



Arbitration and  
Mediation  
Center of Armenia

# Annual Report

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2023



Prepared by

Arbitration and Mediation  
Center of Armenia

## **Executive Summary**

Arbitration and Mediation Center of Armenia (AMCA) was founded in May 2023 and shortly after began its active phase of functioning. It was founded with the mission to foster alternative dispute resolution and investment sphere in Armenia. On the 18<sup>th</sup> of August AMCA signed the grant contract with the Ministry of Justice and successfully implemented all set activities within 4 months. Moreover, during this period AMCA was successful in making vital arrangements and purchasing sufficient techniques necessary for arbitral hearings and procedures. It is important to mention that AMCA composed an Arbitration Council, which involves both national and international best experts, and adopted its first edition of Arbitration rules.

AMCA took part in organizing an international event with over 200 participants. The Center was also successful in establishing strategic partnerships with regional and local institutions and stakeholders. AMCA together with the CoE co-organized an 8-day training course for mediators, hosted two 3-day training courses for judges, arbitrators, lawyers, and the business sector. Moreover, AMCA developed a comprehensive manual about arbitration, organized a round-table discussion with judges, arbitration centers and advocates on legal gaps in Law on Commercial Arbitration and Civil Procedure code, as a result, AMCA drafted legislative amendment proposal, made a series of meetings-discussions with medium and large enterprises, hosted students at its office, etc.

Last but not least, AMCA was also successful in having sufficient visibility and media coverage which in its turn fosters the development of arbitration and mediation. Furthermore, AMCA has developed a PR strategy for the next 3 years with clear milestones. AMCA has developed a series of educational short, animated films that represent ADR and its advantages. AMCA had TV and radio coverage, published press releases, and was active on social platforms.

# CHAPTER 1

## INSTITUTIONAL DEVELOPMENT

### I. First meeting of Steering Committee of the AMCA in Yerevan<sup>1</sup>



Pic.1 First meeting of Steering Committee of the AMCA

On the 5th of September, the first meeting of the Steering Committee, which for several years provided professional support for the establishment of the center and the development of key documents, was held in the office of the Arbitration and Mediation Center of Armenia. The committee, formed in 2021, included well-known and authoritative international and national experts in the field of arbitration<sup>2</sup>. They have experience in ICC, SCC, HKIAC and SIAC, as well as in well-known law firms

practicing arbitration. The committee members and the representatives of the Arbitration and Mediation Center of Armenia held a discussion related to the Arbitration Rules of the Center, such as: a) the scope of application of the rules, b) written communications between the Center, the parties and the Arbitral tribunal, c) the necessity of defining timelines, d) scope of powers of the Arbitration Council, and e) other topics, which are necessary for the effective operation of the Center.

Due to the discussion, the draft Arbitration Rules of the Center were revised based on best international practice and in accordance with the recommendations of the respectful Steering Committee members.



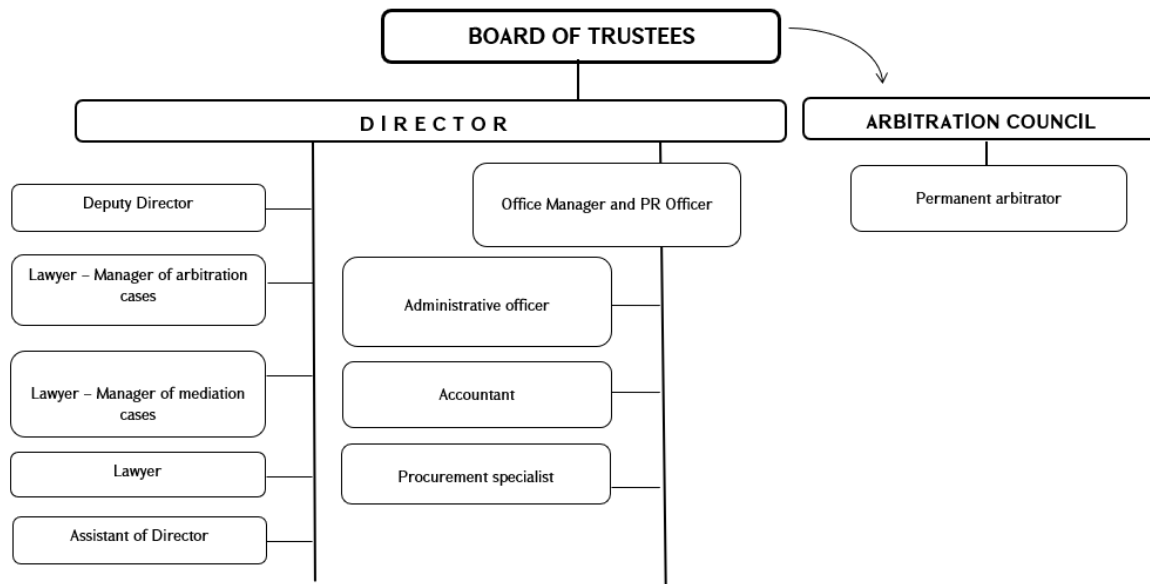
Pic.2 The Advisory Committee of the Arbitration Center

### II. Recruitment of the staff of the AMCA

In order to preform high level services and operate efficiently the staff of the AMCA was recruited. Based on the results of the open calls the best candidates having the most suitable professional background have been hired. The staff of the Center was as follows:

<sup>1</sup> [The first meeting of the Steering Committee - AMC \(amca.am\)](https://amca.am)

<sup>2</sup> [Ձևավորվել է Արբիտրաժային կենտրոնի Խորհրդատվական հանձնաժողովի կազմը \(hetq.am\)](https://hetq.am)



However, considering the workload and the specifics of the work, expertise assistance was also hired, in particular, a social media marketing specialist and events manager. The short bios of all staff members are available on the web site of the Center<sup>3</sup>.

### III. Equipment of the Center

In 2023 the Center became fully equipped with the necessary technologies and furniture. Speaking precisely, the following was purchased and set:

- **Conference system for 2 rooms:** 2 rooms for hearings were fully equipped with modern conference system which allows audio- and video record hearings, making presentations, organize online, on-site, or hybrid hearings. The conference system is highly protected, so no recording may be lost, damaged, or taken out of the system without 2-step verification by authorized persons. Each of the conference rooms is equipped with a strong UPS, a Multivision device, a sound system and a main unit of conference system. In the large room, AMCA has 12 basic conference units (1 one of them is the chairman's unit) with microphones, 3 mobile video cameras, 2 large screens, and 4 loudspeakers. In the small room, there are 8 basic conference units (1 one of them is the chairman's unit) with microphones, 3 mobile video cameras, 1 large screen and 2 loudspeakers.
- **Computers and local server network:** AMCA has purchased computers of recent generation with basic needed computer programs and has bonded them into a local server network. Local network ensures high-security level and confidentiality of all documents being circulated within the network. The vital importance of the network is stressed by 2 facts: 1. even in the case of physical damage no data is lost in any of computers; 2. Data and document flow is always tracked. These are especially important if looked through

<sup>3</sup> [About Us - AMC \(amca.am\)](http://amca.am)

the prism of confidentiality and sensitivity of information. One of the essential aspects of arbitration and mediation is that the information is strictly confidential and it's very important to ensure the security of any information the Center possesses. Otherwise, AMCA's credibility may be seriously damaged which will prevent the development of AMCA as an ADR institution. Overall, the Center has purchased 13 computers, 1 notebook, 5 printers, 4 virtual servers, 1 firewall, 2 switches, 1 projector.

- **Furniture:** AMCA commenced its operations without adequate furniture in its office, so naturally one of the first steps was designing and ordering furniture, which will give unique look and atmosphere to the Center. Furniture is designed in a combination of modern and classic.

#### **IV. Obtaining educational literature**

AMCA has obtained 2 dozen educational and professional books in 2023. Those books are highly important at this stage, as they help AMCA's staff in their professional research and development. The books were selected based on their relevance, popularity, and content. Needless to say, that all the books obtained are contemporary and reflect the recent developments in the field of ADR. The following books were obtained:

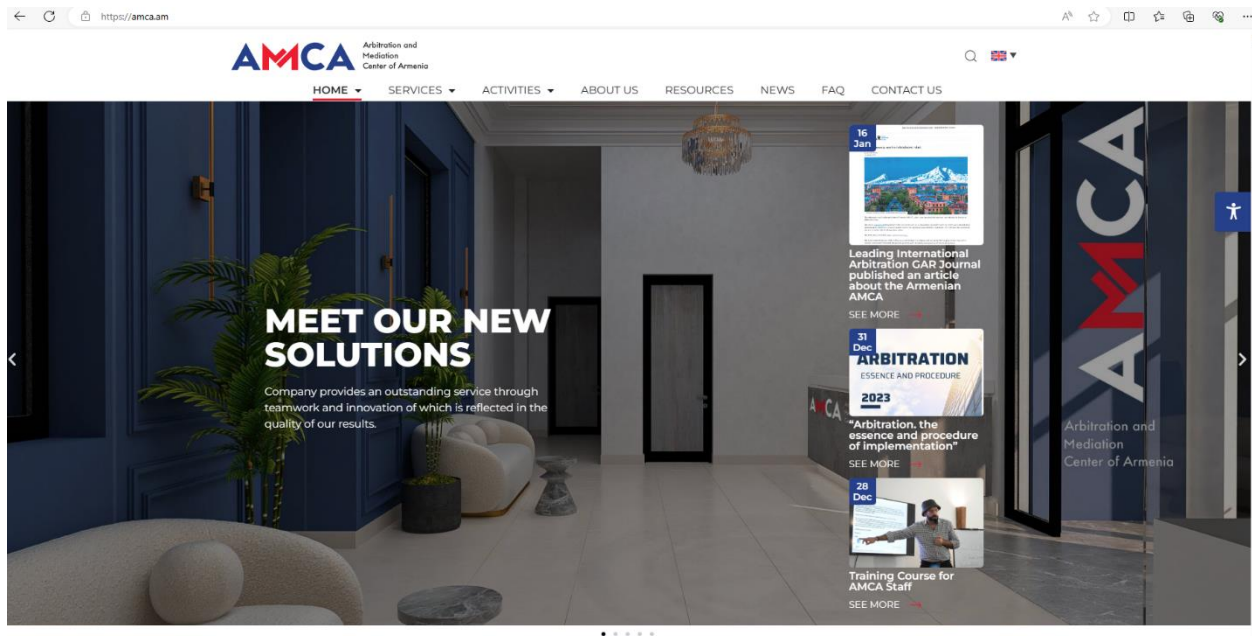
- 2 pieces of Katia Fach Gomez, Ana M. Lopez-Rodriguez, "60 Years of the New York Convention: Key Issues and Future Challenges", the Netherlands: Wolters Kluwer, 2019.
- 2 pieces of Gary B. Born, "International Arbitration: Law and Practice (Third Edition)", the Netherlands: Wolters Kluwer, 2021.
- 2 pieces of Gary B. Born, "International Commercial Arbitration Vol. 1 (Third Edition)", the Netherlands: Wolters Kluwer, 2021.
- 2 pieces of Gary B. Born, "International Commercial Arbitration Vol. 2 (Third Edition)", the Netherlands: Wolters Kluwer, 2021.
- 2 pieces of Gary B. Born, "International Commercial Arbitration Vol. 3 (Third Edition)", the Netherlands: Wolters Kluwer, 2021.
- 2 pieces of Julian D. M. Lew, Loukas A. Mistelis, Stefan Michael Kröll, Stefan Kröll "Comparative International Commercial Arbitration", The Hague: Kluwer Law International, 2003.
- 2 pieces of Nigel Blackaby KC, Constantine Partasides KC, Alan Redfern, "Redfern and Hunter on International Arbitration", Oxford: Oxford University Press, 2022.
- 2 pieces of Nigel Blackaby KC, Constantine Partasides QC, Alan Redfern and Martin Hunter, "Redfern and Hunter on International Arbitration, Student Edition", Oxford: Oxford University Press, 2015.
- 2 pieces of "International Arbitration and Technology", ed. by Pietro Ortolani, Andre Janssen, Pieter Wolters the Netherlands: Wolters Kluwer, 2022.
- 2 pieces of George A. Bermann, "Twilight Issues in International Arbitration: Latent Choice of Law Challenges", the Netherlands: Wolters Kluwer, 2023.

- 1 piece of Fabian Van de Ven, “Insolvency in Commercial Arbitration”, the Netherlands: Wolters Kluwer, 2023.
- 1 piece of “Stockholm Arbitration Yearbook 2022”, ed. by Axel Calissendorff, Patrik Schhöldström. The Netherlands: Wolters Kluwer, 2022.

**V. Development of official web site content and improvement of initial structure**

The website of the Arbitration and Mediation Center of Armenia (AMCA) represents a significant milestone in enhancing the accessibility and visibility of the Center's activities. Developed with financial support from the Asian Bank, the website serves as a multifunctional platform, catering to various informational needs and functionalities in English, Russian and Armenian (under development).

Comprising 8 main sections, the website covers a comprehensive spectrum of AMCA's operations. The overview section (“Home”) acts as a gateway, providing detailed insights into the Center's activities, services, staff, Board of Trustees, and the Arbitration Council.



Pic. 3 AMCA’s Website Cover Page

The section about news and updates serves as a dynamic information hub, featuring important news related to AMCA's ongoing activities and pertinent shifts in the global arbitration and mediation landscape. This real-time update feature ensures that users stay well-informed about the latest developments in the arbitration and mediation world.

A critical component of the website is the "Arbitration" section under Services, offering a wealth of resources, templates, and information to demystify the nature and procedures of arbitration.

Notably, the inclusion of an "Arbitration Fees" calculator adds a practical dimension for users, enabling them to estimate costs based on their specific case conditions. The website also provides an opportunity to submit a case and all necessary documents online, receiving a unique reference number that should be used for further communication.

Within this section, a comprehensive list of arbitrators<sup>4</sup> is made available. This feature is functionally equipped with filters, allowing site visitors to tailor their arbitrator selection based on specific criteria. AMCA developed a template for arbitrator's bios, which enables the users to get information on their education, professional experience, nationality, current occupation, languages and their specialization and practice. Thus, the filters encompass language skills, specialization, education, jurisdiction, and experience. This tool ensures a personalized and efficient approach to selecting an arbitrator best suited to the unique requirements of each case.

The consultation services tool provides users with an interactive space to schedule both the preferred consultation day and time. This feature enhances the user experience by allowing individuals to choose a specific time slot that suits their availability. Users can efficiently plan and coordinate consultations, ensuring a personalized and convenient engagement with the Arbitration and Mediation Center's services (both arbitration and mediation). The process promotes accessibility, making it easier for individuals to seek guidance and support.

The "Activities" section provides information on important educational and international programs initiated by AMCA. This section is regularly updated to keep users abreast of the latest programs and initiatives.

The "Resources" section stands as a collection within the website, covering a wide spectrum of essential materials. This section encompasses domestic legal norms, providing users with a comprehensive understanding of the legal framework within Armenia. Furthermore, it includes international agreements and documents, fostering a global perspective on arbitration and mediation practices. The section also features case law studies of strategic importance, offering practical insights into real-world scenarios and their resolutions. Moreover, it houses significant literature in the field, providing users with academic perspectives and scholarly works. Lastly, the inclusion of publications by AMCA further enriches this resource repository, solidifying it as a valuable reference hub for individuals seeking a deeper and more nuanced understanding of the intricacies of arbitration and mediation.

The AMCA website, with its user-friendly interface and dynamic functionalities, represents a cornerstone in advancing the Center's mission.

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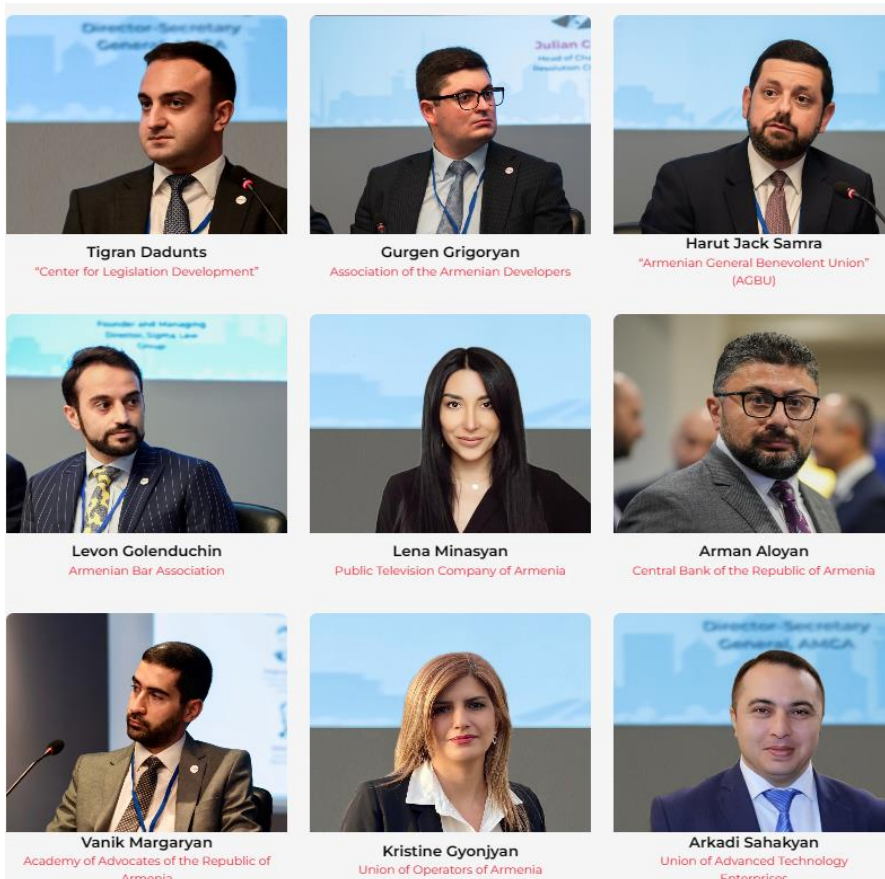
<sup>4</sup> It is a recommended list of arbitrators of AMCA. It offers a diverse and skilled pool of professionals, allowing the freedom to select an arbitrator who aligns perfectly with parties' requirements.

## VI. Formation and operation of the Board of Trustees of the AMCA

In accordance with the AMCA Charter, on 10th August 2023, the Board of Trustees was established. Comprising individuals of distinguished expertise and representing esteemed organizations, the AMCA Board reflects a diverse and influential composition.

The founders of AMCA decided to form the Board with the following composition in accordance with the Article 27 of the AMCA Charter according to which The Board of Trustees shall be composed of one member represented by each of the following organizations:

- "Center for Legislation Development" Foundation: Represented by Tigran Dadunts,
- Armenian Bar Association: Represented by Levon Golenduchin
- "Armenian General Benevolent Union" (AGBU): Represented by Harut Jack Samra
- Central Bank of the Republic of Armenia: Represented by Arman Aloyan.
- "Public Television Company of Armenia" CJSC: Represented by Lena Minasyan.
- "Association Of the Armenian Developers" NGO: Represented by Gurgen Grigoryan.
- "Union of Advanced Technology Enterprises" NGO: Represented by Arkady Sahakyan.
- "Union of Operators of Armenia" NGO: Represented by Christine Gyonjian.
- "Academy of Advocates of the Republic of Armenia" Foundation: Represented by Vanik Margaryan.



The Board of Trustees is the governing body of AMCA composed of 9 members appointed for a three-year term.

The Board of Trustees possesses extensive responsibilities, including the approval of the Center's strategic plan(s) and the approval of types of entrepreneurial activities. It holds the authority to approve the Center's budget, annual financial reports, and annual activity reports,

Pic.4 Board of Trustees of the AMCA



as well as the procedure for disposing of the Center's property. Additionally, the Board decides on the early termination of its members' powers and adopts decisions on the election of key roles such as the Chairperson, Director, and members of the Arbitration Council. Furthermore, the Board determines the size and composition of the Arbitration Council, approves amendments to the Charter, and exercises oversight over the Center's financial and economic activities. It annually reviews the Director's reports, monitors the implementation of its decisions, selects the Center's auditor, and approves its structure and staff list. Moreover, the Board holds the authority to approve arbitration and mediation rules, including amendments and supplements, and exercises powers granted by law, the Charter, and other authorities not delegated to other bodies of the Center.

The diverse backgrounds and affiliations of the Board of Trustees members ensure a comprehensive and inclusive approach to decision-making, fostering a dynamic environment for the effective governance of the Arbitration and Mediation Center of Armenia.

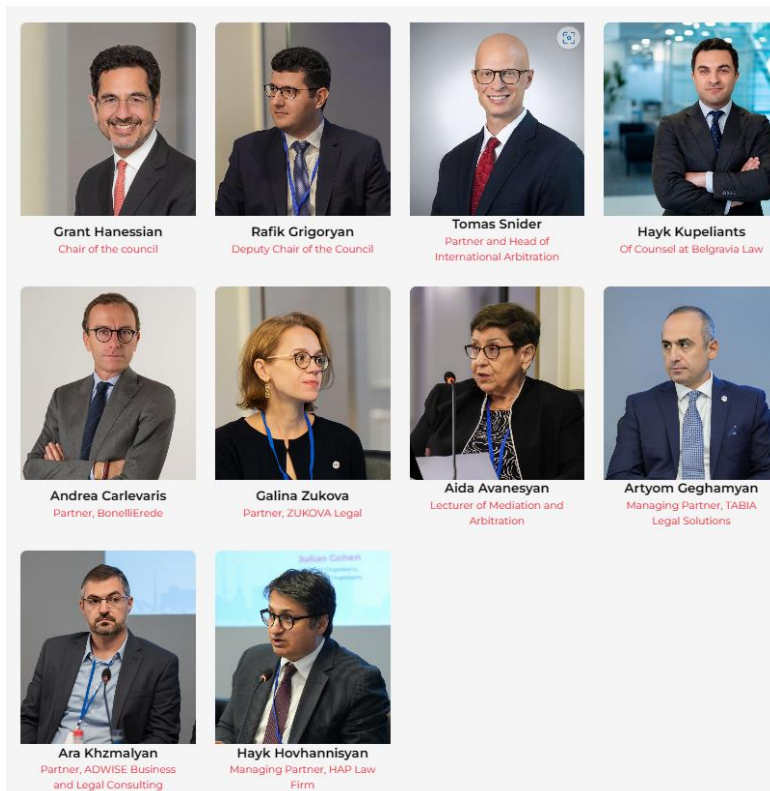
Within reporting period, the Board of Trustees conducted 5 online seating and adopted 15 resolutions on:

- Resolution № 1 from August 18, 2023 “On Electing the Chairperson of the Board of Trustees”
- Resolution № 2 from August 18, 2023 “On Electing the Secretary of the Board of Trustees”
- Resolution № 3 from August 18, 2023 “On the Approval of the 2023 Annual Budget of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 4 from August 18, 2023 “On the Approval of the Certificate List and Official Measures of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 5 from August 18, 2023, “On Providing the Consent for the Director of the Center to Hold Paid Positions in Other Organizations”
- Resolution № 6 from 19 September 2023 “On Determining the Quantitative Composition of the Arbitration Council and Forming the First Composition of the Arbitration Council of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 7 from 19 September 2023 “On the Election of the Chairperson of the Arbitration Council of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 8 from 19 September 2023 “On the Election of the Deputy Chairperson of the Arbitration Council of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 9 from November 27, 2023 “On the Approval of the Arbitration Rules of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 10 from December 1, 2023 “On Defining the Types of Entrepreneurial Activities to be Carried out by the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 11 December 1, 2023 “On Approving the Procedure For the Disposal of the Property of the Arbitration and Mediation Center of Armenia Foundation”

- Resolution № 12 from December 1, 2023 “On Approving the Procedure For Calculating And Reimbursing Costs Conditioned by the Fulfillment of the Duties of Members of the Board of Trustees of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 13 from December 1, 2023 “On the Amendment of the 2023 Annual Budget of the Arbitration and Mediation Center of Armenia Foundation”
- Resolution № 14 from December 27, 2023 “On the Approval of the Staff List of the Arbitration And Mediation Center of Armenia Foundation”
- Resolution № 15 from December, 27, 2023 “On the Approval Of the 2024 Annual Budget of the Arbitration and Mediation Center of Armenia Foundation”.

## VII. Formation of Arbitration Council of the AMCA

On 19th September 2023 the Board of Trustees of AMCA adopted Resolution №6 forming the Arbitration Council. The Council, comprised of esteemed international and local professionals in the field of arbitration, reflects a well-rounded and experienced body capable of upholding the highest standards in AMCA structure. The Arbitration Council is the central body of AMCA in case of arbitration processes. According to the Charter Arbitration Council holds authority over several key responsibilities, including the definition of rules of conduct for arbitrators and individuals providing secretariat functions. It is responsible for adopting rules of procedure governing the Arbitration Council. The Council is authorized to confirm the nominated arbitrators, appoint arbitrators in cases specified in the Arbitration Rules, determine the number of arbitrators, decide on written statements for challenging arbitrators, replace the arbitrators,



consolidate arbitrations, determine the *prima facie* existence of arbitration agreements prior to the composition of the arbitral tribunal, decide on extending the time limits prescribed in the Arbitration Rules and/or modified by the parties for rendering the final award, fix the fees of the arbitrators at a figure higher or lower than defined in the Arbitration Rules, etc.

The inclusion of individuals with profound expertise in both international and local arbitration practices enhances the Council's capacity to address these broad spectra of disputes and contributes

to the overall integrity of the arbitration procedures.

Hence, the Arbitration Board of the Foundation comprises 10 distinguished members, namely:

- Artyom Geghamyan - Managing Partner at TABIA Legal Solutions
- Ara Khzmalyan - Partner at ADWISE Business and Legal Consulting
- Thomas Snider - Partner and Head of International Arbitration, Charles Russell Speechlys LLP
- Hayk Kupelyants - Qualified solicitor in England & Wales
- Andrea Carlevaris - President of AIA, Partner at BonelliErede
- Hayk Hovhannisyan - Managing Partner of HAP Law Firm
- Aida Avanesian - member of the Arbitrators Association of Armenia, lecturer
- Galina Zukova - Partner at ZUKOVA Legal
- Rafik Grigoryan - Deputy Chair of the Council and Managing Partner of Sigma Law Group
- Grant Hanessian - Chair of the Council and an independent arbitrator in New York

#### **VIII. Organizing the first meeting of the National Committee of the Arbitration Council**

The first meeting of the National Committee of the Arbitration Council took place on 11th of December. The formal composition of the National Committee was the first question on the agenda. The Council members also discussed the AMCA strategy for the upcoming year, sharing their opinions and advice. For finalizing the Draft Procedure of the Arbitration Council, the following issues were discussed, together with the AMCA's suggestions: a) The distinction between domestic and international cases. When and how should the distinction be made? The role of the National Committee, b) When and based on which criteria should the Secretary General refer the matter of the jurisdiction of the arbitral tribunal to the Arbitration Council, if the tribunal is already formed? c) The grounds for not confirming or appointing the nominated arbitrators by the Arbitration Council and d) Should the Council communicate the reasons for the prima facie jurisdiction, consolidation, the challenge of an arbitrator, replacement or rejection of confirmation?

The members of the Council agreed to the suggestions and asked AMCA to include them in the Draft Rules of Procedure for the Arbitration Council. As required by the AMCA Charter, the Decision of the Chairperson of the Arbitration Council on establishing the National Committee was adopted after the meeting.

## **IX. Development of documents related to arbitration and mediation proceedings and internal documents of the AMCA**

### **1. Development of documents related to arbitration and mediation proceedings**

Ensuring the efficient and fast conduct of arbitration and mediation requires not only the adoption of Arbitration and Mediation Rules, but also other major documents and forms necessary for the whole process. Thus, AMCA drafted the following documents:

- 1) Rules of Procedure of the Arbitration Council,
- 2) Code of Conduct for arbitrators,
- 3) Code of Conduct for persons providing Secretariat functions,
- 4) Arbitration case management procedure for the Secretariat,
- 5) Arbitration Clauses,
- 6) Model Request for Arbitration,
- 7) Model Submission agreement,
- 8) Model Power of Attorney,
- 9) Model Statement of acceptance, availability, impartiality and independence of arbitrator,
- 10) Model Arbitration Award,
- 11) Model Mediation agreement,
- 12) Model Settlement agreement.

### **2. Development of Internal documents of the AMCA**

Based on its Charter and taking into account the necessity of having detailed regulations on different processes managed by the Center, AMCA developed the following documents.

- 1) Decision of the Board of Trustees “On defining the types of entrepreneurial activities to be carried out by the Arbitration and Mediation Center of Armenia foundation” (adopted by the Board),
- 2) Decision of the Board of Trustees “On approving the procedure for the disposal of the property of the Arbitration and Mediation Center of Armenia foundation” (adopted by the Board),
- 3) Decision of the Board of Trustees “On approving the procedure for calculating and reimbursing costs conditioned by the fulfillment of the duties of members of the board of trustees of the Arbitration and Mediation Center of Armenia foundation” (adopted by the Board),
- 4) AMCA website content,
- 5) Privacy policy of the AMCA website.

## **X. Preparation and adoption of Arbitration Rules of the AMCA**



Pic. 6 AMCA's Arbitration Rules Cover

AMCA Arbitration rules have undergone a lengthy process of development and scrutiny. The Arbitration Council of AMCA has played a vital role in providing invaluable input through comprehensive review of the Rules. As a result, the Rules were duly approved by the Board of Trustees on the 27th of November 2023<sup>5</sup>.

Arbitration Rules have been created to provide parties with a clear, concise, and efficient dispute resolution mechanism for both domestic and international disputes. Specifically, the Arbitration Rules ensure the realization of the principle of party autonomy, provide for flexibility, and fast-track procedures, primacy of electronic communications and submissions, as well

as the possibility of applying provisional measures and urgent measures through emergency arbitration.

It is important to highlight, that the members of the Arbitration Council, international and national legal experts in the field of arbitration, generously provided their professional input in the process of preparation and adoption of AMCA Arbitration rules.

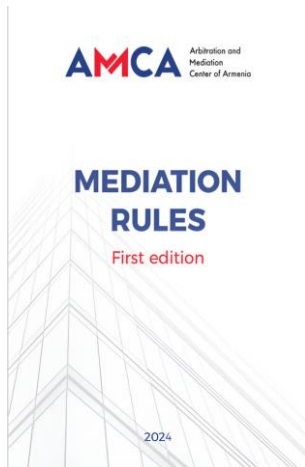
In line with the approach adopted by many of the world's leading arbitral institutions, AMCA Arbitration Rules provide a structured, institutional framework to ensure transparency, efficiency, and fairness in the process. Arbitration under AMCA Arbitration Rules leads to a binding decision from a neutral arbitral tribunal, enforceable pursuant both domestically and internationally. Armenia's Law on Commercial Arbitration of Armenia is based on the UNCITRAL Model Law on International Commercial Arbitration, which makes Armenia a favorable seat of arbitration.

## **XI. Preparation of Mediation Rules of the AMCA**

In line with the reforms carried out in Armenia on establishing and promoting the mediation institute in the country, AMCA undertook an initiative as a pioneer to develop mediation rules driven by the need to provide a structured framework for resolving disputes outside the traditional litigation process. Recognizing the importance of mediation as an efficient and cost-effective means of alternative dispute resolution, the Center embarked on a dedicated journey to formulate comprehensive mediation rules.

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<sup>5</sup> [ARBITRATION - AMC \(amca.am\)](https://amca.am)



Pic. 7 AMCA's Mediation Rules Cover

The preparation phase involved meticulous research, consultation, and collaboration among stakeholders. A dedicated task force was formed, consisting of Center's staff members, legal experts, practitioners, and representatives from various sectors. The team conducted a thorough analysis of existing mediation rules globally, identifying best practices and tailoring them to the specific needs and context of the Center.

AMCA has conducted a detailed review of mediation rules from leading international institutions and jurisdictions, such as ICC, ICSID, UNCITRAL, CEDR, etc. to incorporate proven elements and adapt them to local requirements. Parallel to that, the Center has engaged with

legal professionals, industry experts, and potential users of mediation services to gather insights and ensure the rules were reflective of diverse perspectives. Based on the comparative research and stakeholder consultation, the mediation rules of the Center have been drafted, ensuring clarity, flexibility, and fairness.

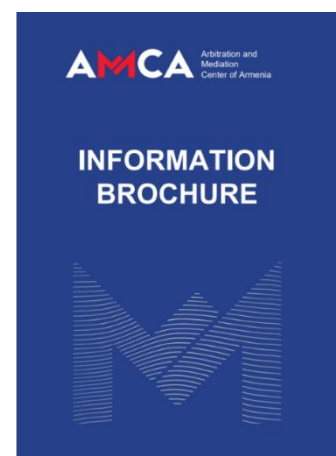
Upon completion of the draft, the adoption phase focused on securing approval of the Board of Trustees. This phase involved further consultation with stakeholders, dissemination of information, and garnering support from board members. Feedback sessions have been organized to gather input and address any concerns.

Having finalized the document, the Mediation rules of the Center are translated into English as well and prepared for submission to the Board of Trustees for revision. The preparation and adoption of these rules marks a significant milestone in promoting alternative dispute resolution mechanisms and fostering a conducive environment for mediation in Armenia.

## **XII. Development and translation of the AMCA brochure into English, French and Russian and publication<sup>6</sup>**

As part of our ongoing efforts to fulfill the mission of the Arbitration and Mediation Center of Armenia and disseminate essential knowledge about arbitration and mediation, a comprehensive informational brochure has been developed and published. This initiative, undertaken by the Center, seeks to make the AMCA's objectives, operational independence, and the inherent benefits of arbitration and mediation more accessible to the general public.

The informative brochure employs visually appealing elements to elucidate various aspects, including but not limited to:



Pic. 8 Information Brochure Cover

<sup>6</sup> [Blue Gray Modern Business Flyer \(amca.am\)](http://amca.am)

- Introduction to AMCA, encompassing details on financial sources and the Center's commitment to independence.
- Concise descriptions of the services offered by AMCA.
- A categorized list of legal dispute areas that can be examined at AMCA.
- Clarification on the concept of arbitration, conditions for dispute resolution through arbitration, and the qualifications of potential arbitrators.
- Highlights of the principal advantages associated with arbitration.
- Procedures governing case handling at AMCA.
- Guidance on filing a claim and the potential for applying emergency measures within the center.
- Insights into the nature and execution of mediation, addressing various pertinent questions.

Designed for both business sector representatives and the general public, the brochure aims to enhance public awareness of arbitration and mediation, emphasizing alternative dispute resolution mechanisms through informative content.

Given the Center's ambition to establish itself as an international hub, the informational brochure has been translated and published in English (500 printing examples), French (50 printing examples), and Russian languages (50 printing examples). This multilingual approach ensures the broad dissemination of crucial information, transcending linguistic barriers and aligning with our international aspirations.

### **XIII. Legislation amendment initiative**

Anticipating the fact that arbitration friendly law is the key to country's and AMCA's success in arbitration the Arbitration and Mediation Center of Armenia has taken proactive measures to collect information on existing legal gaps, engaging with judges, advocates, and other legal practitioners in order to identify and address existing issues. Namely, the legal gaps and existing issues were pointed out by the judges during the training at the Academy of Justice and the trainings



Pic.9 Round Table Discussion Aimed at Highlighting Problems and Gaps in the Legislation

organized by AMCA, by advocates and other legal practitioners during the seminars and trainings organized by AMCA and during private meetings.

As a result, AMCA initiated the process of examining all the legislative gaps and issues pointed out by professionals, as well as those gathered by the AMCA staff. This examination was carried out through extensive research and comparative analysis. International best experience has been analyzed on the issues regarding arbitrability, electronic written communications and conducting remote hearings, emergency arbitration, joinder of additional parties, statute of limitations, judicial assistance, enforcement of arbitral awards and other issues.

A legislative amendments proposal was developed based on legal research. The proposal addresses the gaps in the legislation offering more arbitration-friendly regulations and was discussed with counterparts on December 25th<sup>7</sup>.

The round table was attended by experts in the field of arbitration, including representatives of Armenian permanent arbitration institutions, arbitrators, judges, and lawyers. Tatevik Matinyan, the Director of AMCA, made an opening speech within the framework of the event, addressing the legislative issues of the sector, highlighting the need for addressing those as an essential prerequisite for the development of alternative dispute resolution mechanisms in Armenia. Lilit Petrosyan, deputy director of AMCA, addressed such issues as: revision of the scope of arbitration cases, provision of the possibility of holding electronic notifications and remote sessions, the issue of the jurisdiction of the arbitration tribunal, the possibility of applying emergency measures at the legislative level, joinder of additional parties, consolidation of arbitrations, etc. The participants of the meeting, emphasizing the initiative, expressed their satisfaction regarding the process of drawing up the draft legislative amendments. They expressed their willingness to make efforts within the working group's framework to improve the sectorial legislation.

Following the December 25 meeting, a proactive step was taken to establish a dedicated working group. The working group will navigate the complexities of the legislative process, ensuring the proposed amendments align with the best interests of the arbitration community and contribute to the overall efficacy of commercial arbitration in Armenia. Moreover, the group is entitled to make suggestions on the legislative proposals submitted by AMCA and assist AMCA on developing final drafts of amendments in different laws.

The first working documents have been prepared by AMCA and shared with the group.

#### **XIV. Initiation of Professional platform development**

In alignment with the Business Process Digitalization Program, AMCA has successfully developed the Terms of Reference (TOR) for the digital case management system. The primary objectives of the System encompass executing the functions outlined in the TOR, managing

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<sup>7</sup> [Round table discussion aimed at highlighting problems and gaps in the legislation - AMC \(amca.am\)](https://www.amca.am/round-table-discussion-aimed-at-highlighting-problems-and-gaps-in-the-legislation):



arbitration processes undertaken by the Center, and facilitating the centralized storage, automation, and management of document circulation arising from business processes.

The beneficiaries of the System include the parties to arbitration and mediation, AMCA's staff, the Arbitration Council, arbitrators, mediators, as well as third parties not directly involved in the process (such as experts or witnesses). The overarching goal of the System is to ensure the expeditious, efficient, and seamless execution of functions detailed in TOR. This encompasses the handling of arbitration applications, document circulation among involved parties, notifications, hearings, and various essential functions within a secure environment.

By streamlining these processes, the System is anticipated to enhance the efficiency of cost and time management during arbitration proceedings, concurrently ensuring the security of data acquired by the AMCA throughout the arbitration process.

The System will be comprised of multiple software modules, each designed to fulfill specific functions outlined in this report. This strategic acquisition is poised to significantly contribute to the technological advancement and operational efficiency of AMCA

The development process began at the end of December and soon after the architecture of the system was ready. The development is done by "Avromic" LLC which has won the tender for system development. Besides the architecture, developers have managed to work on business procedure modeling, mocked up some basic designs, researched relevant legislation acts, and mapped needed integrations. The MVP of the system will be ready by the end of June. The final product will be ready to use by the end of July.

## CHAPTER 2

### PROGRAMMATIC ACTIVITIES

#### **XV. Co-hosting international conference**<sup>8</sup>

On the 4-8th of September 2023 AMCA co-hosted Armenian Arbitration Week in which more than 200 stakeholders from around 30 countries took part. *"Increasing Business Confidence in a Globalized Economy through a State-of-the-Art International Commercial Arbitration Disputes Regime"* conference brought together distinguished experts, practitioners, and thought leaders in the field of international arbitration, offering valuable insights into the latest trends and best practices. Entrepreneurs, investors, arbitrators, legal professionals, or citizens simply interested in the realm of international arbitration enhanced their understanding and promoted network opportunities.



Pic. 10 Opening of the Conference

The opening of the Conference<sup>9</sup> was made by RA Deputy Prime Minister Mher Grigoryan<sup>10</sup>, Minister of Justice Grigor Minasyan<sup>11</sup> and President of the Central Bank of RA Martin Galstyan, Country Director of the Armenian Resident Mission of ADB Don Lambert, Head of Cooperation of Delegation of the European Union to Armenia Frank Hess and The Secretary of United Nations Commission on International Trade Law Anna Joubin-Bret. Deputy

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<sup>8</sup> [Արթիւրաժի և հաշտարարութեան ինստիտուտը ՀՀ-ում ներդնելու հնարավորութիւնը. 7-օրյա կոնֆերանս \(youtube.com\)](https://www.youtube.com/watch?v=sh-Tkgswyg4)

<sup>9</sup> <https://www.facebook.com/AMCAArmenia/posts/pfbid0UhL7AboHgfvk6yRKbYn9tLPCKLzzfyHfgoxd9Uiyz5ftAGcoc4G88TdfqfDA6NgGI>

<sup>10</sup> <https://www.facebook.com/AMCAArmenia/posts/pfbid02qb1sMDKiMWsTNaGM4hGZMfBDw8TrQ7CWREiBJEcktZQvUpXZDFanWNX2dZNwBbJzI>

<sup>11</sup> <https://www.youtube.com/watch?v=sh-Tkgswyg4>

Prime Minister Mher Grigoryan noted that the development of alternative dispute resolution methods and their use and promotion are significant for RA Government. Mher Grigoryan emphasized that this kind of international conference in Armenia is an unprecedented event for this field. RA Minister of Justice Grigor Minasyan also addressed the participants of the conference, underlining that the development of arbitration and mediation institutions has always been one of the strategic directions of judicial reforms of the RA Ministry of Justice and supporting such institutions is the ministry's commitment. The

President of the Central Bank of RA Martin Galstyan stated that the Arbitration and Mediation Center of Armenia allows to build more reliable future for citizens. According to him, the Center will contribute to the effective resolution of disputes by alternative methods and will contribute to Armenia having its strong place in the field of international arbitration.



Pic.11 The Chair of the International Arbitration Practice Group Garry Born

The chair of the international arbitration practice group Garry Born highlighted<sup>12</sup> the possibility of online work for quick resolution of disputes. Born noted that there is a practice of discussing and quickly resolving small disputes online, which contributes to the fast and smooth operation of the system. He emphasized that businesses from all over the world now prefer

international commercial arbitration as well as investment arbitration as a means of resolving disputes between themselves. He underlined that if

sides could not resolve their disputes, they would be deprived of further activities and development. Gary Born also defined 6Es which can be considered while signing contracts: 1. Expertise, 2. Expedition, 3. Efficiency, 4. Even handedness, 5. Enforceability and 6. Electronic.

The conference had the following sessions:

- Session 1: "Armenia as an investment hub" Promoting investor confidence through arbitration<sup>13</sup> (Moderator Damien Eastman, Deputy General Counsel, ADB). During the first panel discussion, the speakers, alongside other issues, emphasized that: The availability of alternative dispute resolutions is especially important for the improvement of the investment climate;
- Arbitration, as an alternative method for dispute resolution, can promote business as well as assist consumers;
- Settlement of business disputes of businesses transferred from Russia to Armenia can be carried out through arbitration;

<sup>12</sup><https://www.facebook.com/AMCAArmenia/posts/pfbid02Rni4eTb6rC5jWNR6kJ9uoMmL4sQfSA5UB3HyoB3fCwsRyY29UWb7W5bGZcUufyR51>

<sup>13</sup> [Armenia as an Investment Center: Strengthening Investor Confidence through Arbitration - AMC \(amca.am\)](https://www.amca.am)

- The legislation of the Republic of Armenia is favorable for the settlement of both local and international disputes through Arbitration;
- Disputes arising in Russian Federation can be resolved through the Arbitration and Mediation Center of Armenia. Arbitration in Armenia can become a bridge for dispute resolution for Russia and the West;
- To raise awareness of alternative methods of dispute resolution, students and PhD students can get involved in the activities of the Center and get acquainted with the practice of handling cases in such structures;
- The fact that AMCA has already achieved results of long and intensive work. This Center can significantly impact economic development and direct investment attraction. It has great potential to affect the economy of the Republic of Armenia, as it was in Sweden and Canada.



Pic. 12 The First Panel Discussion

The first panel discussion was moderated by Damien Eastman (Deputy General Counsel of the Asian Development Bank). He stressed that a solid arbitration system will be developed to facilitate investments and dispute resolution. Through AMCA dispute resolution will be more straightforward and contribute to the country’s economic growth. The representative of the Georgian Arbitration Center noted that they are ready to share their experience.

Session 2: Launch of the Arbitration and Mediation Center of Armenia<sup>14</sup> (Moderator: Tigran Dadunts, Director, Center for Legislation Development Foundation). During the second panel discussion of the “International Arbitration Week” conference held on September 4, the speakers highlighted the following points: “The role of the Arbitration and Mediation Center of Armenia is to strengthen people’s trust in alternative methods of resolving disputes. We anticipate that through arbitration, Armenia will gain significant advantages in economic cooperation with the world. We are committed to supporting the organization and contributing to its growth. This is both a challenge and a great honor.” (Harut Samra, Representative of AGBU Armenia) AMCA has developed highly flexible arbitration rules that fully align with international standards.

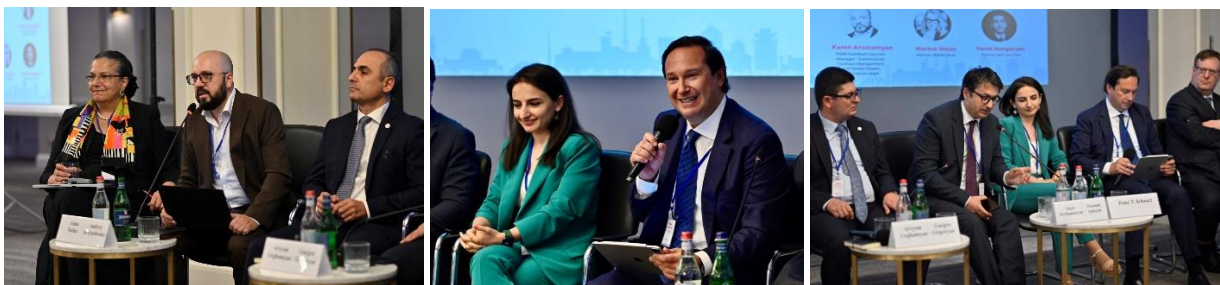
<sup>14</sup> [Launch of the Arbitration and Mediation Center of Armenia - AMC \(amca.am\)](http://amca.am)



Pic.13 The Second Panel Discussion

AMCA provides advanced electronic services to its clients. AMCA offers short deadlines for resolving both local and international disputes.” (Lilit Petrosyan, Deputy Director of AMCA) The Director and Deputy Director of the Center also participated in the second panel discussion. Tatevik Matinyan (Director of the Arbitration and Mediation Center of Armenia) expressed gratitude to all the partners who organized the event and the center’s founders. She emphasized that the Center’s Board of Trustees members is composed of representatives of various business and professional organizations in Armenia and within the Armenian Diaspora. At the same time, the Arbitration Council comprises esteemed experts in arbitration. Furthermore, the Arbitration Council is entrusted with critical functions such as appointing and approving arbitrators, reviewing requests for their disqualification, and more. The Center offers its beneficiaries Comprehensive arbitration rules based on international best practices. An electronic platform, a crucial feature of the 21st century, enables participants worldwide to engage in case proceedings.

Session 3: Construction and Mining Disputes<sup>15</sup> (Moderator: Franz T. Schwarz, Vice Chair, International Arbitration Practice Group, Wilmer Cutler Pickerinh Hale and Dorr LLP).



Pic. 15 The Third Panel Discussion

The third panel discussion was also about disputes in the construction industry. The speakers noted that disputes arising in this field are also easily resolved with the help of knowledgeable arbitrators. Now, because of the workload of the courts, the examination of cases takes more than half a year. Gurgen Grigoryan spoke about the peculiarities of the construction and arbitration sphere. Gurgen is the Chairman of the Association of the Armenian Developers. Their study showed that there are two types of disputes in this field: between private legal entities and

<sup>15</sup> [Construction and mining disputes - AMC \(amca.am\)](https://www.amca.am)

communal disputes (one party is the community or the state). The latter is most often found in the context of the implementation of state functions. The developers also want to cease the contract with the unscrupulous buyer and sell the house to someone else. We have had such cases. The dispute in the courts lasted for 4 years. Developers often do not go to court. Administrative justice takes years. Disputes arise due to time delays, and the role of arbitration is important in legal contractual relations.”

Session 4: Energy and Climate Change Disputes<sup>16</sup> (Moderator: Christina Pak, Principal Counsel and Team Leader, Law and Policy Reform, ADB).

Seda Shahinyan who was a speaker at the panel and is a commissioner of the Public Services Regulatory Commission of Armenia noted that “The electricity market should be liberalized, and the first steps have been taken.



Pic.14 The Fourth Panel Discussion

In 2022, this field has switched from a monopoly to a competitive one. One million consumers received the opportunity to choose their supplier. Nowadays, thirty companies can sell the energy produced by their solar panels in this market.” It is planned to increase this volume of renewable solar energy to 1000 megawatts by 2030 instead of the current 210”. She also noted that they are open to introducing new arbitration mechanisms in this field.

Session 5: Financial Disputes<sup>17</sup> (Moderator: Patricia Shaughnessy, Associate Professor, Law Department, Stockholm University). Arman Aloyan, the head of the Legal Department of Central Bank addressed the ways of resolving financial disputes, emphasized arbitration and highlighted its advantages for the financial sector. Financial system Mediator Piruz Sargsyan presented the role and functions of the Financial System Mediator Institute.

<sup>16</sup> [Energy and climate change disputes - AMC \(amca.am\)](#)

<sup>17</sup> [Financial Disputes - AMC \(amca.am\)](#)



Pic. 16 The Fifth Panel Discussion

Now, no arbitration points are included when the parties sign a contract. For the financial mediator to be able to decide, arbitration reservations should be noted. Gor Margaryan emphasized that banks prefer to resolve financial disputes through arbitration. He referred to the challenges that the Center may potentially face when resolving financial disputes. Patricia Shaughnessy highlighted the cooperation between international arbitration centers and AMCA, noting that the exchange of experience will allow the Center’s activities to be in line with international experience.

Session 6: New Developments in Dispute Resolution<sup>18</sup> (Moderator Galina Zukova, Partner, ZUKOVA Legal). Sixth Panel Topic “New Developments in Dispute Resolution” International Mediator Mushegh Manukyan referred to the importance of mediation. He mentioned that the opening of AMCA is imperative; it will make alternative dispute resolution possible in Armenia through an independent and reliable center. Catherine Rogers addressed the important measures that will allow citizens to build trust in AMCA. In this context, she emphasized the independence of the Center. During the panel discussion, electronic methods of dispute resolution and the issues of using artificial intelligence in the field were discussed.



Pic. 17 The Sixth Panel Discussion

Comprehensive information about speakers and covered topics can be found on the agenda of the event<sup>19</sup>. During the conference serious interviews were conducted with international experts on critical issues related to arbitration. On a later stage 5 separate interviews on: “Steering

<sup>18</sup> [New Developments in Dispute Resolution - AMC \(amca.am\)](https://amca.am)

<sup>19</sup> [amca.am/wp-content/uploads/2023/09/FINAL-Armenia-Pre-Conference-Booklet.pdf](https://amca.am/wp-content/uploads/2023/09/FINAL-Armenia-Pre-Conference-Booklet.pdf)

Committee and its input”<sup>20</sup>, “What is the mission of AMCA”<sup>21</sup>, “About Ethic rules of arbitrators”<sup>22</sup>, “How International Arbitration Functions”<sup>23</sup> and “Cooperation with Armenian Arbitration Centre”<sup>24</sup> and a summarizing movie of the entire event<sup>25</sup>.

## XVI. Arbitration week<sup>26</sup>



Pic. 18 Cover Page of the Conference Booklet

The above-mentioned international arbitration conference was only one of the events of Arbitration week as on the following days the below-mentioned events took place: cultural tour for international visitors, training on how to manage arbitration center for the staff of AMCA, round table discussion for lawyers, advocates and arbitrators, international commercial arbitration seminar for the private sector in Armenia.

A training for AMCA Staff<sup>27</sup> on Arbitration Center Operations was conducted with the support of the Asian Development Bank’s Law and Policy Reform Program on September 6, 2023. Topics covered include a)

Establishment and Organization, Operations of the Newly

Formed Center, b) Electronic Case Management System and c) Marketing of AMCA services. d) Appointment of arbitrators.

Thought provoking and effective discussion was conducted on overview of functions typically found at arbitral institutions, and what characterizes the different roles of Secretariat, Secretary General and Arbitration Council, including primary functions, key responsibilities and activities as well as key elements of a successful process



Pic. 19 Training for the AMCA Staff

<sup>20</sup> [Steering Committee and its input \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>21</sup> [What is the mission of AMCA \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>22</sup> [About Ethic rules of arbitrators - YouTube](https://www.youtube.com/watch?v=...)

<sup>23</sup> [How International Arbitration Functions \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>24</sup> [Cooperation with Armenian Arbitration Centre \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>25</sup> [Inaugural Armenia. International Arbitration Conference. \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>26</sup> [Արբիտրաժի և հաշտարարության ինստիտուտը ՀՀ-ում ներդնելու հնարավորությունը. 7-օրյա կոնֆերանս \(youtube.com\)](https://www.youtube.com/watch?v=...)

<sup>27</sup> [Training for AMCA Staff - AMC](https://www.youtube.com/watch?v=...)



for scrutiny of awards. Internal and external case management issues were discussed in detail and interesting tips were underlined by the speakers that might make the performance of AMCA more efficient.

The training was conducted by:

- Dr. Andrea Carlevaris, a partner at BonelliErede and an adjunct professor of international law. Between September 2012 and May 2017, Dr. Carlevaris was the Secretary General of the International Chamber of Commerce (ICC) and the Director of the ICC Dispute Resolution Services. Dr. Carlevaris is currently the President of the Italian Arbitration Association (AIA). He is also a member of the board of the Stockholm Chamber of Commerce (SCC) Arbitration Institute.
- Annette Magnusson is Co-Founder of Climate Change Counsel a think-and-do-tank with a mission to mobilize the law and lawyers for climate action. She holds more than 20 years' experience of international law, including from global law firms. Prior to co-founding Climate Change Counsel, Ms. Magnusson was Secretary General of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) for more than ten years.
  - Kevin Nash, leads the Registrar of the Singapore International Arbitration Centre Secretariat in the provision of case management services. For more than a decade, Kevin has overseen the administration of thousands of international cases under all versions of the SIAC Rules and the UNCITRAL: United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules.

The main outcome of the event was equipping the newly formed staff of AMCA with skills and knowledge on what is very important for organization of effective and efficient secretariat work and to what challenges the team should be prepared.

Cultural event was conducted on September 5<sup>th</sup>, for 45 guests and included guided tour to Armenian historical Ararat Brandy Company where the guests were introduced to the history of the Company, current developments and obtained skills on how to drink different brandies, also having degustation of three different aged brandies. In the second part of the cultural event the guests were taken to Garni temple and Geghard monastery where they were introduced to the ancient cultural heritage and history of Christianity. Warm reception to Armenian traditional music, lavash baking and national food was also made available for the guests.



Pic. 20 Arbitration Week Participants in the Ararat Brandy Company

On September 6<sup>th</sup> another event was held: a roundtable discussion with lawyers, advocates, and arbitrators. The event was comprised of three sessions devoted to the following topics<sup>28</sup>:

- Building a case in arbitration (arbitration agreement: structure recommendations and possible annulment grounds, notification and response to arbitration, selection of an arbitrator candidate, challenging the arbitrator). The speaker of the session was Thomas Snider, who is a member of the Arbitration Council of the AMCA and partner, head of arbitration in Charles Russell Speechlys LLP.
- Understanding the regulations regarding the selection of applicable law (overview of rules determining applicable law, principle of party autonomy, law of the arbitration seat, default rules of the arbitration institution, conflict of law rules.) The speakers of the session were Andrea Atteritano, partner and Giovanni Zarra, senior associate at Hogan Lovells (Rome).
- AMCA and its Arbitration Rules (The foundation of AMCA, its structure, role, targets, Arbitration rules-application of rules, definitions, written communications, commencement of arbitration, composition of arbitral tribunal, arbitration fees, etc.). The speaker of the session was Lilit Petrosyan, Deputy Director of the AMCA.



Pic. 21 A Roundtable Discussion with Lawyers, Advocates, and Arbitrators

<sup>28</sup><https://www.facebook.com/AMCAArmenia/posts/pfbid02Da3XdM7YfAF17YmgvM8uBF1LriuJKh1MbCZDthJS4WFZJNqVDHVCEB8QDJb12iGyl>

## XVII. Training for judges at the Academy of Justice



Pic. 22 Lilit Petrosyan During the Training Session for Judges

The Academy of Justice included “Arbitration and Mediation” module in the list of its 2023 training program for judges<sup>29</sup> and invited Lilit Petrosyan, Deputy Director of the Arbitration and Mediation Center of Armenia to lecture. As a result, during October 2023 Lilit lectured at the Academy of Justice for judges and candidates for judges within the annual training program<sup>30</sup>.

The Deputy Director of the AMCA held 6 training sessions each lasting 4-6 hours.

About 80 judges participated in the training courses.

The AMCA prepared an extensive presentation (120 slides) and the lecturer covered the following topics.

- What is arbitration?
- What are the benefits of arbitration?
- What is arbitrability?
- The role of Ad hoc and Institutional arbitration and their differences,
- AMCA as an institutional arbitration center,
- AMCA’s goals, targets and functions,
- Arbitration agreement and its importance,
- The content of the arbitration agreement and its requirements,
- Validity of arbitration agreements,
- Composition of the arbitration tribunal,
- The jurisdiction of the arbitration tribunal,
- Making of the arbitral award and the termination of proceedings,
- Challenging the arbitral award,
- The mandatory enforcement of the arbitral award,
- Judicial support to arbitration,
- Mediation and its role,
- Conducting mediation,

<sup>29</sup> <https://aoj.am/storage/full-time-education/training-program/j1Qix2IwN13Tt9V7tuXt3JytOWeYaz2oFYkQYoOq.pdf>

<sup>30</sup> [Training for judges and candidates for judges - AMC \(amca.am\)](https://amca.am/storage/full-time-education/training-program/j1Qix2IwN13Tt9V7tuXt3JytOWeYaz2oFYkQYoOq.pdf)

- Mediation agreement and settlement agreement,
- Mandatory mediation,
- Mediator and its role.

The topics were discussed in the light of Armenian legislation, international best practice, applicable precedents in the field of international arbitration, as well as the experience of the most known international arbitration centers, such as ICC, LCIA, SIAC, VIAC, DIAC. Besides, the Arbitration Rules of the AMCA have also been presented. During the training sessions the judges raised different questions and situations, which they encountered in practice. These issues were collected and raised during the discussion on legal gaps in the law.

The training sessions were successful and useful not only for judges but also for the AMCA. As a result, “Arbitration and Mediation” module is also included in the list of 2024 training program for judges<sup>31</sup>.

### **XVIII. Training for the staff of the Ministry of Economy**



Pic. 23 Training for the staff of the Ministry of Economy

In October 2023, the Center for Legislation Development organized a two-day Capacity-building training for the employees of the Ministry of Economy and invited Lilit Petrosyan, Deputy Director of the Arbitration and Mediation Center of Armenia to present AMCA and its Arbitration Rules (The foundation of AMCA, its structure, role, targets, Arbitration rules-application of rules, definitions, written communications, commencement of arbitration, composition of arbitral tribunal, arbitration fees, etc.).

### **XIX. Co-financing training for mediators**

The eight-day training course was held for mediators from November 17 to 25. The training was conducted within the frames of the “Support to the Justice Reform in Armenia” project. Trainers were CoE experts Sophio Chachava and Ramon Tena. The project involved 20 participants. 7 of them were licensed mediators, the others were yet to become. For the licensed mediators this was a rehearsal, for the others this was an opportunity to take part in the qualification exam. The project's aim was to develop alternative dispute resolution through a group of qualified mediators. The reform in its turn aims to ease the load in the courts. The following topics were covered during the training course.

<sup>31</sup> <https://aoj.am/storage/full-time-education/training-program/VSGLI0tuhn9JvpLccZTdw3IjETuc0h3fBHJW7rLG.pdf>

- Introduction to ADR methods and negotiation.
- New perspectives on conflict.
- Continuation of the previous session; Reflection hand-out.
- Features of the mediation process, rules of conduct of the mediator, the rights and obligations of mediators.
- Communication tools.
- Continuation of the previous session; Reflection hand-out.
- Amendments to the law on mediation, the registry of licensed mediators, the specifics of implementing mandatory mediation, the drafting of a mediation agreement.
- The mediator's profile.
- Preparing for mediation.
- Mediation in employment disputes: principles of employment legislation, rights and obligations of the employer and employee, employment contract and grounds for termination, working hours and the right to rest.
- Identifying interests and needs.
- Mediation in disputes concerning neighborly law and loan agreements, analyzing the characteristics of the mediation agreement.
- Mediation in family disputes: conclusion and dissolution of marriage, personal rights and obligations of spouses, rights and obligations of parents and children, alimony obligations.
- Initiation of a mediation process with participation of a licensed mediator within a court case, the specifics of the proceedings for the approval of a mediation agreement concluded out of court with participation of a licensed mediator.



Pic. 24 An Official Ceremony of Issuing Qualification Licenses to 19 Mediators



Pic 25. During the Trainings for Mediators

On December 28, 2023, after conducting written (on December 1<sup>st</sup>, 2023) and oral examinations (on December 17<sup>th</sup>, 2023) the Ministry of Justice held an official ceremony of issuing qualification licenses to 19 mediators, 14 out of which are newly licensed mediators.

## **XX. Advanced training for business and law firm representatives**

Three-day training courses were held for the representatives of business and law firms from December 1 to 3. Those sessions involved both national and international trainers, offered wide coverage of topics, and represented the procedures to file a case.

On the first day, Tatevik Matinyan, director of the Center, presented the Arbitration and Mediation Center of Armenia, its role, and functions. The first speaker of the second day was Hayk Hovhannisyanyan, who is a member of the Arbitration Council of the Arbitration and Mediation Center of Armenia, managing partner of the “HAP” law firm. The topic of his presentation was *“What is Arbitration and What are its Benefits?”* He presented the background of the formation and establishment of arbitration in RA, the existing obstacles to the establishment of arbitration, as well as the advantages of arbitration. The speaker emphasized the Center’s potential for effective and professional dispute resolution.



Pic 26. During the Trainings for Business and Law Firm Representatives, Day 1

The second speaker of the second day was a member of the Arbitration Council of the Arbitration and Mediation Center of Armenia, Mrs. Aida Avanesyan, a Ph.D., specializing in international law at the University of London. The topic of her presentation was “Disputes Resolved by Arbitration”. The speaker presented to the participants the range of cases that can be examined through arbitration, highlighting international experience and local approaches. Questions related to the challenge of the jurisdiction of the arbitral tribunal, the law applicable to the question of jurisdiction were also discussed. The next speaker was Lilit Gabrielyan, the representative of the Financial System Mediator’s office. The topic of his presentation was “Mediation and its Advantages”. The speaker presented the essence, features, advantages and the types of mediation. Through the discussion of situational problems, the participants were introduced to the role of mediation and the procedure of its implementation.

The speakers of the third day were Hayk Kupelyants, who is member of the Arbitration Council of the Arbitration and Mediation Center of Armenia, Ph.D., lecturer at King’s College London

University, and Lilit Petrosyan, Ph.D., Deputy Director of the Arbitration and Mediation Center of Armenia. Mr. Kupelyants spoke on the topic of “Developing Effective Arbitration Reservations”.



Pic. 27 During the Training for Business and Law Firm Representatives, Day 2 and 3

The speaker presented the features of institutional arbitration, referred to European, Asian, American models and experience. The speaker also discussed the issue of drafting an effective arbitration agreement, invalidity of the agreement and other issues.

The topic of Lilit Petrosyan’s speech was “Arbitration Rules of the Arbitration and Mediation Center of Armenia”. Ms. Petrosyan presented the structure of the rules, as well as the arbitration proceedings based on the rules, starting from filing a request to the Center for arbitration up to the making of an arbitration award.

## **XXI. Advanced training for judges and arbitrators**

Three-day training courses were held for judges and arbitrators from December 8 to 10. Tatevik Matinyan, Director of the Arbitration and Mediation Center of Armenia presented the structure of the Center, guarantees of independence, role and performed works. The series of speeches was continued by a member of the Center’s Arbitration Council, the president of the Italian Arbitration Association, Andrea Carlevaris.



Pic. 28 Member of the Center’s Arbitration Council, the President of the Italian Arbitration Association, Andrea Carlevaris During the Training



Pic. 29 Training for Judges and Arbitrators, Day 1

He emphasized the role of state courts in arbitration proceedings, presented the concept and role of international arbitration, the essence of commercial and investment arbitrations, as well as the methods of providing judicial support to arbitration and the procedure for their implementation. Carlevaris also addressed the role of permanent arbitration institutes, presenting the functions of such centers (namely the Arbitration and Mediation Center of Armenia), the scope of work with the parties and the arbitration

tribunal, the procedure for appointing arbitrators, examining the challenge presented to them, and other issues.

The last speech of the day on the topic of *“Mediation and Execution of Arbitration Awards”* was delivered by Hayk Kupelyants, member of the Center’s Arbitration Council, PhD, lecturer at King’s College London. Mr. Kupelyants firstly addressed the grounds and procedure for annulment of an arbitral award on grounds of public order, then the speaker presented what public order is and in which cases it is used as a basis for annulment of an arbitration award, highlighting the existing international experience in this regard.

On the third day of the talks, Lilit Petrosyan, Deputy Director of the Arbitration and Mediation Center of Armenia, presented the structure of the rules, as well as the arbitration proceedings based on the rules, starting from submitting a request to the Center for arbitration up to making an arbitration award.

The next speaker was member of the arbitration council of the Arbitration and Mediation Center of Armenia, Mrs. Aida Avanesyan, Ph.D. in international law from the University of London, who gave a speech on the topic *“Disputes Resolved Through Arbitration”*. The speaker presented to the participants the issues related to arbitrability, the range of cases that can be examined through arbitration, distinguishing international experience and local approaches. Questions related to the challenge of the jurisdiction of the arbitral tribunal, the law applicable to the question of jurisdiction were also discussed. Aram Orbelyan, managing partner of “Concern Dialog” law office, concluded the series of speeches by presenting the grounds for the annulment of



Pic. 30 Managing Partner of “Concern Dialog” Law Office Aram Orbelyan during the Training



the arbitration award and the issues related to them. Issues related to written communication in arbitration proceedings, formation of arbitral tribunal, validity of arbitration agreement, recognition and enforcement of arbitral award were also discussed in detail.

## **XXII. Visit of Students**

20 students had a study visit to the Center. At AMCA they learned the benefits of arbitration and



Pic. 31 Tatevik Matinyan with the Students who Visited AMCA

mediation, got acquainted with the structure of AMCA, and had their questions answered. Students were from Yerevan State University, the French University in Armenia, Eurasia International University and Public Administration Academy of RA. The activities of the Center, the challenges and development prospects of arbitration in Armenia, the newly formed structure, the website, and the tools for working with it were presented to the students. Through many questions, the students received detailed information about the appointment of

arbitrators, the execution of the arbitration award, and the effectiveness of arbitration. Students also learned that enforcement of arbitral awards is guaranteed in more than 170 countries that have joined the New York Convention<sup>32</sup>.

## **XXIII. Meetings with representatives of businesses**<sup>33</sup>

Meetings with the representatives of various businesses and relevant stakeholders were held. During December two meetings were held with business representatives and sport representatives. During the meeting with the business representatives the head of the Arbitration and Mediation Center of Armenia Tatevik Matinyan presented the Center, the role of arbitration and its privileges. She particularly spoke about how



Pic. 32 Meeting with the business Representatives in the AMCA

<sup>32</sup> [Students from different universities were hosted today at the Armenian Arbitration and Conciliation Center - AMC \(amca.am\)](https://www.amca.am)

<sup>33</sup> [Informational meeting with representatives of sports industry, telecommunications and insurance sectors of Armenia - AMC \(amca.am\)](https://www.amca.am)

arbitration could help to solve business disputes in an effective and swift way. The participants mostly were from insurance companies and business fields.

The second meeting was with the sports industry representatives. The meeting was attended by sports lawyers and managers from the Football Federation of Armenia (FFA), “Ararat”, “Shirak”, “Urartu”, “Noah” and “Pyunik” football clubs, as well as other guests. The goals and scope of activities for the establishment of the Arbitration and Mediation Center of Armenia were presented, as well as the arbitration services provided by the Center. The second part of the meeting was dedicated to the specific area of sports arbitration, entitled “Sports Arbitration: problems and opportunities”. Norayr Baghdasaryan, a lawyer at the Center, presented the vision of AMCA regarding the prospects of resolving sports disputes at the Center, after which a number of issues related to the development of sports arbitration in Armenia were actively discussed, such as the issue of arbitrability due to the specifics of sports disputes, the general scope of possible disputes, alternative dispute resolution mechanisms of FIFA in the light of regulations and the possibilities of submitting sports disputes of a commercial nature to the jurisdiction of the Center. The participants of the meeting also shared their experience and the problems that arose during the activity, highlighting the activity of the independent national arbitration center such as the Arbitration and Mediation Center of Armenia regarding easier resolution of several sports disputes.



Pic. 33 Meeting with the Sport Industry Representatives in the AMCA

A preliminary agreement has been successfully forged to foster collaboration with sports clubs, establishing a framework for the efficient transfer of commercial disputes to AMCA. In

the imminent future, the focus will shift towards deliberations on the potential examination of sports-related disputes within the Center.

The upcoming discussions aim to explore the feasibility of integrating the Arbitration and Mediation Center of Armenia as a national mechanism for the Dispute Resolution Chamber, specifically for the resolution of sports material disputes (in accordance with FIFA Circular 1010 regulation).

To initiate this process, individual meetings with representatives from key sports entities, including the Football Federation of Armenia, Basketball Federation of Armenia, Tennis Federation of Armenia, and various football clubs, have been preliminarily agreed upon.

#### **XXIV. Development of a Manual on Arbitration<sup>34</sup>**



Pic. 34 Cover of the Manual *Arbitration. Essence and the Procedure of Implementation*

A comprehensive manual about arbitration was developed and published. The manual gives the reader a good understanding of arbitration and its procedures. The manual is published in Armenian, thus helps in filling the gap of lack of scientific literature in Armenian. The manual aims to introduce to a non-professional audience what arbitration is, its advantages and how it works. The manual is not a scientific research, it aims to present the minimum information in an accessible, non-professional language that will enable businessmen and people interested in the field to form a general understanding of the Arbitration and Mediation Center of Armenia, the scope of disputes examined by the Center, the requirements presented to arbitration agreements, the procedure for enforcement of arbitration awards and the cases in which courts of general jurisdiction may be involved or assist in arbitration proceedings. Manual endeavors to provide a comprehensive introduction to a non-professional audience about arbitration, elucidating its workings, advantages over

general jurisdiction courts, and its preference over alternative dispute resolution methods. It is not intended as a scholarly research document but rather as a user-friendly resource conveying essential information in accessible language. The primary audience includes business professionals and individuals seeking a foundational understanding of the Arbitration and Mediation Center of Armenia, the types of disputes it handles, and the requirements associated with arbitration agreements.

The manual offers insights into the enforcement procedures of arbitration decisions and the scenarios where general jurisdiction courts may become involved or assist in arbitration proceedings. Examples of such involvement include applications for annulment of arbitration

<sup>34</sup> [Արբիտրաժ-ձեռնարկ.pdf \(amca.am\)](#)

awards, issuance of writs of execution for enforcement, recognition and enforcement of foreign arbitration awards, and applications for judicial assistance to arbitration. The latter encompasses a range of actions, such as enforcing claims, appointing arbitrators, deciding challenges to arbitrators, determining the termination of arbitrator powers, ruling on Arbitration Tribunal jurisdiction, aiding in evidence collection, and more. The manual is in the process of translation into English.

## **XXV. Development of curriculum**

Within the framework of cooperation with the Academy of Advocates of the Republic of Armenia training program on "International Arbitration" has been developed for lawyers, the aim of which is to support the establishment of a mutual relationship between arbitration and advocacy, while contributing to the development and establishment of arbitration as an alternative way of dispute resolution in Armenia. At the end of the training course, the lawyers will be familiar with arbitration, the features of arbitration, the prerequisites for resolving disputes by arbitration, the recognition, and execution of the judgment, as well as the participation of lawyers in the arbitration process and the possible perspectives of arbitration-lawyering interaction. The center has also developed a program on "Mediation" for lawyers and students at the Law Faculty. At the end of the training program, the participants will be familiar with the process of mediation in general and the goals of its implementation in the legal system of Armenia. After being approved by the bodies of the Academy of Advocates of the Republic of Armenia, they will be included in educational programs and will be taught by AMCA.

## **XXVI. ASSISTANCE TO MOOT COURT COMPETITIONS**

### **1. Co-financing international moot court participation**

AMCA co-financed the participation of YSU team in the 31st annual Vis International Moot court, which will take place in Vienna in March 2024. Specifically, 5 members of the team and a coach received a scholarship to cover their travel (Yerevan – Vienna - Yerevan) and accommodation costs (partially stay in Vienna). The team of YSU was selected, since its teams are representing the institution and the country in this international arbitration area for 5 years by now starting from 2018. During these years both former and acting team members and coaches created an institutional capacity allowing the teams to properly participate in the moot periodically, eventually increasing their successes, as well as preparing specialists with a good knowledge on arbitration and private international law. At the same time Yerevan State University teams created an image of their university as one of the permanent and well anticipated teams of the moot both in the international level, participating in Vienna's oral

rounds, and in the regional level, periodically participating in the Tbilisi pre-moot which is mainly organized for the teams from the South Caucasus countries. It is noteworthy that last year during the Tbilisi pre-moot YSU team was considered as the best team from Armenia.

The aim of co-financing such an event is to promote arbitration among future lawyers as well as assist participation of Armenian team in international highly respectful competition.

The Willem C. Vis International Commercial Arbitration Moot is the largest arbitration moot court competition for law students. The objective of Vis moot is to foster study in the area of international commercial arbitration and encourage the resolution of business disputes by arbitration. The problem for the moot is always based on an international sales transaction subjected to the United Nations Convention on Contracts for the International Sale of Goods (referred to commonly as the CISG) and also involves procedural issues of arbitration such as jurisdiction and powers of an arbitral tribunal. The moot consists of submitting written memoranda for both claimant and respondent before the oral phase of the competition, though the written arguments have no bearing on either the preliminary rounds or knockout stages in the oral phase.

## **I. 2. ASSISTANCE TO MOOT COURT COMPETITIONS**

### **2. Co-financing international moot court participation**

On December 16 and 17, the annual moot court competition on Banking Law was organized by the Financial System Mediator. Six teams from different universities participated in the competition. The deputy Director of AMCA, Lilit Petrosyan, was invited to serve as a mediator (presiding mediator) in the moot court competition. As a result, she presided two competitions meeting with four teams from different universities and provided feedback to them.

## **II. Conduction of AMCA staff training**<sup>35</sup>



Pic. 35 AMCA Staff Training, Day 1

On December 27-29, the Arbitration and Mediation Center of Armenia organized a training course for its staff. The training was carried out by Sergey Tantushyan, a specialist in business strategy and effective communication, and a lecturer at the American University in Armenia. As the Arbitration and Mediation Center of Armenia's staff is new, there was a need for training on the topics of effective communication, competent feedback,

<sup>35</sup> [Training Course for AMCA Staff - AMC](#)

conflict resolution, rational decision making etc.

Two-days training program, focused on diverse aspects of personal and professional development. The initial day centered around the theme of self-awareness. Participants engaged in activities and discussions aimed at understanding oneself better, recognizing personal strengths, weaknesses and values. During the discussion, Sergey Tantushyan paid special attention to emotional intelligence as it is essential for the working environment. In this part, the participants heard about other team members' biggest successes and fears.



Pic. 36 AMCA Staff Training, Day 2

The second day was dedicated to rational decision making and conflict resolution. There was a comprehensive session covering various critical skills. It included modules on rational decision-making techniques, strategies for effective communication, the art of giving and receiving feedback, and understanding perception's role in interpersonal dynamics. During the feedback session, staff also had roleplay, which helped them better understand the process of giving and receiving feedback. Participants also had various activities in session about perception, because as Sergey Tantushyan mentioned it is so important to understand the role of perception in conflict resolution process.

Training was so interactive, and participants had the opportunity to practice their skills. Some of the role-play techniques were six hats method, through which participants practice their decision-making and feedback-giving skills. This method encouraged participants to approach problems from multiple perspectives, fostering creativity, critical thinking, and collaborative problem-solving. The participants imagined that there would be an open SIAC branch in Armenia and started discussions about the steps that AMCA should take in case of such a new competitor in the market.

Overall, the training provided a well-rounded experience, equipping participants with tools and insights to enhance self-awareness, decision-making abilities, communication skills, and teamwork proficiency. Additionally, the training facilitated a deeper understanding among the staff, fostering better team dynamics.

**CHAPTER 3**  
**AWARENESS RAISING**

**III. Development of PR strategy for AMCA**

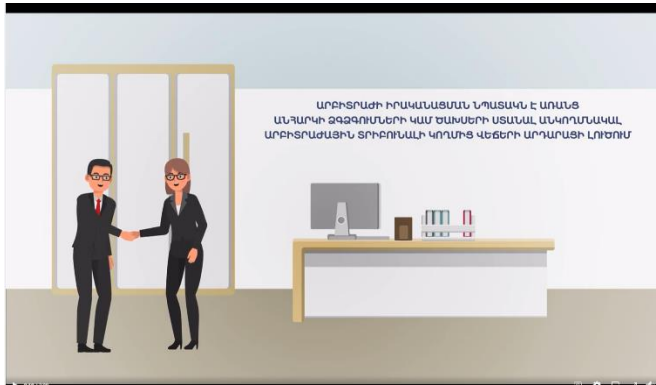
Since it is the first year of AMCA's operation and the efficiency of the Center depends on the level of public awareness and trust, it is important to dedicate sufficient time and efforts for professional and competent awareness raising campaign development and organization. PR strategies are developed with a long-term goal in mind, as it aims to build and maintain a positive brand reputation that consumers trust. For that reason, based on the results of an open tender a service provision contract was made with "Spring PR" company which within October – December, 2023 conducted media monitoring, focus group discussions, study of the market. Simultaneously, consultation on the AMCA visibility, marketing and brand promotion in a period when the strategy is not developed yet, was provided. For example, the PR company selected the locations and means through which the public advertising should be made (led advertisement screens, places for billboards and etc.) as well as provided with a conclusion on through which TV channels contextual information about AMCA should be spread.

A PR strategy was developed and is now being implemented. The strategy reflects the main goals of AMCA and indicates the main channels of communication for reaching those goals. It includes a SWOT analysis, recommendations for the future, and tips for working with media. The strategy was developed for a 3-year period. The company will be responsible for the strategy implementation for the next 6 months, ensuring the efficiency and productiveness of the strategy, and making necessary amendments to it if needed.

**IV. Development of social advertisement**

At the end of 2023, AMCA shot and aired 4 informative-educational videoclips. The aim of the video clips is to raise awareness about ADR and build trust among citizens for the arbitration and mediation processes.

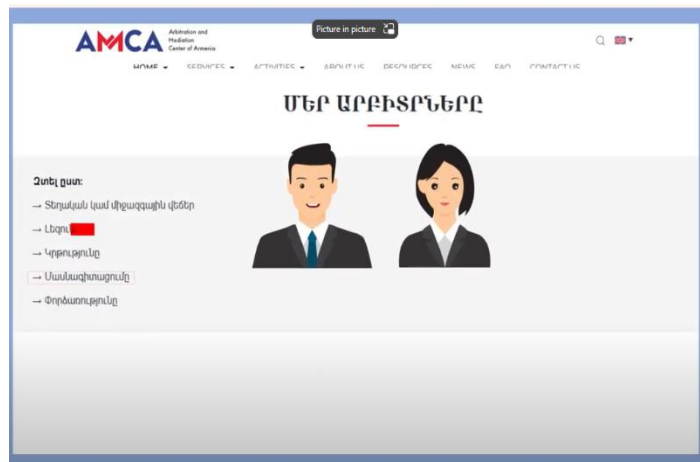
The first video is about the concept of arbitration, emphasizing its significance in resolving disputes outside of traditional court systems.<sup>36</sup> The video explains arbitration as an alternative dispute resolution method illustrating how arbitration can be an option for various cases, including construction, information technology, financial, intellectual property, sporty, commercial disputes. The video emphasizes the advantages of arbitration, such as its flexibility, confidentiality, and efficiency compared to court litigation. In the video, the arbitration agreement, the procedure for choosing an arbitrator, as well as the essence of the arbitration verdict are presented in detail. The video concludes with the words: “Arbitration and Mediation Center of Armenia, your partner in dispute resolution”.



Pic. 37 Screenshot from the First Video

The second video provides a comprehensive guide on the application process for an Arbitration and Mediation Center of Armenia.<sup>37</sup> It emphasizes the convenience and accessibility of the Center services by enabling applicants to calculate expenses directly on AMCA’s website. The video highlights the flexibility given to customers, allowing them to choose between transferring documents either in person or electronically.

Furthermore, it emphasizes the autonomy granted to applicants in selecting their preferred arbitrator, language, and applicable laws. By applying to the Center, the video underscores the efficiency and speed with which disputes can be resolved, presenting arbitration as a swift and effective alternative to traditional legal proceedings. So, via this video, people could understand the whole application process of AMCA and at the same time become more informed about AMCA.



Pic. 38 Screenshot from the Second Video

<sup>36</sup> <https://fb.watch/pu2g9XIpyM/>

<sup>37</sup> <https://youtu.be/wKMfFG9Opu4?si=34XyENSjZBo16edU>



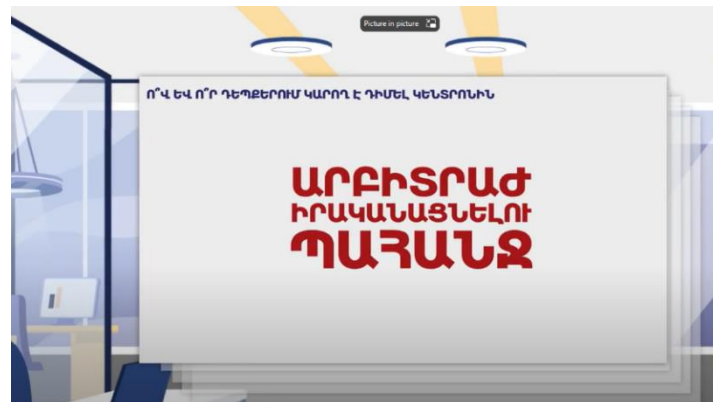


Pic. 39 Screenshot from the Third Video

The third video provides an overview of mediation, highlighting its role in resolving disputes resolution.<sup>38</sup> It begins by defining mediation, then the video underscores mediation’s applicability across various scenarios, outlining cases where mediation can be beneficial. It stresses that mediation can address a wide range of conflicts. Moreover, the video emphasizes the flexibility of mediation by highlighting that it

can be conducted both in person and through online platforms. The video also underlines the fundamental principles that govern mediation, including voluntariness, confidentiality, equality of the sides, and the impartiality and independence of the mediator. A central message conveyed in the video is the effectiveness of mediation as an alternative dispute resolution method. It emphasizes that mediation saves time and resources while preserving workable and affordable relationships among the parties involved. Overall, the video advocates for the utilization of mediation as a constructive means to resolve disputes while maintaining positive relationships.

The fourth video is about the arbitration case procedure at the Arbitration and Mediation Center of Armenia.<sup>39</sup> This video shows all the steps that must be taken at all stages of the proceedings according to the Arbitration Rules. It should be emphasized that the steps are presented in a very simple way to be understandable for everyone.



Pic. 40 Screenshot from the Fourth Video

## V. Conduction of online awareness raising campaign

As a part of the visibility campaign, social media played a big role in making AMCA more popular and raising awareness on arbitration and mediation. Through social channels, AMCA has not only provided updates to the public on a stable basis, but also was in constant touch with its beneficiaries and potential clients. The main channels used were AMCA’s official website, Facebook, LinkedIn and Instagram profiles.

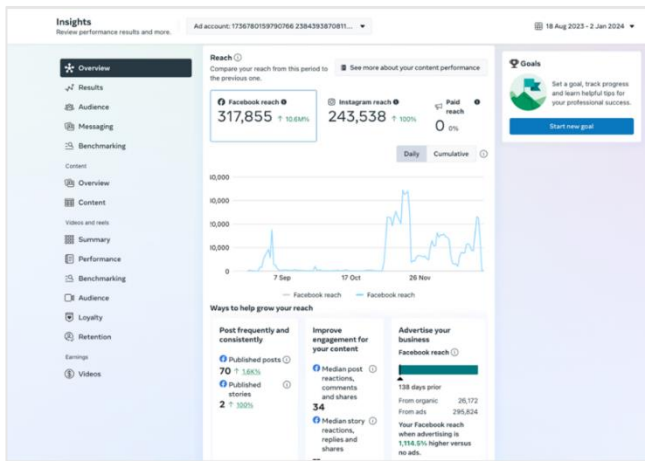
Overall, during the past 4 months, AMCA has made 70 posts on FB and Instagram reaching 317.855 and 243.538 users respectively, reels were watched by 44.297 and 70.500 users

<sup>38</sup><https://fb.watch/pu2ctBjYD8/>

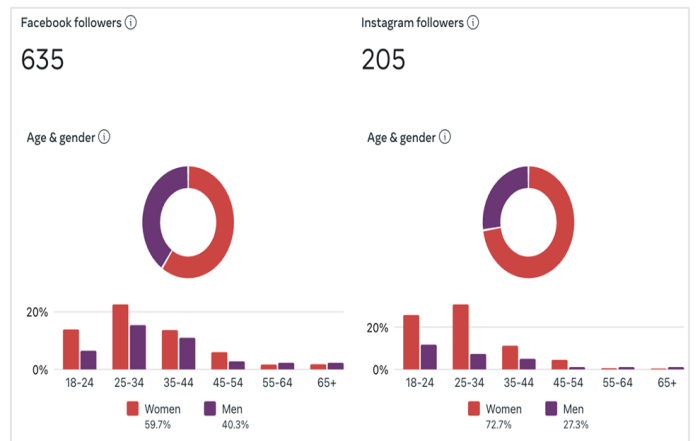
<sup>39</sup> [https://youtu.be/qalT\\_vT7kLY?si=9Lmx9KXb-BurXy1C](https://youtu.be/qalT_vT7kLY?si=9Lmx9KXb-BurXy1C)

respectively. Videos on FB were watched by more than 210.000 users. The analysis shows that nearly 40% of FB followers are users aged 25-44, and the majority of them are women. In a sense, the FB account also served as a platform for promoting the Website: Nearly 4.300 people entered the AMCA website through the FB account. 193 users got answers to their questions through writing to our FB account. 110 times posts on social media of AMCA have been saved. There were 97 publications and posts made on the official website.

AMCA has had sufficient media coverage on LinkedIn as well. The account has more than 400 followers and appeared in 100 searches. In December only AMCA’s account was visited by more than 220 users.



Pic. 41 Facebook and Instagram Reach Analyses



Pic. 42 Facebook and Instagram Followers Analyses

## VI. Placement of advertisement

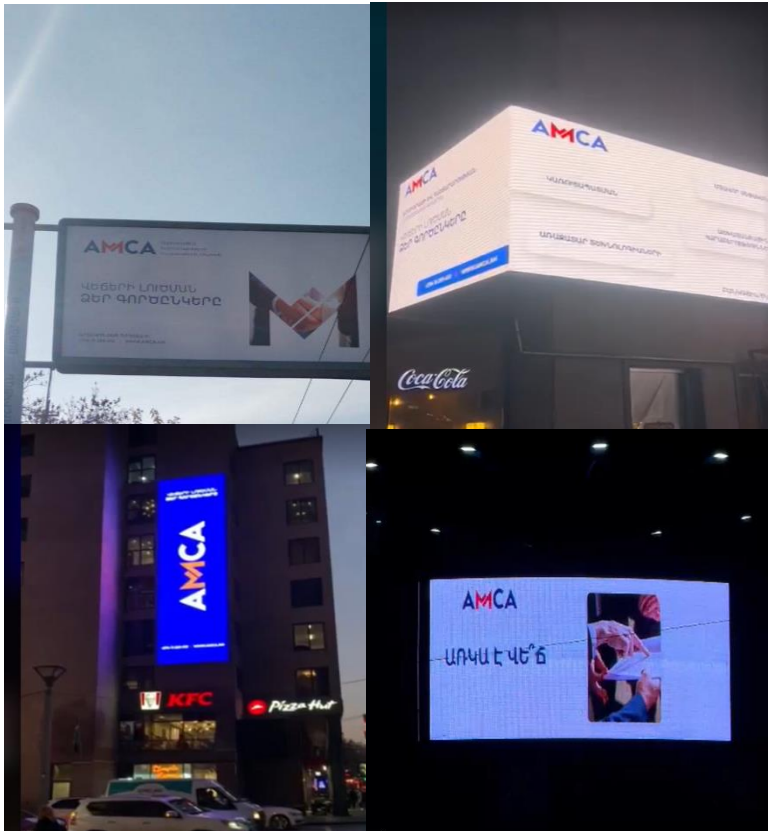
Based on the PR strategy and aiming at raising the popularity of the Center, AMCA has placed informative banners, advertisement videos, and other visuals across the different sites of Yerevan. The banners played a big role in promoting AMCA and its functioning. The selected venues are 1. busy streets of Yerevan and 2. banners on Arshakunyants Street where the AMCA office is located. Banners and ad videos were located for a 1-month period. Videos had a duration of 15 seconds and were

being aired once in every 4-minutes, every day, for 1 month. Namely, ad videos were aired through Led screens on the following addresses:

- Nothern Ave. 1;
- Crossroad of Abovyan-Nothern Ave.;
- Crossroad of Khanjyan-Sayat Nova Ave.;
- Crossroad of Arshakunyats-Grigor Lusavorich Str.;
- Miasnikyan-Heratsi Led screen.

Banners were placed in the following addresses:

- Arshakunyats Ave. 31
- Arshakunyats Ave. 39



Pic. 43 AMCA's Advertisement Videos and Banners

An e-banner was also placed on “News.am” website. The e-banner is placed on the 15<sup>th</sup> of December for a 1-month period, and only during the second half of December, it was seen by 584.241 users.



Pic. 44 AMCA's E-banner on News.am Website

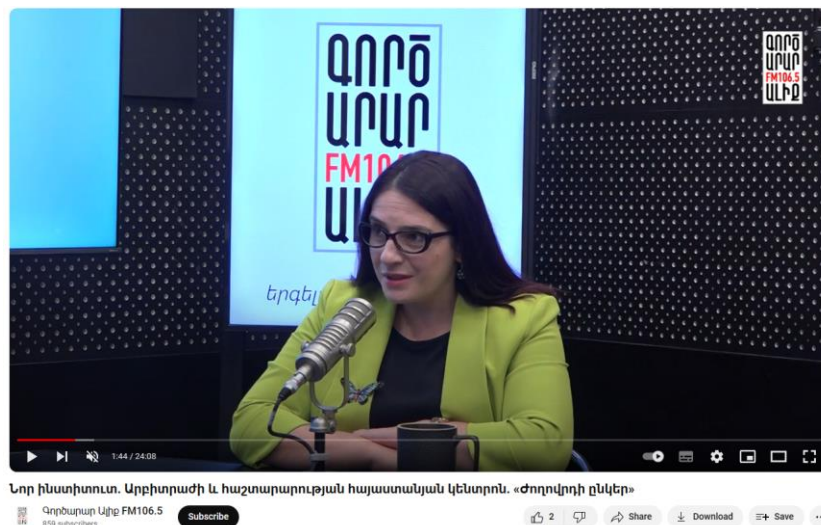
## VII. Provision of radio interview<sup>40</sup>

On December 15, Tatevik Matinyan, the Director of AMCA, was a guest on the Gortsarar aliq (Business Channel) FM106.5 radio channel's "People's Friend" program. Tatevik Matinyan and interviewer Hrant Sarkisov talked about arbitration procedures, how they can help people manage their time better, and how arbitration can improve the efficiency of the legal system as a whole.

Tatevik Matinyan noted that the Center was founded by Armenian General Benevolent Union, the Armenian Bar Association, and the Center for Legislation Development. She emphasized that the support for the establishment of the Center was implemented within the framework of the 2019-2023 strategy of judicial reforms in Armenia, and the Center was founded with the financial support of the European Union.

During the interview, Hayk Sarkisov asked questions about Arbitration council's members, stakeholders, the arbitration process, the burden of the judicial system, and other topics. Referring to the question about the meetings with the stakeholders, Tatevik Matinyan mentioned that these meetings help the sides understand why they are important for each other. She noted that during the meetings with stakeholders they presented what kind of services the Center provides and how important it is to include arbitration in their contracts as an important method of dispute resolution.

During the interview, Tatevik Matinyan also referred to the advantages of arbitration, emphasizing the importance of saving time, the confidentiality of dispute, and the role of professional specialists. Hayk Sarkisov summarized the interview, emphasizing the importance of impartiality and transparency in the arbitration process.



Pic. 45 Tatevik Matinyan During the Radio Interview in Gortsarar Aliq (Business Channel)

<sup>40</sup> [Նոր ինստիտուտ. Արբիտրաժի և հաշտարարության հայաստանյան կենտրոն. «Ժողովրդի ընկեր» \(youtube.com\)](https://www.youtube.com/watch?v=...)

### VIII. Development and airing of media coverage via 4 multiplex TV's

During these months AMCA cooperated with 4 multiplex TV's, which allows establishing credibility, reaching a wider audience, educating the public and attracting stakeholders.

On December 25, at 21:00 o' clock and on December 26 at 09:00 o' clock, H1 TV broadcasted a report about the Center's activities, organized events and trainings.<sup>41</sup> Particularly, they talked about the event held on December 25, which was dedicated to the discussion of legislative gaps in the field of arbitration. The report had approximately 380 views on Youtube and 1400 views on Facebook. During the report Director of the AMCA Tatevik Matinyan noted that the development of arbitration in the country is imperative. Turning to the discussion of legislative gaps Tatevik Matinyan underlined that the purpose of the discussion is to form a working group that will work on a package of legislative reforms in the future, to achieve legislative changes and improve the arbitration environment in our country. Deputy director of the AMCA Lilit Petrosyan mentioned that it is very important to address issues such as the implementation of electronic notifications, and the holding of teleconferences, which is very important nowadays and is an international practice in several countries.



Pic. 46 Screenshot from H1 TV Report



Pic. 47 Screenshot from Kentron TV Report

On December 4 and 5 at 09.00 o' clock, 11.00 o' clock, 15.00 o' clock and 20.00 c'clock Kentron TV made a report about the process of arbitration, the foundation of the Arbitration and Mediation Center of Armenia and it also referred to the training for business representatives. The report has 27.000 views on Facebook and 12 views on YouTube.<sup>42</sup> During the report head of the AMCA Tatevik Matinyan underlined the role of mediation and arbitration and emphasized that AMCA conducts mediation by licensed mediators and arbitration by both local and international arbitrators. Aida Avanessyan, a member of the arbitration council of AMCA, in her speech emphasized the role of arbitration in the case of commercial disputes, but expressed hope that the discussion of other disputes will gradually expand in the future. The Deputy Director of the Centre of Legislation Development and Legal Research, Davit Gharibyan underlined that their

<sup>41</sup> [https://www.youtube.com/watch?v=QT56cvgt\\_ps](https://www.youtube.com/watch?v=QT56cvgt_ps)

<sup>42</sup> <https://fb.watch/pt8TPdXfIS/>

goal is that representatives of this field understand that by applying to the AMCA they will have an effective resolution of disputes. The report concluded by the Deputy Director of AMCA Lilit Petrosyan, who mentioned that if the amount of the claim is up to 5 million drams, the institution, for example AMCA, can directly send to the compulsory enforcement service. In other words, judgments of up to 5 million lawsuits can be simply enforced by the Center by sending them to enforcement service.

On December 11 at 22:00 o' clock and on December 12 at 10:00 o' clock Armenia TV made a report about Arbitration and Mediation Centre of Armenia and its training for judges and arbitrators.<sup>43</sup> The report has 6000 views on Facebook and 141 views on Youtube. During the report the head of the Centre for Legislation Development and Legal Research foundation Tigran Dadunts mentioned that trainings are important for the public so that discussions about arbitration would not sound foreign to them, but there is also a need for narrow professional trainings for specialists. During the interview, the head of the Italian Arbitration Association, Andrea Carlevaris, spoke about his speech at the training with mentioning that during the training he presented the role of state courts in arbitration proceedings, the concept and role of international arbitration, the methods of providing judicial support to arbitration and the procedure for its implementation. Lecturer at King's College London, Hayk Kupelyants added that such meetings and training are helpful because through those meetings the sides understand what arbitration is, how arbitration works, and how to properly conduct arbitration activities.



Pic. 48 Screenshot from Armenia TV Report



Pic. 49 Screenshot from FreeNews TV Report

The next TV, which made a report about AMCA, and its activity was FreeNews TV, which made a report on December 18 during the whole day.<sup>44</sup> The report was about the role of the Center and the launch of the new website. During the report, Tatevik Matinyan, the head of AMCA, emphasized the importance of the Center's independence, because the factor of independence is significant for any arbitration center. The Deputy Director of the AMCA Lilit Petrosyan noted that both local and international experts, who enjoy a reputation in arbitration, are involved in the arbitration council, which has the power to appoint or confirm arbitrators.

<sup>43</sup> <https://www.youtube.com/watch?v=VCcAL3IRYQw>

<sup>44</sup> <https://www.youtube.com/watch?v=Ltw6LK5buyc>

In addition to these event reports, Kentron, Free News and BunTV TV stations broadcast also AMCA's informational videos. Starting from December 1, the videos were broadcasted on FreeNews and Kentron TV stations 6 times a day, and BunTV TV station 3 times a day.

## **CHAPTER 4**

### **NATIONAL AND INTERNATIONAL COLLABORATION**

#### **IX. Memberships of the AMCA**

For having access to global networks of experts, resources, and guidelines, fostering the advancement of dispute resolution practices, in this stage of his activity AMCA decided to become member of International Council for Commercial Arbitration (ICCA) and the International Chamber of Commerce National Committee Armenia (ICC). By joining these organizations, we enhance our standing within the international arbitration community, gaining valuable insights and opportunities for collaboration while staying updated with the latest developments in arbitration procedures and standards.

#### *Membership of ICCA*

AMCA became part of ICCA on 29 November 2023. ICCA seeks to promote and improve the use of arbitration and other forms of international dispute resolution through its international congresses, leading publications, judicial outreach programme and research projects. ICCA is a membership-based organization led by an international Governing Board of 40 prominent dispute resolution specialists and currently it has members from 95 countries.

With this membership in addition to supporting the development of international arbitration by supporting ICCA's work on project groups, judicial training, Young ICCA and more, AMCA's membership to ICCA has also the following benefits:

- listing in the online ICCA Membership Directory and the annual hard-copy Membership Directory.<sup>45</sup>
- 10% discount on the ICCA Yearbook, Handbook and Congress Series (via [www.kluwerarbitration.com](http://www.kluwerarbitration.com))
- 10% discount to attend the biennial ICCA Congress and other selected ICCA events
- receipt of regular newsletters and advance notice of events and activities
- access to members-only previews and other exclusive material on the ICCA website

AMCA considered becoming a member of the ICCA, because it serves as a prominent global network for arbitration, providing a platform for collaboration, knowledge sharing, and setting best practices in dispute resolution. Being a part of ICCA offers access to a wealth of expertise, resources, and knowledge through conferences, publications, and networks, facilitating continuous learning and growth. ICCA provides also a valuable network for connecting with leading practitioners, academics, and institutions globally, fostering relationships that can lead to

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<sup>45</sup> [Membership Directory \(arbitration-icca.org\)](http://arbitration-icca.org)



collaborations and advancements in the field of arbitration which is important for AMCA as it is not only local but also international arbitral institution.

### *Membership of ICC*

In December 2023, AMCA became member of International Chamber of Commerce National Committee Armenia, which have mission of facilitating commercial exchange, cooperation between National Committees to strengthen business relationships, enhancing trust by offering international commercial dispute adjudication, attracting foreign direct investments

The organization has 12 commissions and AMCA nominated 5 members of its staff in the following commissions: Tatevik Matinyan in Arbitration and ADR, Lilit Petrosyan in Banking, Norayr Baghdasaryan in Digital Economy, Mariam Melikyan in Energy and Environment and Vardan Lablajyan in Marketing and Advertising commission. The commissions have meetings which allow us to better understand the whole working process of this institution and being informed about the latest information in the global ICC world.

AMCA found it important to become part of ICC as ICC is the world's most networked business organization reaching over 45 million companies in more than 170 countries – a total employment footprint of over 1 billion people. And, for us as an arbitral institution, becoming a part of the ICC brings numerous advantages. Firstly, affiliation with the ICC provides credibility and recognition on an international scale, fostering trust among businesses seeking arbitration services. Secondly, being a part of the ICC network grants access to its extensive resources and expertise. Becoming part of national committee of ICC is giving opportunity both being involved in local events, meetings and also being part of international community, because integration into the ICC presents a strategic opportunity for us as a not only local but also international arbitral institution to elevate our status, access resources, and enhance our capabilities in serving the global business community through effective dispute resolution.

### *Ongoing enquiries*

In addition to the above-mentioned organizations, we have also applied to become members of the London Court of International Arbitration and hope to join this significant arbitration organization as soon as possible.

## **X. International trips and visits**

Participation in international events and conferences holds significant importance for AMCA. It not only opens up new networking opportunities but also serves as a platform for knowledge sharing, learning, and enhancing professional development. In essence, participating in international events and conferences is crucial for AMCA to stay relevant, connected, and influential in the dynamic and ever-evolving field of international arbitration and mediation. It also gives an opportunity to engage new arbitrators and mediators and effectively plan future activities of AMCA. Here are the main international events and conferences that AMCA's staff participated in:

### *Uzbek Arbitration Week, Tashkent<sup>46</sup>*

Deputy Director of AMCA Lilit Petrosyan took part in Uzbek Arbitration week, which was held in Tashkent from September 10-15. The Arbitration Week included discussions on various issues related to international arbitration and the exchange of experiences with representatives of international arbitration centers, such as centers in Uzbekistan, Russia, Belarus, Pakistan, Marocco and HKIAC.

During the event, Lilit Petrosyan presented AMCA, its main goals and targets, and discussed several issues related to AMCA's activities with representatives of international arbitration centers.



Pic. 50 Screenshot from the Third Video

### *International Arbitration Forum, Edinburgh*

On September 22nd, in Edinburgh, the "International Arbitration Forum" took place, in which Tatevik Matinyan, the director of AMCA, participated. The event was attended by prominent figures in the international arena such as Andrew MacLennan, Lord Glennie, Lisa Bosman, and Brendon Maloney, who welcomed the participants of the forum and emphasized the importance of arbitration and its current challenges.

The speakers presented on *The Impact of ESG on the International Arbitration Community* topic highlighting the key role of environmental, social and governance considerations in shaping the

<sup>46</sup> <https://amca.am/amca-in-uzbek-arbitration-week/>

future of arbitration. The following issues were discussed: Debate over whether non-lawyers should be included in arbitration proceedings, The importance of staff involvement in promoting the sector, the development of artificial intelligence.

The speakers especially emphasized that the current demand for arbitration centers is to be more transparent, and to pay special attention to the education of the sectors. Justin D'Agostino also gave a speech. He spoke about the proliferation of online platforms and with it the need for data control and proper management.



Pic. 51 Tatevik Matinyan during the International Arbitration Forum in Edinburgh

### *South East European Arbitration Conference, Vienna<sup>47</sup>*

Director of AMCA, Tatevik Matinyan participated in the “South East European Arbitration Conference.” The conference was launched on October 12, 2023, in Vienna. On the first day of the conference, Professor Christopher Scheruer delivered an opening speech, addressing the current challenges of investment arbitration and discussing future developments. Subsequently, during the panel discussions, the nuances of executing arbitration decisions and the new challenges caused by geopolitical changes were talked over. These discussions encompassed the difficulties encountered by arbitrators across various countries and explored potential solutions for the future.



Pic. 52 Tatevik Matinyan during the South East European Arbitration Conference in Vienna

<sup>47</sup> <https://amca.am/the-director-of-amca-participated-in-the-arbitration-events-in-vienna/>

### *GAR LiveVienna*

On the second day of her business trip to Vienna the Director of AMCA Tatevik Matinyan participated in GAR Live Vienna where the following issues were discussed; competition law and arbitration, is there a necessity to have a uniform standard for independence and impartiality of experts in international arbitrations, whether third party funding has improved international arbitration.

In her opening speech the Minister of Justice of Austria Alma Zadic mentioned the importance of the state in taking actions for using the profits of artificial intelligence in legal profession however underlining that she does not believe that the AI may replace the legal professionals at this stage.

Richard Whish KC, Emeritus professor of law, King's College London delivered a very interesting speech on the specific relation between arbitration and competition law, also addressing the court developments in that area.

A very interesting session was “What would you do?” where the audience was asked at the very beginning if they are for or against having uniform standards for expert independence and the votes were almost 50/50 but after discussing 4 scenarios from different countries the final voting showed that 74% of the audience is quite confident that there is a strong demand of uniform standard.

A very competitive and thought-provoking debate was on the topic of *This house believes that third-party funding has improved international arbitration* and in comparison, with a preliminary voting 10 more per cent of the audience voted for it.

The specifics and importance of such an event are that both theoretical and practical advice is provided by professors from leading universities and worldwide well-known practitioners on current developments in different countries.

### *Dubai Arbitration Week, Dubai*<sup>48</sup>

From November 13 to 15, the Director of AMCA , Tatevik Matinyan participated in the Dubai Arbitration Week. There were 36 participants from 6 continents and about 100 events during the Arbitration Week.

On the first day of the event, she took part in the *Thinking Beyond the Final Award: Achieving Effective Outcomes in International Arbitration* panel, which had two sessions. During the first session, participants discussed issues concerning cross-border enforcement and arbitration challenges. In the second session, participants discussed how tracing and investigations can enhance the prospects of achieving an effective outcome from international arbitration. There were productive discussions with the honourable speakers Khawar Qureshi KC, Ayman Merdas, Ian Casewell, Tom Evans and David Hunt.

On November 14, Tatevik Matinyan participated in the “Impact of Sanctions on Conduct of Arbitration: Practical Issues” panel. The panel covered pressing issues related to the conduct of international arbitration proceedings affected by sanctions regimes. Speakers talked about the

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<sup>48</sup> <https://amca.am/tatevik-matinyan-participated-in-the-dubai-arbitration-week/>

tools and options that can help to minimize the negative impact of sanctions, arrange the formation of an impartial and independent tribunal, and ensure smooth and effective conduct of the proceedings, starting from the initiation of arbitration until the enforcement of the arbitral award.

A very effective and productive panel was the “Dubai International Arbitration Centre and American Arbitration Association (the role of institutions, case management) – International Centre for Dispute Resolution”. After the opening speeches of Director of Dubai International Arbitration Centre Jehad Kazmi and President and CEO of the American Arbitration Association Bridged McCormack, in two panels, participants discussed issues concerning sustainable arbitration, the role of arbitral institutions, and effective case management in international arbitration.

Next, Tatevik Matinyan participated in the “Arbitration Across Generation (World leading arbitration practitioners from Secretariat, Shearman, and more)” panel discussion, which was about exploring how the convergence of different generations, young and old, can affect the conduct and outcome of arbitrations.

It is worth emphasizing that Tatevik Matinyan also had a meeting with AMCA Arbitration Council member Thomas Snider. During the meeting, several questions about the AMCA rules were discussed.

Engaging and practical discussions were held in “Court’s role in building a safe arbitral seat: the bench’s perspective (webinar) seminar and panel sessions of the SIAC (Singapore International Arbitration Centre) Dubai Conference 2023. In the first session of the SIAC conference, a

combination of arbitration and mediation was discussed. The second session was dedicated to the changes to SIAC’s arbitration rules. Particularly, there were discussions about innovative approaches to the SIAC new rules. Dubai Arbitration Week was a very productive and helpful event, from which AMCA gained a lot of theoretical and practical advice.



Pic. 53 Tatevik Matinyan and AMCA Arbitration Council member Thomas Snider during Dubai Arbitration Week

*GAR Live: Women in Arbitration, Paris*<sup>49</sup>

Tatevik Matinyan, Director of AMCA and Lilit Petrosyan, Deputy director, participated in *GAR Live: Women in Arbitration* event held in Paris on December 7.

Among the speakers at the event were former and current heads of international arbitration institutions, as well as fellow lawyers of well-known international law offices.

The talks focused on current challenges in international arbitration, tools to promote women's involvement, the use of arbitration alongside expanding ESG obligations, as well as current trends and challenges in the use of arbitration in the mining sector.



Pic. 54 Tatevik Matinyan and Lilit Petrosyan During *GAR Live: Women in Arbitration* Event in Paris

*Meeting with Ambassador Extraordinary and Plenipotentiary of Armenia to the French Republic*

During their trip to Paris Mrs. Matinyan and Mrs. Petrosyan had a meeting with Hasmik Tolmajyan, Ambassador Extraordinary and Plenipotentiary of Armenia to the Republic of France, within the framework of their visit to the Republic of France.

During the meeting, Mrs. Matinyan presented the features of the newly created arbitration center and emphasized the importance of a similar international center for improving the investment environment in the Republic of Armenia.

During the meeting, the importance of involving the potential of Armenian lawyers living in France in the development of arbitration and mediation in Armenia was discussed.



Pic. 55 Tatevik Matinyan, Lilit Petrosyan, and Ambassador Hasmik Tolmajyan in Paris

<sup>49</sup> <https://amca.am/gar-live-women-in-arbitration-event-in-france/>

## *Regional cooperation on Mediation, Tbilisi*<sup>50</sup>

On 20 December 2023, the first international conference on *Regional cooperation on Mediation* was held in the capital of Georgia, Tbilisi. The conference was attended by Igor Mirzakhanyan,



Pic. 56 Igor Mirzakhanyan and Chairperson of Mediators Association of Georgia Irakli Kandashvili

the mediation case manager of the AMCA. During the conference, the legal framework, principles and persisting challenges in the regional countries regarding mediation as an alternative dispute resolution mechanism were tackled. Igor Mirzakhanyan presented the approaches of the AMCA as a permanent mediation institution and its vision for the development of the field. The participants also discussed the possibilities of development of the mediation institute in the region and considered the prospects of implementation of joint programs and further cooperation.

The conference was organized by the Mediators Association of Georgia with the support of the United Nations Development Program and the Germany.

### **XI. Promotion of AMCA clauses in contracts**

During different public or private events organized by the AMCA or other bodies, AMCA advised advocates, businesses and different companies on how to draft an effective arbitration agreement. Moreover, AMCA represented its arbitration and mediation clauses to be used for referring the case to AMCA.

As a result, over 200 agreements (contracts) on employment, sales, services, supply, construction and others mentioned AMCA as the institution for handling the disputes arising from these contracts.

The model arbitration clauses can be found on AMCA's website<sup>51</sup>, which enables the parties to use the clauses and draft effective arbitration agreements.

### **XII. Promotion of AMCA during events**

On October 27-29, the Armenian Lawyers Assembly, organized by the Office of the High Commissioner for Diaspora Affairs, was held in Yerevan. Over 250 Armenian lawyers from 31 countries participated in the Assembly sessions under the theme "Armenia and the World: Defending our rights abroad and at home". The Assembly goals have been the following: to foster connections and collaboration between Armenian lawyers from Armenia and the Diaspora,

<sup>50</sup> <https://amca.am/regional-cooperation-on-mediation-conference-was-held-in-tbilisi-georgia/>

<sup>51</sup> <https://amca.am/arbitration/>

and to discuss important legal issues concerning the homeland and the Diaspora. Additionally, the Assembly aimed at exploring opportunities for involving specialists and creating an agenda for collaboration.

Tatevik Matinyan, director of AMCA delivered a speech at the first panel discussion of the Armenian Lawyers Assembly. During her speech, Ms. Matinyan emphasized the advantages of arbitration, in particular: resolution of disputes in the shortest possible time by specialized arbitrators. Arbitrators are appointed by the disputing parties. Arbitrators can be from any country in the world, as the Arbitration and Mediation Center of Armenia provides an opportunity to conduct the entire arbitration process remotely.



Pic. 57 Tatevik Matinyan during the Armenian Lawyers Assembly

Speaking about Armenia-Diaspora cooperation, the Director of the Center noted that AMCA is the best example of such cooperation, because two of the three founders of the Center are representatives of the Armenian Diaspora: Armenian General Benevolent Union and Armenian Bar Association. Many Armenian specialists from different countries from all over the world are involved in the work of the Center as arbitrators and experts. Tatevik Matinyan expressed special thanks to the Diaspora Commissioner's office for organizing this important event and expressed confidence that sharing the professional experience of our compatriots with their colleagues in Armenia can contribute to the institutional development of the sector<sup>52</sup>.

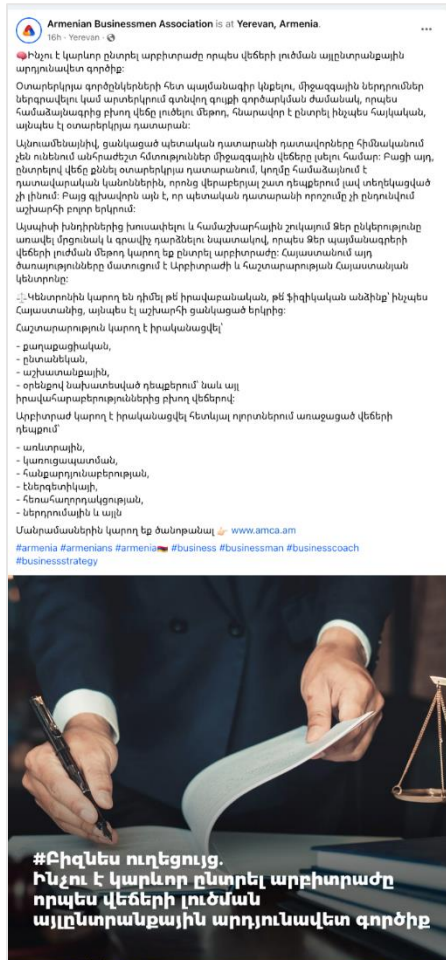
The second day of the Armenian Lawyers Forum was marked by an inspiring exchange of ideas, paving the way for a promising roadmap to harness the potential of the Armenian diaspora in driving legislative reforms within the Republic of Armenia. Ms. Matinyan also participated in the exchange of ideas. One of the key issues that resonated throughout the session was the persistent

<sup>52</sup> [Armenian Lawyers Assembly for Armenia - AMC \(amca.am\)](http://amca.am)



challenge of lengthy dispute resolution processes in Armenian courts. She mentioned again that the AMCA will help solve this problem. Ms. Matinyan reaffirmed the commitment of the Arbitration and Mediation Center of Armenia to address this issue head-on. She also underscored the pivotal role that Armenian diaspora lawyers and legal institutions can play in importing successful arbitration. Moreover, she emphasized the importance of raising the international recognition of AMCA on relevant platforms<sup>53</sup>.

In December 2023 a meeting was held at the office of Armenian Businessmen Association NGO<sup>54</sup>. At the meeting the main areas of collaboration with AMCA and the importance of collaboration were highlighted. As an outcome of the meeting an agreement was made to organize a series of meetings with representatives of different businesses. Moreover, the NGO assured that they would use all their possible platforms to distribute information about the importance of arbitration and mediation and services provided by the AMCA.



Pic. 58 Promotion of AMCA by Armenian Businessmen Association NGO

<sup>53</sup> [Role of diaspora in Legal developments in Armenia - AMC \(amca.am\)](https://www.amca.am)

<sup>54</sup> [Armenian Businessmen Association | armassociation.com](https://armassociation.com)