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November 28 – December 1

Minsk, 2014

ICC LEX MERCATORIA

III International Student Contest
in the International Trade Law
and International Commercial Arbitration

Partner:

BAKER & MCKENZIE

Informational partners:



CIS Arbitration Forum

Russia- and CIS-related International Dispute Resolution



On November 29 – December 1, 2014, ICC Lex Mercatoria – the III International Students Contest in the International Trade Law and International Commercial Arbitration took place in Minsk on the basis of the Law Faculty of the Belarusian State University. The contest was organized by the Law Faculty of the Belarusian State University, the International Arbitration Court of the ICC (Paris), the International Arbitration Court of the Belarusian Chamber of Commerce and Industry, the Russian National Committee of the ICC (ICC Russia), the Lawyers Union of the Republic of Belarus UO, UrSpektr LLC (publisher and distributor of ConsultantPlus). Informational partners of the contest: Industrial and Trade Law magazine, the CIS Arbitration Forum (Russia- and CIS-related International Dispute Resolution), Russian Arbitration Association, Ukrainian Arbitration Association, Students League of the Ukrainian Lawyers Association. Baker & McKenzie (attorneys at law) is the Partner of the contest.

ICC Lex Mercatoria, the annual international students contest in Belarus, attracts more and more participants, and not only students but also professionals. Similar international contests (named after V. Vis, Ph. Jessop, B. Tedlers) are widely known and aimed at teaching the law students to apply the knowledge in the specific problem and to model the case trial by the international trade arbitration.

The goal of the ICC Lex Mercatoria contest is to stimulate the study of the international private law, as well as to popularize the international commercial arbitration as an alternative means of settlement of commercial disputes in the light of the intensified international economic relations and high demand for the efficient tools to settle legal conflicts. This educational event is held in the form of a training arbitration session that is realistic to the maximum.

The students improve their skills to act on behalf of the parties in the international commercial arbitration, to interpret and apply the rules of law, develop and express their legal position before the international arbiters. The contest also contributes to the development of friendly relations between the law universities

and helps the leading practicing lawyers and law theorists share their experiences.

The formal opening of the contest took place at the **III International Students' Forum in the International Trade Law and International Commercial Arbitration – ICC Lex Mercatoria** on November 28, 2014. Its subject was **“Bank Guarantees and State Purchases in the International Trade and International Commercial Arbitration”**.

16 student teams from Belarus, Russia, the Ukraine, Kazakhstan and Armenia, their coaches and the contest referees took part in this large event dedicated to the problems of bank guarantees, international trade arbitration and state purchases with the participation of foreign subjects. The forum gathered the leading representatives of this sphere from Belarus, Russia, the Ukraine, Kazakhstan, France and the UK.

For the following three days (November 29 – December 1, 2014) the student teams participated in the international trade law and international commercial arbitration contest, competing in the settlement of a study case both on the part of the claimant and the defendant. The preliminary oral, semifinal and final hearings





(rounds) were assessed by the specially invited referees.

The basis of the study case (a dispute between the Ministry of Sports and Tourism of the Republic of Belarus and Stroimontazh LLC regarding the construction contract secured by a performance guarantee) was formed by the materials of several real cases from the practice of the ICC International Arbitration Court. The dispute based on the conditions of the study case was subject to consideration in the international arbitrage. The conditions of the study case were initially formed in a not-so-easy way, in order to give the students an opportunity to discuss and solve a difficult legal task.

The participants were able to demonstrate the knowledge of the judicial settlement procedures, as well as the provisions of the international merchant law. The work was conducted in Russian on the basis of the Arbitration Regulations of the ICC (2012) and other ICC documents, as well as the practice of the ICC International Arbitration



Court in the form of a training arbitration session realistic to the maximum.

Each team had prepared in advance and sent its opponents the claimant's and the defendant's memoranda with the stipulation of the procedural and material legal position.

During the oral hearings the teams presented their arguments regarding the dispute, participated in the oral arguments, asked each other questions and answered the qualifying questions of the referees. The refereeing of each oral hearing of the parties was



provided by the international team of arbiters. They were the representatives of the ICC International Arbitration Court (Paris), referees of the International Arbitration Court of the Belarusian Chamber of Industry and Commerce, team coaches, lawyers of the international and national law companies. At the end of the hearings, the teams received practical advice on the improvement of the selected legal position and public speaking skills from the referees.



As a result, the places were distributed as follows:

I place and **and the winner's cup** went to the *team of All-Russian Foreign Trade Academy.*



II place went to the *team of the Law Faculty of Belarusian State University.*



III place was divided by the *teams of Moscow State Law University named after O.E. Kutafin (MSLU) and Perm State National Research University.*

In the nomination “Best Claimant’s Memorandum”:

I place – team of the Law Institute of the Russian University of Peoples’ Friendship.

II place – team of Kiev National University named after T. Shevchenko.

III place – team of the All-Russian Foreign Trade Academy.

In the nomination “Best Defendant’s Memorandum”:

I place – team of Moscow State Law University named after O.E. Kutafin (MSLU).

II место – team of the All-Russian Foreign Trade Academy.

III место – team of Kiev National University named after T. Shevchenko.

In the nomination “Best Speaker”:

I place – student of Moscow State Law University named after O.E. Kutafin (MSLU) *Anastasia Lutsenko.*

II place – student of of the Law Institute of the Russian University of Peoples’ Friendship *Anastasia Chumanova.*

III place – ent of Moscow State Law University named after O.E. Kutafin (MSLU) *Olesia Zasemkova.*

Diploma “Debut of the Year” went to the teams of Erevan State University, Caspian Public University and Magadan Branch of Moscow State Law University named after O.E. Kutafin (MSLU).

Certificate for two months’ training (July-August 2015) at Baker & McKenzie (attorneys at law) went to the student of Moscow State Law University named after O.E. Kutafin (MSLU) *Anastasia Lutsenko.*



All participants received the participants' certificates and souvenirs with the contest logo, as well as printed editions on the international merchant law and arbitration.

The International Law Forum and Contest ICC Lex Mercatoria – 2014 were the significant event for the lawyers' community in the expiring year.

We are glad to congratulate the winners
of the contest ICC Lex Mercatoria!
We wish its participants high professional results
and new victories!



We kindly invite the universities of Belarus, the CIS and Baltics to take active part in the IV International Student Contest in the International Trade Law and International Commercial Arbitration ICC Lex Mercatoria in 2015.

To get more information and to send preliminary applications for ICC Lex Mercatoria 2015, please, contact us by e-mail: ptp@urspectr.info (subj. ICC Lex Mercatoria)

Contest official web page: <http://www.law.bsu.by/site/?64>