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28–30 November

Belarus, Minsk, 2015

# ICC LEX MERCATORIA

IV ICC Lex Mercatoria International Moot Court Competition  
in International Sales Law  
and International Commercial Arbitration

General partner:

BAKER & MCKENZIE

Informational partners:



CIS Arbitration Forum

Russia- and CIS-related International Dispute Resolution



**On 28–30 November 2015, in Minsk at the premises of the Faculty of Law of the Belarussian State University, took place the IV ICC Lex Mercatoria International Moot Court Competition in International Sales Law and International Commercial Arbitration that was organized by the Faculty of Law of the Belarussian State University, ICC International Court of Arbitration (Paris), International Court of Arbitration at the BelCCI, Russian National Committee of the ICC (ICC Russia), PO Belarussian Republican Union of Lawyers, LLC UrSpectr (producer and distributor ConsultantPlus).**



Media partners of the competition were journal LAW of Industry and Commerce, CIS Arbitration Forum (Russia- and CIS-related International Dispute Resolution), Russian Arbitration Association, Ukrainian Arbitration Association, and League of Students of the Ukrainian Lawyers' Association.

General partner of the competition was international law firm Baker & McKenzie; as a partner of the competition also acted law firm Sysouev, Bondar, Khrapoutski SBH.

The annual ICC Lex Mercatoria moot court competition, hosted in Belarus, attracts an ever increasing number of participants, including not only students, but also practitioners. Similar international competitions (in the name of Willem C. Vis, Phillip C. Jessup, Benjamin M. Telders) are widely recognized and aim to teach law students by applying their knowledge to a specific problem argued in a model international commercial arbitration proceedings.

The aim of the ICC Lex Mercatoria competition is promotion of study of private international law and international commercial arbitration as an alternative means of commercial dispute resolution in the light of the actively expanding international

economic relations and the high demand on available and efficient instrument for resolution of legal disputes. This is an educational event in the form of a simulated arbitration hearing that is very close to a real life experience.

Within the competition, the students develop the requisite skills to represent the interests of parties in international commercial arbitration, interpretation and application of provisions of law, formation and presentation of their legal position before internationally composed arbitral tribunals. The competition is also intended to promote relations between representatives of various law schools and exchange of professional experiences between leading lawyers-practitioners and academics.

The opening of the competition took place on 27 November 2015 at the **IV International ICC Lex Mercatoria Legal Forum on International Sales Law and International Commercial Arbitration**, the main subjects of which were international construction, international arbitration and trade impediments.

The representatives of the teams-participants of the ICC Lex Mercatoria International Moot



Court Competition in International Sales Law and International Commercial Arbitration from Belarus, Russia, Ukraine and Kazakhstan, their coaches, as well as the arbitrators of the competition also took part in this large-scale event and joined in discussing the current issues in construction, international commercial arbitration, including those connected with the impact of sanctions on performance of obligations and on arbitration proceedings. The forum gathered leading experts in the areas mentioned above from Belarus, Russia, Ukraine, Kazakhstan, England, Qatar, Lithuania, Poland, Romania, France and Switzerland.

During the following three days (28–30 November 2015) the students competed in solving the mock case on the part of the claimant and respondent.

The mock case (a dispute between LLC Sportinvest and OJSC Hokkeytehnika concerning a sales agreement concluded between them for the sale of equipment) was based on materials of a real case from the practice of the ICC International Court of Arbitration. According to the rules of the mock case, the dispute was to be resolved by international arbitration. The terms were initially formulated not

very easy, so that the students had a chance to debate and try to solve a complicated legal tasks.

The participants of the competition were given the possibility to demonstrate knowledge of the arbitration procedure, as well as of provisions of international commercial law. The work was conducted in Russian in the form of a model arbitration hearing, resembling a real arbitration proceedings as much as possible, on the basis of the ICC Rules of Arbitration 2012 and other ICC documents, as well as practice of the ICC International Court of Arbitration.

16 teams prepared in advance and sent to their opponents memorandums for claimant and respondent, in which they set out the position both on procedure and merits.

The preliminary, semi-final and final oral hearing rounds were judged by specially invited international arbitral tribunals.

Their roles were undertaken by the representatives of the ICC International Court of Arbitration (Paris), arbitrators of the International Court of Arbitration at the BelCCI, coaches of the teams, partners and lawyers of international and Belorussian domestic law firms.

At the oral hearings the teams submitted their arguments regarding the dispute, participated in the parties' debates, asked each other questions and answered the questions of the arbitrators requesting clarifications.

After the hearings, the teams received from the arbitrators practical tips for improving chosen legal position and the skills of public speaking.



As a result, the awards were divided as follows.



**I place** and the winners' cup was received by the team of the National University Odessa Law Academy



**II place** was awarded to the team of the Faculty of Law of the Belarussian State University



**III place** was split between the team of the Academy of Public Administration under the aegis of the President of the Republic of Belarus and the International University MITSO



**In the nomination Best Memorandum for the Claimant:**

**I place** was awarded to the team of the Faculty of International Relations of the Belarussian State University.

**II place** – the team of the Academy of Public Administration under the aegis of the President of the Republic of Belarus.

**III place** – the team of the HSE – Skolkovo Institute for Law and Development.

**Special prize** in the nomination Best Memorandum for Claimant was received by the team of the Faculty of Law of the Lomonosov Moscow State University.

**In the nomination Best Memorandum for the Respondent:**

**I place** was awarded to the team of the Faculty of International Relations of the Belarussian State University.

**II place** – the team of the Faculty of Law of the Belarussian State University.

**III place** – the team of the HSE – Skolkovo Institute for Law and Development.

**Special prize** in this nomination was received by the team of the Madagan branch of the Kutafin Moscow State Law University.



**In the nomination Best Speaker:**

**I place** was awarded to Anastasiya Chumanova, a student at the Law Institute of Peoples' Friendship University of Russia

**II place** – Vladislava Skorohod, a student at the National University Odessa Law Academy

**III place** – Mariya Oniskiv, a student at the Perm State University.



**Diploma – Debut of the Year** was received by the teams of the Faculty of Economics of the Novosibirsk State University, Ivan Franko National University of Lviv, International University MITSO, Faculty of Economics, Management and Law of the Kyiv National University of Trade and Economics.

**Certificates for an internship at the law firm Baker & McKenzie** for two months in July – August 2016 were received by Anastasiya Chumanova, a student at the Law Institute of Peoples' Friendship University of Russia and Vladislava Skorohod, a student at the National University Odesa Law Academy.

**Certificate for an internship at the law firm Sysouev, Bondar, Khrapoutski SBH** was received by Andrey Belokhvost, a student at the Academy of Public Administration under the aegis of the President of the Republic of Belarus.

**Certificate for an internship at the international law firm COBALT** for a period of six months was received by Vitaliy Vabishchevich, a student at the Faculty of Law of the Belarussian State University.



All students, team coaches and arbitrators received participant certificates and souvenirs with the competition logos, as well as publications on international commercial law and arbitration.

The organizing committee of the event expresses its gratitude to law bureaus, law firms and other organizations and persons who took part in the ranking of the memorandums of the participants, and in particular:

- attorney Andrey Mochalov;
- Association of International Law (BILA);
- law firm Arzinger & Partners;
- law firm Borovtsov & Salej;
- law firm Danilevich & Volozhinets;
- law firm Revera Consulting Group Ltd;
- law firm Sorainen;
- law firm Sysouev, Bondar, Khrapoutski SBH;
- law firm VMP Vlasova Mikhel & Partners.

ICC Lex Mercatoria International Legal Forum and Competition – 2015 established themselves in the lawyer society as important events of the passing year.



We congratulate the winners  
of the ICC Lex Mercatoria!  
We wish the participants notable professional  
achievements and new victories!



We invite the universities from Central and Eastern Europe  
to participate in the V ICC Lex Mercatoria International Moot Court  
Competition in International Sales Law and International Commercial  
Arbitration in 2016 which will be held next year  
both on Russian and English languages.

Further information may be received and preliminary applications for participation  
in the competition of ICC Lex Mercatoria – 2016 can be submitted  
by writing to the email address: [ptp@urspectr.info](mailto:ptp@urspectr.info) (with subject ICC Lex Mercatoria)

Official website of the competition: <http://www.law.bsu.by/site/?64>