



## SAVE THE DATE!

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The AIFC Court and IAC are pleased to provide an update on their work.

### **Our response to COVID-19**

From the very beginning of the COVID-19 pandemic we took immediate measures to provide online quick, easy to use and free of charge access to all of our dispute resolution services. Our priority continues to be to provide all of our services without disruption and to protect the health and safety of our users and staff. In particular during the pandemic, we have used our online digital eJustice system and video hearing technology to successfully administer all of our casework. We also delivered our comprehensive webinar programme, “The AIFC Court and IAC Webinar Series 2020: New Opportunities During and Post COVID-19”.

### **Case statistics**

We successfully administered 186 cases by the end of August 2020, significantly exceeding expectations for our current stage of operations and compared to the experience of similar common law courts and arbitration centres.

All case administration was provided free of charge without any charge to the case parties. We made maximum use of our digital technology to administer the cases quickly without any unnecessary expense or delay. We used our eJustice system for document management and live video hearings. Some decisions were given on the papers without the need for an oral video hearing. All proceedings were conducted in the English language or Russian language and translation was provided when it was necessary.

The parties came from Kazakhstan (nine cities and regions), the UK, Russia, Turkey, Azerbaijan, Poland, and Uzbekistan. The disputes included matters of contract, finance (debts, finance matters in family disputes, and compensation and other finance matters related to road accidents), construction, employment, and property (including land). The applicable law in the cases was AIFC law (modelled on the English common law) and Kazakhstani law.

In particular, the AIFC Court gave six judgments and orders. Three of these cases were applications to recognise and enforce IAC arbitration awards. All proceedings were conducted in the English language and Russian language translation was provided when it was necessary. Video was used during pre-trial case

management and in one case there was a live video hearing. The other five cases were decided on the papers without the need for an oral hearing. All case judgments and orders were enforced to 100% satisfaction in Kazakhstan under the supervision of the Registrar and his team applying a step by step enforcement procedure that had been agreed with the Kazakhstan enforcement authorities.

The IAC administered five arbitration cases and 175 mediation cases. Video was used during pre-trial case management and for live hearings and mediation sessions. Sole arbitrators were appointed by the IAC Chairman from the IAC Panel of Arbitrators and two of these arbitrators provided their arbitrator services free of charge. Interim and final arbitration awards were issued and enforced in Kazakhstan as orders of the AIFC Court. Mediation cases were resolved expeditiously and without any need for progression to arbitration or litigation.

[Read AIFC Court Judgments and Orders](#) in English and Russian languages. Arbitration and mediation awards are strictly confidential and are not available to the public.

### **New Chief Justice appointed to the AIFC Court**

The Rt. Hon. The Lord Woolf CH, the first Chief Justice of the AIFC Court, retired on 31 January 2020. The Rt. Hon. The Lord Mance was appointed by Decree of the President of Kazakhstan, Kassym-Jomart Tokayev, to succeed Lord Woolf as the Chief Justice of the AIFC Court. Lord Mance has been the Chief Justice of the AIFC Court since 1 February 2020. He gave his affirmation as Chief Justice in the presence of the President of Kazakhstan at a private [online ceremony](#) on 2 July 2020.

### **AIFC Seat of Arbitration applied in Uzbekistan for the first time**

The AIFC seat of arbitration was applied outside of Kazakhstan for the first time at the choice of the parties and the arbitrator in an arbitration case that was administered at an arbitration institution in Uzbekistan. The IAC Registry was instrumental in persuading the arbitrator and arbitration institution to use the AIFC as the seat of arbitration in that case.

### **Registration of Lawyers for rights of audience**

The AIFC Court Registry registered 194 lawyers from 24 jurisdictions (22 countries) including from the UK, US, throughout Europe, Kazakhstan and Central Asia, Asia, and Oceania. The [application procedure](#) is available online and it is simple, quick and provided without charge to lawyers. The number of lawyers registering for rights of audience to represent clients in case proceedings at the AIFC Court increased daily following an AIFC Court promotion campaign.

### **Case Management Department expansion**

We expanded our Case Management Department which now consists of three staff to assist with the significant increase in caseload. All of our staff are trained and supervised to the highest international standards.

### **Chevron and Tengizchevroil LLP selected the IAC and AIFC Court for dispute resolution in Kazakhstan**

Both Chevron HQ in Kazakhstan and Tengizchevroil LLP have taken steps to include the IAC and AIFC Court as their preferred institutions for resolution of commercial disputes in Kazakhstan. IAC and AIFC Court dispute resolution clauses will be included in all model contracts of these entities for Kazakhstan. This [achievement](#) illustrates the growing confidence of large businesses operating in Kazakhstan to trust the IAC and AIFC Court as their number one choice for dispute resolution in Central Asia.

### **The AIFC Court and IAC held their first joint Users' Committee meeting of 2020**

The AIFC Court and IAC held their first joint Users' Committee meeting. Members of the Committee, which include senior lawyers from international and local law firms, shared their feedback and recommendations on the services provided by the AIFC Court and IAC, and updated the Committee on relevant developments in the law of Kazakhstan and Central Asia.

### **Online Webinar Series 2020**

We organised and delivered [“The AIFC Court and IAC Webinar Series 2020: New Opportunities During and Post COVID-19”](#). Our webinar series consisted of 19 webinars that were provided by all of the AIFC Court judges, the Chief Justice, the IAC Chairman, the Registrar, IAC Arbitrator Panel members, and leading lawyers from Kazakhstan and Central Asia. We cooperated with other dispute resolution institutions throughout the CIS and Central Asia region. We provided three webinars in association with the online 2020 Astana Finance Days

which included a special webinar by the Chief Justice and IAC Chairman: [“Ask the Chief Justice. Ask the IAC Chairman”](#). More than 1,500 people attended the webinar series and we received overall feedback satisfaction at 9.6/10. [Access](#) all of the webinar presentations, papers, and video recordings in the English language free of charge.

### **Expanded cooperation and international recognition**

By the end of August 2020, we had signed eight new memoranda of understanding with new partners including dispute resolution institutions in Kazakhstan, Uzbekistan, with the Ukraine Arbitration Association, and with the Republic of Kazakhstan Supreme Court Academy of Justice. Our expanded cooperation will assist us to further enhance our services, promotions and training as we aim to be increasingly recognised as the number one choice for commercial dispute resolution in Central Asia. Additional cooperation agreements are expected to be announced later this year.

### **NEW ONLINE resources:**

#### ***ONLINE Webinar Series 2020***

[Access](#) all of “The AIFC Court and IAC Webinar Series 2020: New Opportunities During and Post COVID-19” webinar presentations, papers, and video recordings in the English language free of charge.

#### ***First Chief Justice’s Book “A Vision of the AIFC Court”***

The book of the first Chief Justice of the AIFC Court, The Rt. Hon. The Lord Woolf CH, “A Vision of the AIFC Court”, is now available online without charge in [English](#), [Kazakh](#) and [Russian](#) languages. The book explains how the AIFC Court was established in a record time and defines its vision.

#### ***Videos about the AIFC Court and IAC***

[Access](#) our video gallery to see short promotional videos about our legal education programmes, Moot Court competitions, digital eJustice system, and our Arb-Med service via a recording of a live Arb-Med Demonstration.

#### ***“Hong Kong Lawyer” journal***

[Read](#) an interview by Ms. Barbara Dohmann QC, IAC Chairman, and Mr. Christopher Campbell-Holt, Registrar and Chief Executive, AIFC Court and IAC, in the January 2020 edition of the “Hong Kong Lawyer” journal.

### **MEDIA**

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