

# VIAC – Questionnaire for Mediators

1. **Name:** Lilia Klochenko

2. **Nationality:** Russian Federation

3. **Contact information**

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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. Recognized 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). Recognized 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). Since January 2019 member of the mediation advocacy list at the International Mediation Institute (London).

2020-2021: certified for Intercultural Mediation and Emotional Intelligence from BRDGES Academy (USA).

2021: certified by the International Islamic Center for Conciliation and Arbitration (IICRA) as arbitrator and expert in Islamic law and arbitration.

2021: certified under the UNCTAD Digital Identity for Trade and Development Program.

2022: certified under the CIETAC Program for the Application of the UN Convention on Contracts for the International Trade of Goods (CISG).

2023: certified under the UNSD and WTO in cooperation with UNCTAD Program on International Merchandise Trade Statistics 2023 (IMTS).

Attorney at Law, Managing partner at Klochenko & Partners Attorneys at Law.  
*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. International trade. Maritime law.

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 – 25.
  - 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)?  
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

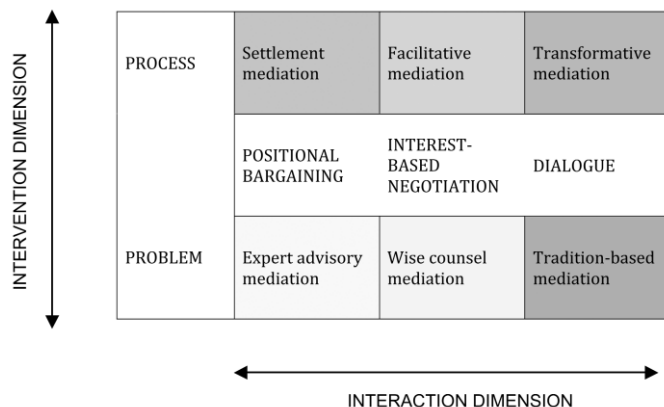
International Mediation Advocacy Course and Certification at Regent University (London)

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 facilitative mediation or settlement mediation, sometimes if appropriate - expert advisory mediation, or combination of styles.

**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).

Chapter 31 - Russia. The International Comparative Legal Guide to: Insurance & Reinsurance 2022, 11th Edition, 2022, p. 203-211.

Chapter 27 - Russia. The International Comparative Legal Guide to: Data Protection 2021, 8th Edition, 2021, p. 274-283.

Chapter 21 - Russia. The International Comparative Legal Guide to Enforcement of Foreign Judgments 2022. 7th Edition, 2022.

Regular publications in Arbitration.ru until 2022.

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 and Europe.

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 18. July, 2023

**Klochenko Lilia**  
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**Education:** holds a law and PhD jur. 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; qualified for international mediation advocacy at Regent University (London); certified for Intercultural Mediation and Emotional Intelligence from BRDGES Academy (USA); certified by the International Islamic Center for Conciliation and Arbitration (IICRA) as arbitrator and expert in Islamic law and arbitration (2021); member of the mediation advocacy list at the International Mediation Institute (London). Certified under the UNCTAD Digital Identity for Trade and Development Program (2021) and under the CIETAC Program for the Application of the UN Convention on Contracts for the International Trade of Goods (CISG) (2022). Lilia is Russian qualified attorney at law.

**Professional experience:** Lilia has unique practical experience in Russian and international companies since 1991 until 2000; 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, transport and communication; NPF restructuring; in the reorganization and foundation of international holdings and(or) structures with the participation of companies in the jurisdictions of Russia, Ukraine, Kazakhstan, Austria, Switzerland, Liechtenstein, Luxembourg, Great Britain, the Netherlands, Cyprus and others; 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, foreign trade operations in various industries; she is a day-to-day attorney on a wide range of competencies for companies in various fields of activity and industries.

Lilia represented private clients in state arbitrazh courts of all instances, including the Supreme Court of the Russian Federation, including in corporate disputes, tax disputes, antitrust disputes, appeal of transactions concluded under the foreign law, loss and(or) damage compensations, cross-border family disputes with an international element, recognition and enforcement of international arbitral awards, legal consulting on the arbitral awards enforcement procedure in Russia, Austria, Germany, France and other jurisdictions.

Lilia is a certified international arbitrator, included into the lists of recommended arbitrators, in particular, of the Maritime Arbitration Commission at the Chamber of Industry and Commerce of the Russian Federation (also member of the Nomination Committee), Vienna International Arbitration Centre (VIAC), Association Suisse de l'Arbitrage (ASA), China International Economic and Trade Arbitration Commission (CIETAC), German Institution for Arbitration (DIS); International Arbitration court "Chamber of Arbitrators at the Union of Lawyers" (Belarus),

International Islamic Centre for Reconciliation and Arbitration (IICRA), Representative Neutral to serve as Arbitrator, Mediator, Negotiator, Ombudsman at the Federation of Integrated Conflict Management (FICM), as well as listed mediation advocate at International Institute of Mediators (IMI).

Lilia strongly focuses her practice on dispute resolution, including international and domestic arbitrations. Lilia acted both as a party representative (counsel) or arbitrator, as an expert to the case in dispute resolution conducted under DIS, ICC, LCIA, VIAC, SCC, ICAC, MAC, SIAC, HKIAC, UNCITRAL and other Rules; and is currently mainly focusing on serving as an arbitrator in dispute resolution proceedings conducted under the Rules of various arbitral institutions and pure ad-hoc proceedings as well as a mediator. Lilia has experience in successful mediation procedures in corporate, labor, family disputes, including in multi-cultural and multi-jurisdictional cases (in particular, between parties of Russian, German, Austrian, French, Hong Kong, Ukrainian, Byelorussian, Georgian, Tajik, Uzbek, and other origin).

Lilia is a member of the following professional associations: Chartered Institute of Arbitrators, Fellow; Russian Arbitration Association (Member of the Board since 2015), American Bar Association (ABA, member of the Construction Law and Dispute Resolution Sections, Ethic Committee, IT Technology Committee); International Bar Association (IBA, member of the Arbitration Committee, Insurance Law Committee, Banking Law Committee, Professional Ethics Committee); International Council for Commercial Arbitration (ICCA), Austrian Arbitration Association (AUAA), Swiss Chinese Law Association (SCLA), Association Suisse de l'Arbitrage (ASA), Federation of Integrated Conflict Management (FICM); ArbitralWomen; signatory of the Equal Representation In Arbitration Initiative ERA Pledge.

Since 2017, as a member of independent NGO observers, Lilia participates in the work of Working Group II "Arbitration and Conciliation" and Working Group III "Settlement of Disputes between Investors and States" of UNCITRAL.

Lilia is a native Russian and Ukrainian speaker, and speaks English, German, French and Polish. Learns Arabic and Chinese (Mandarin).

**Research and teaching:** Lilia authored and co-authored several monographs, textbooks and study guides, the author of about 120 scientific and scientific-practical articles, a frequent speaker at national and international conferences, seminars and roundtables.

Editorial Board Member of Arbitration.ru since its foundation until 2022.

**Areas of interest:** the origins and development of intercultural communications, history of diplomacy, chess.