

VIAC – Questionnaire for Mediators

1. **Name:** Lilia Klochenko

2. **Nationality:** Russian Federation

3. **Contact information**

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LinkedIn:

4. **Education and professional experience (original profession; where did you study?):**

1987-1992: MGIMO (Moscow), International Law faculty (*cum laude*), specialization: International private and civil law. Recognised in Austria by NARIC

2005-2007: PhD jur. degree: MGIMO (Moscow), International Law faculty, topic: Legal background and models of environmental impact liability insurance – comparative legal analysis (USA, Great Britain, Germany, France, Italy and Russia). Recognised in Austria by NARIC

2011-2013: ICC Advanced Arbitration Academy, certified for international arbitration

Since July 2014: Fellow at the Chartered Institute of Arbitrators (London)

November 2016-November 2018: International Mediation Advocacy Course and Certification at Regent University (London).

Attorney at Law, Managing partner at Klochenko & Kuznetsova Law Firm

CV attached

5. **Core area of current professional activity:**

International private law; International arbitration and mediation; Civil law; Corporate law and corporate governance; Insurance and Reinsurance law and practice; Financial/Tax law: Compliance and Transfer pricing. Construction law; Environmental law; Acquisitions, antimonopoly clearance and regulation; Employment law; Investment structuring and market entry strategy. General commercial issues.

For various industries, including financial institutions (insurance, reinsurance companies, mutual companies, insurance and reinsurance brokers, non-state pension funds, investment and management companies, banks); transport and logistic companies; industrial enterprises; IT-companies; investors, their affiliates and branches of the international companies and groups in Russia and CIS.

6. **Accreditation in the field of ADR (including relevant trainings and connected qualifications):**

Since January 2019 IMI membership

7. **Practical experience in mediation**

- How many (international) mediations have you participated in
 - as single/co-mediator/in a team?
as a single mediator – 12
 - administered by an institution; under which Rules?
none
 - in which areas/fields?
Corporate disputes, Employments disputes/cases, family disputes/cases, complex of corporate and employment cases

- how complex (*please provide examples, participation of lawyers/experts*)?

Cases with single issue (employment cases, insurance cases) as well as the cases with multi-issues (corporate and employment cases, insurance cases, multi-party reinsurance cases, family cases with property and non-property needs and interests for multi-national, multi-cultural families, etc.)

- How often have you acted in a different function (e.g. consultant, expert)?

Very often

- What other ADR-experience do you have?

As an arbitrator for institutional and ad-hoc arbitrations

8. Languages (including levels)

Mother tongue: Russian, Ukrainian

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct mediation proceedings in this language): German (level C2), English (level C2), French (level B2), Polish (level B2)

Basic knowledge:

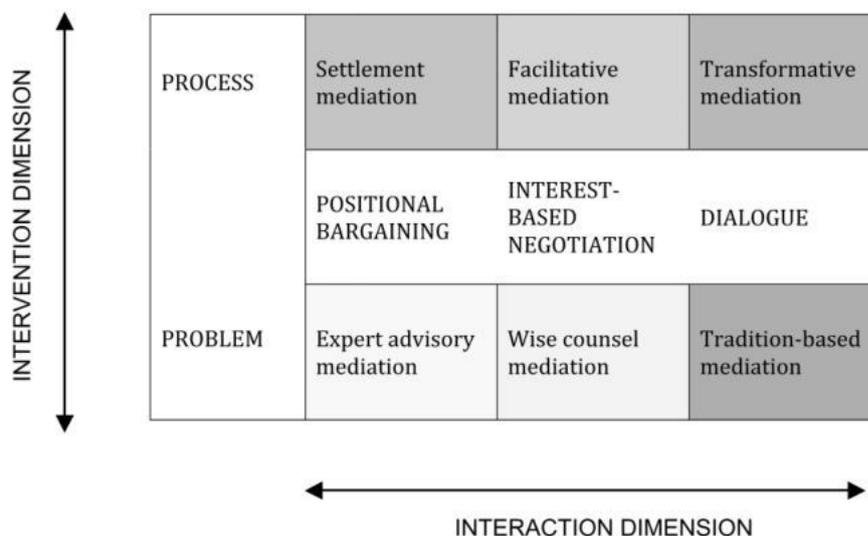
Education in MGIMO (Moscow), International Law faculty

International Mediation Advocacy Course and Certification at Regent University (London)

Courses at BRDGES Academy (on [P]reflections, Intercultural Communications in Conflict Resolution, Emotional Intelligence: A Critical Quality for Dispute Resolution, Cultural Dimensions in Multi-Cultures Dispute Resolutions)

9. Style of mediation

Where do you see yourself? Please tick box as appropriate or indicate your preferred style.



© Alexander, Nadja (2011) "The Mediation Meta-Model - the realities of mediation practice," *ADR Bulletin*: Vol. 12: No. 6, Article 5. Available at: <http://epublications.bond.edu.au/adr/vol12/iss6/5>; see also here for a detailed description of the 6 mediation styles.

Depending on the case and/or situation the most preferred styles that I apply are expert advisory mediation or facilitative mediation or settlement mediation, or combination of them

10. Please describe aspects of your personality which could be interesting to clients you are going to mediate; what would former clients emphasize in your work?

Aspects of my personality which could be interesting to clients are professionalism; ability to listen; analyzing, systematization and structuring skills; creativity; keen feeling of justice and fairness; productive communication skills

The former clients emphasized in my work goal-oriented practice and tactics; professionalism; ability to examine and to explain the matter; ability to combine rational findings and intuition; intelligent manner in communication and negotiation process

**11. Publications and other activities in ADR related matters
(e.g. training sessions, seminars, conferences, articles and others):**

Legal Regulation of the Insurance Activity Journal - 2007
Global Legal Insights - Litigation & Dispute Resolution, 4-th edition, 2015, p.251-261
Chapter 25 – Russia. The International Comparative Legal Guide to: Insurance & Reinsurance 2017, 6th Edition, 2017, p. 149-154 (in co-author)
Reinsurance in an Era of Sanctions. The International Comparative Legal Guide to: Insurance & Reinsurance 2018, 7th Edition, 2018, p. 27-29 (in co-author)
Chapter 35 – Russia. The International Comparative Legal Guide to: Insurance & Reinsurance 2018, 7th Edition, 2018, p. 210-216 (in co-author)
Regular publications in Arbitration.ru
Qualification training for CIArb in Kazakhstan in 2015
Observer at UNCITRAL sessions for Working Group II and III since 2017
Regular speaker at arbitration and mediation conferences and forums

12. Memberships in mediation institutions / functions in mediation institutions/organizations:

IMI membership

13. Special expertise or specializations (please list a maximum of three) in your ADR-practice:

Insurance & reinsurance law and practice; Corporate law and related issues; Employment and Family law

14. Soft Skills (e.g. intercultural competences):

Good communicative and negotiating skills, creativity, critical thinking, good self-organization and self-control skills, high level of time-management, ability to work in a big or small team
High degree of sense of responsibility
Following courtesy and good manners principles
Respect for culture of other people (my own family built more than 20 years ago is multi-cultural and multi-religious)
Broad spectrum of basic and accompanying knowledge (for ex., five-year education for psychology in the modules based program of Prof. Dr. Tsvetkov)

15. How do you ensure your professional quality (e.g. coaching, practice supervision, etc.)?

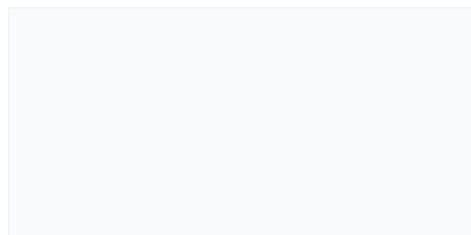
By self-education (I read a lot, in particular professional literature), by participating in seminars, webinars and other improving events & activities
By coaching by business and psychological coacher in Russia
By practice supervision by the wise tutors in Russia and Europe

16. Date of birth:

10.02.1969

I have completed this questionnaire to the above to the best of my knowledge and believe it is accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons or may be published on VIAC's website.

Date and signature 27. February, 2020



Klochenko Lilia

Ph.D. jur., FCI Arb, attorney, arbitrator,
mediator



Education: holds a law and PhD degrees from International Law Faculty of the Moscow State Institute of International Relations *cum laude*, is a Fellow at the Chartered Institute of Arbitrators (London), is certified for international arbitration from the ICC Advanced Arbitration Academy and qualified for international mediation advocacy at Regent University (London). Lilia is Russian qualified attorney at law.

Professional experience: Lilia has unique practical experience in Russian and international insurance and reinsurance companies since 1991 (Cologne Re, Germany, Renaissance Insurance Group, Russia, Ingosstrakh IJSC, Russia), and since 2000 has been leading her private practice as legal advisor and attorney at law.

Lilia participated as an advisor in projects to enter the Russian market for the biggest insurers from Germany, Austria, the Czech Republic, the USA, the largest specialized insurers for export credit insurance of France, the Netherlands, Belgium, the largest reinsurers of France and Germany; in complex legal support of Russian subsidiaries of foreign investors; in international share sale and purchase transactions of insurance companies, construction industrial enterprises, IT technology and communication companies, restaurant, industrial and financial holdings; NPF restructuring; in the reorganization and foundation of international holdings with the participation of companies in the jurisdictions of Russia, Ukraine, Kazakhstan, Austria, Switzerland, Liechtenstein, Luxembourg, Great Britain, the Netherlands, Cyprus; acted as a legal advisor in the settlement of losses of varying degrees of complexity and scope in the electricity industry, metallurgy, operation of sea vessels, aviation and aircraft industry; she is a day-to-day attorney on a wide range of competencies for companies in various fields of activity and industries.

Lilia successfully represented clients in state arbitrazh courts of all instances, including the Supreme Court of the Russian Federation, i.a. in corporate disputes, tax disputes, antitrust disputes, appeal of transactions concluded under the foreign law, cross-border family disputes with an international element, recognition and enforcement of international arbitral awards, legal consulting on the arbitral awards enforcement procedure in Austria, Germany, France.

Lilia is a certified international arbitrator and focuses her practice on dispute resolution, including international and domestic arbitrations. Lilia acted both as a party representative or arbitrator, as an expert to the case or advisor to a party in dispute resolution conducted under DIS, ICC, LCIA, VIAC, ICAC, MAC, UNCITRAL Rules and pure ad-hoc proceedings as well as a mediator. Lilia has experience in successful mediation procedures in corporate, labor, family disputes, including the cross-border (Germany, Austria, France, Hong Kong) disputes.

Lilia is a native Russian and Ukrainian speaker, and also speaks English, German, French and Polish.

Research and teaching: Lilia is the author and co-author of several monographs, textbooks and study guides, the author of about 100 scientific and scientific-practical articles, a frequent speaker at national and international conferences, seminars and roundtables.

Areas of major: Lilia advises Russian and international clients on investment structuring, corporate law and corporate governance, contract law, civil law and civil procedure; private international law; international arbitration and mediation; insurance law and reinsurance; antitrust regulation; structuring and transaction support; strategies for investors to enter the market; financial/tax law; labor law, migration and integration regulation; family law with a foreign element. Lilia's areas of legal practice also include international law, complex damages, data protection, competition/antitrust and bankruptcy law issues.

Areas of interest: the origins and development of intercultural communications.

Hobbies: Lilia is interested in oil and watercolor painting, collecting antique books on law and international politics, riding, chess.