre "Saint-Petersburg International Legal Forum" Company Limited ("CC "SPBILF" Ltd)

<https://centerarbitr.ru/en/2018/05/25/spilf2018en/>



Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators



Main page / News / Saint Petersburg International Legal Forum 2018: Round-Up

Share   

Saint Petersburg International Legal Forum 2018: Round-Up

Edward Munch
Jurisprudence, 1887 

- About us >
- Arbitration >
- Mediation >
- Arbitrators >
- News
- Events
- Contacts

Saint Petersburg International Legal Forum 2018: Round-Up

On 15-19 May 2018, the VIII Saint-Petersburg International Legal Forum took place. This year, SPILF has gathered more than 4000 delegates from 90 countries, including the team of the Russian Arbitration Center.

16 May 2018

Constitution, Public Element and the Freedom to Choose Arbitration: How Far-Reaching is the Jurisdiction of State Courts?

The first day of the business program of SPILF 2018 started with the interdisciplinary workshop organized by the **Law Faculty of the Higher School of Economics**, with the support of EPAM law firm and the Russian Arbitration Center.



Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators



The discussion focused on the arbitrability of disputes arising out of corporate procurement under the Federal Law No. 223-FZ. The panelists discussed to which extent it was possible to limit the arbitrability of disputes, that is provided by law, due to the certain public elements of dispute, as well as which approach the court practice shall adopt.

The panel of speakers comprised: **Roman Bevzenko** (Pepeliaev Group), **Andrey Panov** (Norton Rose Fulbright), **Andrey Rybalov** (Private Law Directorate at the Constitutional Court of Russia), Ekaterina Smirnova (Yakovlev & Partners), **Yuliy Tay** (Bartolius). The moderator of the discussion was **Dmitry Stepanov** (Egorov Puginsky Afanasiev & Partners).

The recording is available at the [Youtube channel](#) of the Russian Arbitration Center.

Plenary Session 'Future of the Legal Profession'

During the plenary session, **Russian Prime Minister** mentioned the protection of human rights and enhancing the authority of law as the main goals for legal professionals. Dmitri Medvedev pointed out that the recent arbitration reform played an important role in achieving these goals and ensured that arbitration in Russia meets the highest international standards. As a result of the reform, Russian jurisdiction got rid of bad-faith corporate and so-called "pocket" arbitration courts and created an effective instrument for protecting entrepreneurs' rights.

The Prime Minister could not help mentioning the growing importance of new technologies in law and the digitization of entire sectors of the economy. "This makes crucially important to prepare a future generation of lawyers capable to face completely new challenges" – said **Dmitri Medvedev**. In this regard, Prime Minister praised the HSE student team's victory in Willem C. Vis International Commercial Arbitration Moot.

Francis Xavier (Rajah&Tann, Singapore, listed in RAC International Arbitration Database) shared a Singaporean point of view on the influence of new technologies on law. Francis said that blockchain technology itself is reliable and fraudproof, but pure blockchain has a really limited application in real life. Smart contracts, as a separate technology based on blockchain, broaden its scope of application and link it to a non-digital world. However smart contracts are not as reliable as blockchain and not fraudproof – the software can be hacked and smart contracts need information input from outside of the chain.



Russian Disputes International Arbitration Corporate Disputes Arbitrators



Francis concluded that code cannot yet replace human lawyers, as only they can solve the problems and resolve the disputes which arise from imperfection of new technologies.

Modern Arbitration: LIVE. Discussing Arbitration in a Comparative Perspective

Another seminar from the series of discussions "**Modern Arbitration: LIVE. Discussing Arbitration in a Comparative Perspective**" took place as a satellite event of SPILF, and focused on the topic "**How to Combat "Due Process Paranoia" in International Arbitration: Perspectives of Counsels, Arbitrators and Arbitral Institutions**".

The issue of due process paranoia, that has become one of the most topical and hot issues in international arbitration practice, was addressed from three perspectives, with **Prof. Mohamed Abdel Wahab** (Zulficar & Partners, Egypt) acting as a stellar moderator of the event.

Aliona Bitkivskaja (SIAC, Singapore) and **James Menz** (DIS, Cologne) presented the perspectives of arbitral institutions regarding this problem. The views of arbitrators were voiced by **Eva Kalnina** (Levy Kaufmann-Kohler, Geneva) and **Christer Söderlund** (Morssing&Nycander, Stockholm). Also, **Manuel P Bautista** (King&Spalding, Singapore) and **Vasily Kuznetsov** (Kuznetsov, Marisin & Partners, Moscow) touched upon the positions of counsels with regard to due process paranoia concerns.

The co-organizer of the seminar is [International and Comparative Law Research Center](#).

The recording is available at the [Youtube channel](#) of the Russian Arbitration Center.

Andrey Gorlenko Is Among the Winners of the Award "GQ Code"

The award ceremony for the winners of the award "GQ Code" took place in Saint Petersburg Academic State Capella. The expert committee, together with the editors of GQ, closely followed the lives of 30 prominent Russian lawyers in order to determine the winners for 10 nominations.

Andrey Gorlenko, Executive Administrator at the Russian Arbitration Center, received a prize in the nomination "Missionary" for the promotion and development of arbitration and ADR all over Russia.



Russian Disputes International Arbitration Corporate Disputes Arbitrators



Among other nominees were Olga Voytovich (Vice-President of legal department and member of board of directors at Interros) and Ruslan Ibragimov (Vice-President for Corporate and Legal Affairs at MTS PJSC).

More details are available at [GQ website](#).

17 May 2018

Investment Arbitration: How to Ensure Fair Play between Foreign Investors and Host States?

The Russian Arbitration Center organized a discussion session on the most topical issues of international investment law and arbitration.

The first speaker, **Mohamed Abdel Wahab** (Zulficar & Partners, Egypt) produced an in-depth analysis of the recent reform and reconfiguration of the ISDS system.

Further, **Francis Xavier SC** (Rajah & Tann, Singapore) underlined the particularities of investment arbitration in Asia, while **Aljona Bitkivskaya** (SIAC, Singapore) highlighted the importance of the SIAC rules on investment arbitration.

Eric Bloom (Winston&Strawn, USA), shared his views on *Chevron v. Ecuador* saga. **Brigitte Stern** (independent arbitrator, France) and **Christer Soderlund** (Morssing & Nycander AB, Sweden) analysed the balance between the rights of investors and States' regulatory powers.

Eva Kalnina (Levy Kaufmann-Kohler, Switzerland) scrutinized how to balance confidentiality and transparency in investment disputes. **Maksim Kulkov** (Kulkov, Kolotilov & Partners, Russia) summarized the discussion by answering the provocative question whether investment arbitration is worth it or not.

Anna Kozmenko (Schellenberg Wittmer, Switzerland) moderated the discussion.

The [photos](#) and [video](#) are available at SPILF website.



Russian Disputes International Arbitration Corporate Disputes Arbitrators



From War to Peace! Modern Trends of the Judicial Practice Development in the Field of Amicable Settlement Agreements and Other Conciliation Procedures

Andrey Gorlenko participated in the session on the current trends in amicable settlement agreements and other conciliation procedures, where he analysed the so-called "Med-Arb" agreements that provide for mediation procedure before initiating arbitration of dispute.

Andrey Gorlenko also described the possibility of resorting to mediation or negotiations during an arbitration. If these procedures are successful, an arbitral tribunal may confirm the settlement agreement in the form of a consent award, e.g., in accordance with Articles 54-55 of the RIMA Arbitration Rules. Also, the amount of arbitration fee decreases by 25% as follows from Article 8 of the Rules on Arbitration Fees and Arbitration Costs of RIMA.

In conclusion, **Andrey Gorlenko** underlined the possibility for the disputing parties to resort to arbitration, while deciding their dispute in state courts. This ensures confidentiality and allows for a more efficient mediation with a possibility to confirm the settlement agreement in the form of a consent award.

The session was moderated by **Elena Demina** (Delcredere Attorneys-at-Law).

The photos and video are available at SPILF website.

Arbitration Food Truck Is Back on Legal Street

This year, in the run-up to the World Cup 2018, Food Truck "Cape Kron" was stylized to the football design. The guests of Legal Street treated themselves to traditional football fast food from all over the world: hot dogs, curry wurst, falafel, crispy vareniki and house style shkots.



Russian Disputes International Arbitration Corporate Disputes Arbitrators



18 May 2018

So starts the game!

The Arbitration Battle 2.0: Team Russia v. Team World took place on 18 May.

The event happened in the format of mock arbitral proceedings, where the teams of Russian and foreign lawyers presented their case in a dispute related to the construction of football stadium "Cormoran Arena" during the preparation for the World Cup 2018.

The Claimant's case was presented by the team Russia, comprising captain of the team **Elena Trusova** (Bryan Cave Leighton Paisner Russia), **Evgeny Rashevsky** (EPAM), **Ilya Rachkov** (Nektorov, Saveliev and Partners). The Respondent's case was argued by the team World that involved **Clemens Trauttenberg** (Wolf Theiss), **Steven Finizzio** (WilmerHale) and **Anna Kozmenko** (Schellenberg Wittmer).

The arbitral tribunal comprised **Yulia Zagonek** (White & Case), **Francis Xavier SC** (Rajah & Tann Asia) and presiding arbitrator **Stefan Wliskie** (Gleiss Lutz).

Both teams presented to the arbitral tribunal unexpected evidence, and were generally creative in their approaches to arbitration. As a result of the Arbitration Battle, the arbitrators adjudged the victory on the jurisdictional issues to the team Russia, and praised bright performance of the counsels, as well as surprise witnesses (who were presented by the lawyers of Bryan Cave Leighton Paisner – Rimma Malinskaya, Counsel, Dispute Resolution/Arbitration practice, and Aleksander Erasov, Counsel, head of Tax disputes Group). The arbitrators also gave positive feedback regarding the issues on the merits of the dispute to the team World.

The photos and video are available at SPILF website.

<https://centerarbitr.ru/en/contacts-2/>

The screenshot shows the contact page of the Russian Arbitration Center. At the top left is the logo and name "Russian Arbitration Center". The navigation menu includes "Russian Disputes", "International Arbitration", "Corporate Disputes", and "Arbitrators". A search icon is on the right. Below the navigation is a banner image with the text "Contacts" and a reference to "Gerard David The Judgement of Cambyses, 1498".

Feedback

Full name

Email

Message

Moscow Vladivostok Yekaterinburg Kaliningrad Petropavlovsk-Kamchatskiy

Yuzhno-Sakhalinsk

Email

Phone

info@centerarbitr.ru
media@centerarbitr.ru

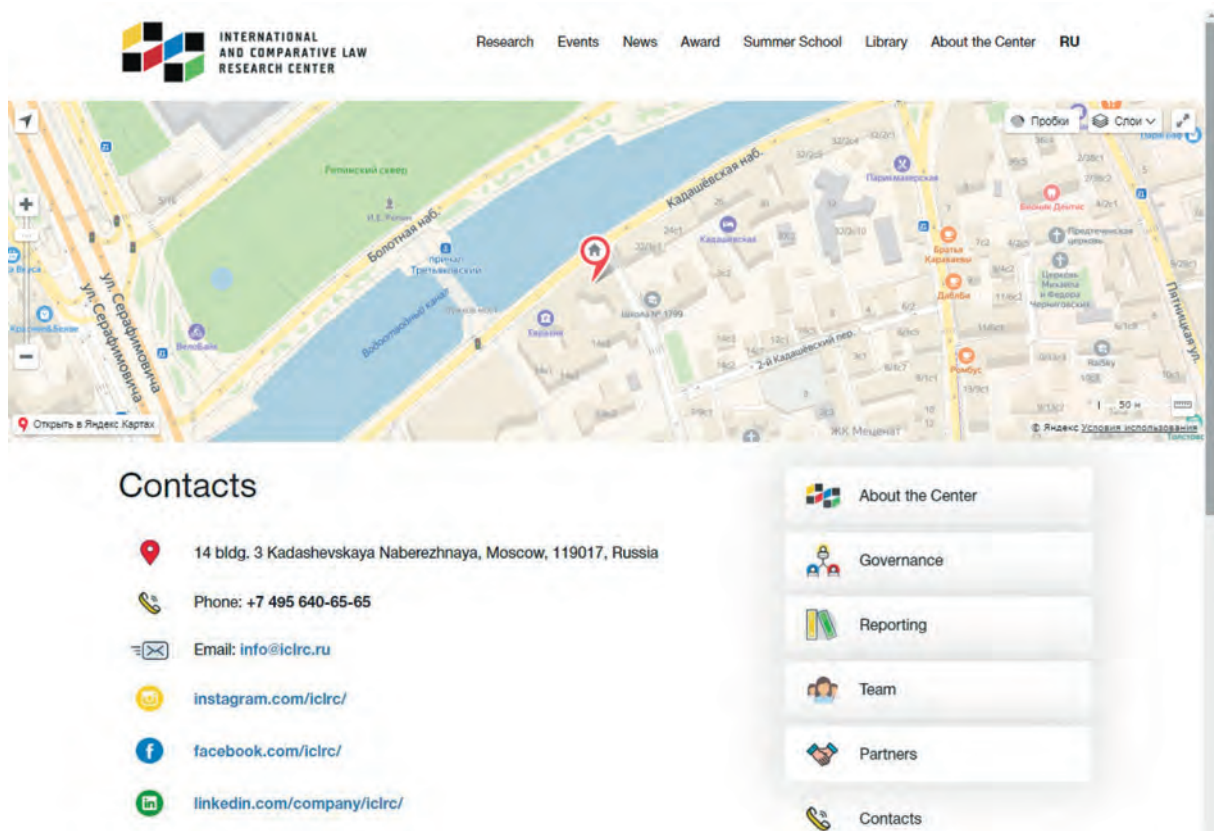
+7 (495) 797-9477

Address

14, bldg 3
Kadashevskaya embankment
119017, Moscow, Russian Federation







[View In Google Maps](#)







<http://www.iclrc.ru/en/about/contacts>



The screenshot displays the website for the International and Comparative Law Research Center. At the top, the center's logo and name are visible, along with a navigation menu including Research, Events, News, Award, Summer School, Library, About the Center, and RU. Below the navigation is a map of Moscow, Russia, with a red location pin marking the center's address at 14 bldg. 3 Kadashevskaya Naberezhnaya. The map shows surrounding streets like Bolotnaya nab. and Kadashevskaya nab., and landmarks like the Bolotnaya embankment and the Vostochny canal.

Contacts

-  14 bldg. 3 Kadashevskaya Naberezhnaya, Moscow, 119017, Russia
-  Phone: +7 495 640-65-65
-  Email: info@iclrc.ru
-  [instagram.com/iclrc/](https://www.instagram.com/iclrc/)
-  [facebook.com/iclrc/](https://www.facebook.com/iclrc/)
-  [linkedin.com/company/iclrc/](https://www.linkedin.com/company/iclrc/)

-  About the Center
-  Governance
-  Reporting
-  Team
-  Partners
-  Contacts

<https://ivanyan.partners/en/>

New horizons – new brand

We are refreshing the brand of Ivanyan and Partners. Over the years since the firm's founding, we have gained experience, become stronger, and expanded.

Alevtina Kamelkova has left Ivanyan and Partners

06.12.2019

Ivanyan and Partners among leaders in the Russian legal market

01.12.2019

Andrey Gorlenko - New Partner of the firm

29.11.2019

Ivanyan and Partners builds International Arbitration practice headed by Baiju Vasani

https://spblegalforum.ru/en/RoundTable_5



Ivanyan Khristofor

Managing Partner, Ivanyan & Partners

Khristofor Ivanyan advises clients on managing crisis issues with federal and regional state authorities and provides a sound legal counsel and practical political advice on entry to the regional Russian markets, negotiating state contracts and participating in public tenders.

Khristofor Ivanyan has profound knowledge in legislative and regulatory matters involving urban and land development, natural resources, food industry, state disputes.

As a litigator Khristofor Ivanyan has on numerous occasions participated as strategist or chief trial counsel in transborder commercial litigations involving issues of corporate fraud, asset tracing, insolvency, freezing of assets, white-collar crime. Khristofor Ivanyan on several occasions represented federal state bodies in disputes in the Russian Federation, the UK, the USA and Arab countries.

2011 – Mr. Ivanyan received a token of gratitude from the President of the Russian Federation for active work on protection of interests of the country.

2011 – Mr. Ivanyan received a token of gratitude from the Minister of Foreign Relations of the Russian Federation for assisting in protection of interests of the country.

2005 - Mr. Ivanyan received a token of gratitude from the President of the Russian Federation for the achievements in protection of interests and rights.

<https://centerarbitr.ru/en/2018/03/06/hkiac-coop/>



[Russian Disputes](#)
[International Arbitration](#)
[Corporate Disputes](#)
[Arbitrators](#)



- About us >
- Arbitration >
- Mediation >
- Arbitrators >
- News
- Events
- Contacts

HKIAC and the Institute of Modern Arbitration Sign Agreement of Cooperation

The Institute of Modern Arbitration (IMA) is pleased to announce that it has entered into an Agreement of Cooperation with **the Hong Kong International Arbitration Centre (HKIAC)** to collaborate in promoting arbitration as a preferred method of dispute resolution, implementing the best global arbitration practices.

According to the terms of the Agreement of Cooperation, HKIAC and IMA undertake to co-organize conferences, workshops, trainings and other events related to international arbitration. Moreover, the arbitral institutions also agree to conduct research on various topics for publication and preparation of other materials on topics related to international arbitration and other means of dispute resolution.

Notably, HKIAC and IMA agreed to share relevant technologies, experience and knowledge about the best practices in such matters as the conduct of arbitrations and responding to cybersecurity and data protection challenges.

The Agreement of Cooperation was signed by **Matthew Gearing QC, Chairperson of HKIAC**, and **Yuri Piliipenko, President of the Board of IMA, President of the Federal Bar of Attorneys of the Russian Federation**, during the visit of the IMA's delegation to Hong Kong on 6 March 2018.

Mr Andrey Gorlenko, General Director of IMA and the Executive Administrator of the Arbitration Center at the IMA, said, "Signing the Agreement of Cooperation with HKIAC is a huge step forward in our productive cooperation that has already led to fruitful outcomes in our joint events and discussions. The experience and practices of HKIAC are highly regarded in the international arbitration community and the Arbitration Center at the Institute of Modern Arbitration is looking forward to partnering with HKIAC and contributing to promoting arbitration and ADR, as well as providing reliable arbitration services to the users from Russia, Hong Kong and other jurisdictions worldwide".



[Russian Disputes](#)
[International Arbitration](#)
[Corporate Disputes](#)
[Arbitrators](#)



In September 2017, the Arbitration Center at the IMA opened its Far East Division in Vladivostok, Russia, and prioritizes the Asia-Pacific Region as one of the leading directions for enhancing further cooperation with the international arbitral institutions, alongside the Baltic region with the recent launch of the Western division of the Arbitration Center in Kaliningrad. The IMA also has several prominent Hong Kong-based practitioners in its [international arbitration database](#) and intends to expand it within the framework of collaboration with HKIAC.

In October 2017, the Arbitration Center at the IMA partnered with HKIAC in organizing in Moscow a comparative discussion on the third-party funding in international arbitration, as well as international arbitration conference "Arbitration in Spotlight", where HKIAC presented during the mini-session their perspective on the practical aspects of arbitration in Hong Kong.

Also, in March 2017, Andrey Gorlenko and Anna Grischenkova, a member of the Board of the Arbitration Center at the IMA, spoke at a training seminar on arbitration against Russian parties for Hong Kong lawyers hosted by HKIAC and HK45 in Hong Kong.


More information on these events is available at: <https://centerarbitr.ru/en/2017/10/24/livetpf/>
<https://centerarbitr.ru/en/2017/10/23/spotlight/>.

Subscribe




We won't give your e-mail to anyone

<https://centerarbitr.ru/en/2019/12/24/russian-arbitration-center-in-2019/>



Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators



- About us >
- Arbitration >
- Mediation >
- Arbitrators >
- News
- Events
- Contacts

Russian Arbitration Center in 2019


The Russian Arbitration Center at the Russian Institute of Modern Arbitration wishes all of our arbitrators, friends, and partners a Happy New Year and a Merry Christmas! Undoubtedly, 2019 has been the year of many important and interesting events that would never have been successful without your support.

We are happy to notice the substantial increase of our caseload. . A detailed report will be released in early 2020. Moreover, in 2019, the RAC created the Rules on Resolution of Agricultural Disputes (as amended on 21 January 2019) and the Ad Hoc Arbitration Rules (as amended on 8 October 2019).

The RAC has continued to work on the development and promotion of independent and professional arbitration in Russia and globally. On 25 March 2019, the RAC supported the V Russian Arbitration Day (RAD), one of the most successful arbitration-related conferences in Russia. For the first time, in 2019 the RAD received an award for the best publication on arbitration. The first person to receive the RAD Award was Alexander Vladimirovich Grebelsky, Ph.D., Assistant Professor at the S.N. Lebedev Department of International Private and Civil Law of the MGIMO University for his research paper on "Evidence in International Commercial Arbitration".


On 5 to 10 August 2019, the RAC organized the Summer Academy on "International Arbitration in Russia and the CIS" – the first educational project in Russia of this kind. The Academy allowed its participants to attend unique courses taught by 32 professionals in ADR, who spoke on various topics in the fields of international commercial and investment arbitration, mediation, interaction between arbitral tribunals and courts, *etc.* The RAC selected 20 best applications out of 74 submitted by practitioners in the spheres of arbitration, mediation and litigation.

On 18 and 19 October 2019, together with the Chartered Institute of Arbitrators (CIArb), the RAC held an introductory course "Introduction to International Commercial Arbitration" and an advanced course "Module 1. Law Practice & Procedure of International Arbitration".



Russian Arbitration Center

Russian Disputes International Arbitration Corporate Disputes Arbitrators



An important area of our work is to make arbitration more popular among students and young practitioners. Thus, in 2019, the RAC held the 3rd Russian Corporate Arbitration Moot Court Competition named after Professor V.P. Mozolin. In 2019, 87 teams (342 participants) registered for the Competition, from Vladivostok, Tomsk, Ufa, Orenburg, Perm, Yekaterinburg, Rostov-on-Don, Barnaul, Pskov, Saint Petersburg, Kazan, Vladimir, Tver, Krasnodar, Grozny, and Moscow.

Moreover, the RAC supported the 2019 Willem C. Vis International Commercial Arbitration Moot, as well as the Foreign Direct Investment International Arbitration Moot (FDI) and the Frankfurt Investment Arbitration Moot Court (FIAMC).

Throughout the year, the RAC was also active in holding arbitration-related events across many regions of Russia.

On 15 February 2019, we were the general partner of the 2nd Conference on Arbitration held as part of the XVI International Research-to-Practice Conference Kovalev Readings in Yekaterinburg.

On 9 September 2019, the RAC held a workshop on "The Practical Aspects of Resolution of Disputes by Arbitration" in Petropavlovsk-Kamchatskiy.

On 31 May 2019, the RAC team organized a lecture for Russian students of the Far Eastern University Institute of Law (Vladivostok) on "The Legal Profession and Dispute Resolution in Japan and Russia", featuring Kie Matsushima (Associate, Anderson Mori & Tomotsune) as the expert from Japan.

On 31 October 2019, the Sakhalin State University, the Japan Association of Arbitrators (JAA) and the RAC jointly held the Conference on "International Commercial Arbitration in Russia and Japan: National Practice and Development Prospects". The event took the form of a moot arbitration for students of the Sakhalin State University and students from Japan.



Russian Disputes International Arbitration Corporate Disputes Arbitrators



One of the key areas of our work this year has been development of international cooperation between arbitral institutions. At the IX St. Petersburg Legal Forum, the RAC held a discussion on "The Current State and Future of Arbitral Institutions: from Competition to Cooperation?" that addressed the role of arbitral institutions in the promotion and development of international commercial arbitration. The discussion involved the representatives of ten prominent arbitral institutions: RAC, ICAC at the CCI of Russia, HKIAC, VIAC, SIAC, SCC, LCIA, DIS, SCAI, and CIETAC. At the Forum, the RAC also helped arrange a lecture on "The Art of Arbitration – a Cooperative Venture" by Neil Trevor Kaplan, QC (1984), JP (1984), CBE (2001), SBS (2007), an independent arbitrator and one of the founders of the HKIAC. We also congratulate our colleagues at the HKIAC and VIAC on receiving the authorization for administering arbitration in Russia this year.

In August 2019, the RAC became the first Russian arbitral institution that received the Observer Status with the UNCITRAL Working Group II "Arbitration and Conciliation/Dispute Resolution". The issues on the agenda of the UNCITRAL Working Group II include expedited arbitration and areas for its potential improvement.

Finally, in September 2018, LF Academy and the RAC launched a series of interviews as part of our "Modern Arbitration LIVE" project. In 2019, we interviewed Joe Liu, the HKIAC Deputy Secretary-General, and Andrey Panov, Counsel with Allen & Overy.

These and many other events would not have been possible without the support you gave us in 2019.

The RAC sincerely wishes you a Merry Christmas and Happy New Year! Our team wishes you and your family good health, an even more fruitful year, new successes and bold ideas!


Subscribe

Enter your e-mail



We won't give your e-mail to anyone

<http://modernarbitration.ru/en/2019/07/31/willem-c-vis-moscow-pre-moot-2019-2/>



**The Russian Institute
of Modern Arbitration**

Autonomous Non-Profit
Organisation
"Russian Institute of Modern
Arbitration"

NEWS

EVENTS

EDUCATIONAL PROGRAM

**COUNCIL OF MODERN
ARBITRATION**

MOOT COURTS

ANALYTICS

INSTITUTE

CONTACTS
РУС | ENG

Home · Exclude from news · Willem C. Vis Moscow Pre-Moot 2019

31 July

Willem C. Vis Moscow Pre-Moot 2019

[2019](#) [2020](#)

— Results

24 teams from Russia, Germany, Austria, France, Belarus, Moldova and Turkey participated in 10th Willem C. Vis Moscow Pre-Moot.

The prizes were also awarded to the top three speakers:

- Adam Nalgiev, HSE – 1st place
- Anna Avdulova, HSE – 2nd place
- Jonas Koschmieder, Bielefeld University – 3rd place.

— Archives (photos, videos)

Photos are available [via link](#)

Video is available [via link](#)

— Partners

Partner of the conference – International and Comparative Law Research Center

Information partner – Young Institute of Modern Arbitration (YIMA).

Sponsors – Lidings law firm, Egorov, Puginsky, Afanasiev and Partners law offices, Morgan Lewis law firm, Monastyrsky, Zyuba, Stepanov and Partners law firm.

— The rules of the moot court and its problem with annexes

The rules are available [via link](#)

Problem with annexes are available [via link](#)

<http://arbitrationblog.kluwerarbitration.com/2017/12/21/enforcement-annulled-awards-restatement-new-york-convention/>

Kluwer Arbitration Blog

ENFORCEMENT OF AN AWARD THAT WAS SET ASIDE

Enforcement of Annulled Awards: A Restatement for the New York Convention?

Marika R. P. Paulsson (Albright StoneBridge Group) / December 21, 2017 / 3 Comments

On the 24th of November, the Supreme Court of The Netherlands issued **a judgment pertaining to the request for enforcement of an award annulled at the seat, Russia**.¹ The Supreme Court applied Article V(1)(e) of the New York Convention (hereinafter the “NYC”) and refused to enforce the award in favor of Nikolay Viktorovich Maximov for an amount of USD 153 million against OJSC Novolipetsky Metallurgichesky Kombinat, one of Russia’s largest steel companies.

The request of enforcement was denied by the District Court in Amsterdam and that refusal to enforce was confirmed by the Court of Appeal of Amsterdam.

The Supreme Court confirmed: ‘a court may refuse to enforce an award if that award had been set aside by a competent authority in the country where the award was rendered’ [emphasis added] (Article V(1)(e) of the NYC). Refusing to enforce an award when it is set aside is the rule of thumb and is in the spirit of *ex nihilo nil fit* (“out of nothing follows nothing”). I would call this ‘traditional’ because since the drafting of Article V(1) in 1958, courts and commentators have created various theories that allow for the enforcement of annulled awards. Thus the question as to whether an annulled award can be enforced elsewhere can no longer solely be addressed under the NYC: one must look locally. Article V(1)(e) has become somewhat of a hollow phrase, perhaps much to the chagrin of those who drafted it, if they would be here to witness the demise of this provision.

The first shockwave was in the 1990s in various parts of the world with *Hilmarton* in France and *Chromalloy* and *Baker Marine* in the US.¹⁾ And then the noise died. The rule of thumb became predominantly Article V(1)(e) of the NYC in its traditional sense: an annulled award cannot be enforced. The debate had lost interest and relevance.

The second shockwave came in 2010, with the Netherlands creating its version of the enforcement of annulled awards in *Yukos v. Rosneft*.²⁾ The US, in its Second Circuit, relied on *Termo Rio* to enforce an annulled award in *Pemex*.³⁾ Both engrained in ideas of public policy.

The Dutch Supreme Court on the Enforcement of Annulled Awards

In the case at hand, the setting aside in Russia was based on the following grounds and was found relevant by the Dutch Supreme Court:

1. The experts assisting the Russian Federation in the arbitration procedure worked at the same Institute as one of the arbitrators. Moreover, one of the experts was the Dean of the Institute and thus fulfilled a higher position than the arbitrator in question.
2. The tribunal failed to disclose the above.
3. The Russian court held that the subject matter was not arbitrable.
4. The method used by the tribunal to assess the validity of the agreement violates Russian mandatory law.

The Dutch Supreme Court held that the annulment of the award stopped enforcement.

The annulment grounds listed above could be considered similar to Article V(1)(b), V(2)(a) of the NYC (due process violation and arbitrability) and the latter could be similar to Article V(2)(b) of the NYC (public policy) but perhaps also Article V(1)(c) if one could argue it as part of the mandate. The first pertains to the impartiality of the arbitral tribunal. A ground that is often a basis for a setting aside; under many national laws it falls under the due process umbrella.

The *Yukos v. Russia* case that has made headlines around the world where the tribunal had ordered Russia to pay USD 50 billion, was different in that the award was annulled based on the lack of a valid arbitration agreement (provisional application of the Energy Charter Treaty), an annulment ground quite different from annulment grounds based on due process and public policy. Verifying whether there was a valid arbitration agreement is taken seriously by courts as they are the guardians of a party's fundamental right to access to courts. It must be clear that parties – on the basis of freedom of contract – gave up that fundamental right.

The question is: if an annulment is based on something that falls under any notion of public policy or due process (arbitrability, lack of impartiality, etc) is this subject to a local standard (the so-called Local Standard Annulment ("LSA"))? If so, how would that impact the rule of thumb under Article V(1)(e) of the NYC?

The Supreme Court – in line with most lower court judgments in The Netherlands – held that the award could not be enforced because the award had been set aside and thus applied Article V(1)(e). However, it did reiterate the test developed by the Court of Appeal in the 2010 Yukos case: if a court cannot recognize a foreign judgment annulling an award because that recognition would violate Dutch public policy, it will enforce the award.⁴⁾ Its result is similar to the doctrine applied by the US courts – *Termo Rio* and *Pemex* – which also finds its origin in public policy.

Remarkably, the court also analyzed another doctrine: that of the Local Standard Annulment (LSA) v. the International Standard Annulment (ISA) theory and the question of discretionary power under Article V(1) of the NYC. It holds that an annulment of a foreign arbitral award does not per se stop a court from allowing the enforcement of such annulled award because of the discretionary power allocated to the court on the basis of the word ‘may’ in Article V(1) of the NYC, albeit in exceptional cases only. The court states that one of those exceptional cases present itself if the annulment judgment is based on grounds that do not align with Article V(1)(a-d) of the NYC or if the annulment grounds are not acceptable on the basis of internationally acceptable standards (the latter have been referred to as International Standard Annulments (“ISAs”)) The court in effect reproduces Article IX of the 1961 European Convention, stating that any grounds similar to Articles V(1)(a-d) of the NYC are proper annulment grounds. Article IX of the European Convention provides that a court will refuse to enforce an annulled award if that annulment was based on Article V(1)(a-d) of the NYC. This doctrine is referred to as the theory of the Local Standard Annulment and it has been codified in the 1961 European Convention, Article IX.

What is confusing and troubling is that the annulment grounds in the case at hand seem not to align with Article V(1)(a-d) of the NYC nor do all of them they seem to be ISAs (if one is to understand that an ISA may not be based on any idea of public policy). Yet, the court applied Article V(1)(e) of the NYC in its traditional sense. The decision demonstrates again that when courts develop, adopt and apply theories such as the above, one is no longer able to predict the outcome under Article V(1)(e) of the NYC.

This decision, along with the decisions of the US 2nd Circuit (*Termo Rio* and *Pemex*) with respect to any questions under V(1)(e) of the NYC ought to be a source of concern: first, because it demonstrates the restraints of the NYC that is now 59 years old and second, it reveals the practice of judicial rewriting of the NYC. No more is left of its provisions than a mere framework that will be read differently by courts around the world and notably by courts in important trading nations. It is time to consider the cracks and revisit the idea of the New York Convention now that it is about to celebrate its 60th anniversary. The NYC has become a box of chocolates: it doesn't matter anymore what the text of the treaty says: what matters is the reading glasses used by every single court in the world. 'If it ain't broken, don't fix it?' At the 50th Anniversary that was the adagio but one would be dishonest to say that the cracks have not become visible this past decade. If not a new treaty, perhaps one single set of reading glasses designed by a reputable organization with a mandate based on the treaty's Final Act of 1958 could be gifted to the treaty at the occasion of its 60th Anniversary.

The So-Called “Russian” Institute of Modern Arbitration
and “Russian” Arbitration Center:
Examining Their Role in Russian Arbitration

**GONGO-Structures?
Declarations and Reality**

How the Hierarchies of State Power Affect
Arbitration in Russia

Compiler
Alexander Muranov

Approved for printing 30.04.2020. Format 60x84 $\frac{1}{8}$.
Volume: 21,5 conventional printed sheets. 100 printed copies

Printed in PJSC “T8 Publishing Technologies”
109316, Moscow, Volgogradskiy Prospekt, 42-5
Website: www.t8print.ru, E-mail: info@T8print.ru, Tel.: 8(499)322-38-32

ISBN 978-5-903604-10-4



9 785903 604104

