

**Chart 2**  
to Russian Commercial Arbitration LawFlash

| <i>For arbitration agreements entered into</i>                  | Foreign Institutional Arbitral Tribunal<br>(e.g., ICC, LCIA)   |  | Foreign Ad Hoc Arbitral Tribunal<br>(e.g., UNCITRAL) | ICAC<br>(and MAC)   | Other Russian Institutional Arbitral Tribunal  |
|---|--|--|--|---|--|
|   | <i>Seat in Russia</i>  | <i>Seat outside Russia</i>                                   |  |   |  |
| <b>before 1 Sept. 2016<br/>(but dispute arising after then)</b> | <i>Consider general risk that corporate disputes may be deemed non-arbitrable per current (pre-reform) Russian law, and the related further risk of challenge of such agreement and/or award</i> |  |  |   |  |
| <b>after 1 Sept. 2016<br/>(but before 1 Feb. 2017)</b>          | <i>Consider general risk that arbitration agreements entered into before 1 February 2017 may be deemed incapable of being performed (in other words, essentially invalid).</i>                   |  |  |   |  |
|   | <i>Further, taking this into account:</i>  |  |  |   |  |
|   | May be OK, if this tribunal gets RF gov't accreditation (but consider delaying until, or re-signing after, 1 Feb. 2017)  | Not allowed for most corporate disputes (see linked Chart 1) | Prohibited for corporate disputes                    | May be OK (but consider delaying until, or re-signing after, 1 Feb. 2017) | May be OK (but consider delaying until, or re-signing after, 1 Feb. 2017); if accredited by RF gov't |
| <b>after 1 Feb. 2017</b>  | Generally, OK, if the foreign tribunal gets RF gov't accreditation   | Not allowed for most corporate disputes (see linked Chart 1) | Prohibited for corporate disputes                    | OK  | OK; if accredited by RF gov't  |

*NOTE: See the "Navigating the transitional provisions" section of this LawFlash main text for a fuller discussion of the uncertainties and risks involved here.*