

Baker McKenzie.

RUSSIA TRADE DAYS 2021

7-10 December 2021

AGENDA

7 December 2021

Day 1 – Sanctions. Working language - English

Time (Moscow)	Item	Speaker
13:30 - 14:00	Registration and lunch	
14:00 - 14:05	Introduction	Alexander Bychkov
14:05 - 15:20	<p>Topic 1: Latest and expected developments in the sanctions regulations, regulators' expectations, sanctions compliance due diligence</p> <ul style="list-style-type: none">• Overview of key developments over 2020-2021, including<ul style="list-style-type: none">○ <i>Sanctions targeting Belarus</i>○ <i>Nord Stream - 2: potential sanctions consequences</i>○ <i>Overview of recent and upcoming developments in Russia, including the Lugovoy law</i>• Methodology of counterparties sanctions screening<ul style="list-style-type: none">○ <i>examples of enforcement practice of the regulatory authorities</i>○ <i>examples highlighting which partners in the supply chain require particular attention</i>	Alexander Bychkov (Vladimir Efremov) Alex Lamy Ben Smith Phil Reich Alexandra Shmarko

	<ul style="list-style-type: none"> Enforcement of sanctions compliance by controlling authorities of the US, the EU and Switzerland: latest practice and trends <p>Q&A</p>	
15:20 - 16:35	<p>Topic 2: US, EU and Swiss export control regulations</p> <ul style="list-style-type: none"> US, EU and Swiss export control: key provisions De minimis rule Direct product rule Approaches to the definition of end-user/end-use in light of recent developments in US export control legislation <ul style="list-style-type: none"> Russian Responses to Western Sanctions Russian Draft Bills on Introduction of Criminal Liability Russian Sanctions Imposed on Ukraine <p>Q&A</p>	Alex Lamy Ben Smith Phil Reich
16:35 - 16:55	Coffee-break	
16:55 - 18:10	<p>Topic 3: Transaction structuring in the framework of US, EU and Swiss sanctions, and a view from Russia</p> <ul style="list-style-type: none"> Enforcement of contracts from the standpoint of sanctions compliance <ul style="list-style-type: none"> <i>main problems, including negotiation of sanctions clauses in commercial contracts</i> Termination of contracts due to sanctions <ul style="list-style-type: none"> <i>inter alia, as a result of a regular counterparty screening</i> <i>key "pitfalls" based on the recent court practice</i> <p>Q&A</p>	Alex Lamy Ben Smith Phil Reich Denis Ezhov Alexandra Shmarko

8 December 2021

Day 2 – Customs compliance. Working language - Russian

Time (Moscow)	Item	Speaker
9:30 - 10:00	Registration and breakfast	
10:00 - 11:15	<p>Topic 1: Customs law enforcement</p> <ul style="list-style-type: none">• Major changes in the customs legislation over 2021• Recent trends and updated statistics of customs law enforcement<ul style="list-style-type: none">◦ <i>including pre-trial and court practice</i>• Customs court practice: recent trends<ul style="list-style-type: none">◦ <i>customs valuation and changes of prices retroactively and for the future: typical issues and problems</i>◦ <i>inclusion of dividends into the customs value</i>◦ <i>inclusion of royalties, transportation costs into the customs value</i>◦ <i>inclusion of costs on the provision of various services into the customs value: installation works, engineering services, etc.</i>◦ <i>new approach to the customs value corrections: customs corrects its own customs valuation, insists on correction even when the sixth method is applied</i> <p>Q&A</p>	<p>Alexander Bychkov (Vladimir Efremov)</p> <p>Andrey Gavrilov</p> <p>Kristina Shcheglazova (Hava Kadyrova)</p>
11:15-12:30	<p>Topic 2: Making a strategy for dealing with the customs authorities (before customs inspections)</p> <ul style="list-style-type: none">• Key risks in customs clearance<ul style="list-style-type: none">◦ <i>including additional charges to the customs value, interconnectivity, collection plans</i>• Major importers' mistakes and ways to avoid them. Recommendations on a long-term customs risk assessment strategy<ul style="list-style-type: none">◦ <i>internal audit of foreign trade agreements, special attention to license</i>	<p>Alexander Bychkov (Vladimir Efremov)</p> <p>Andrey Gavrilov</p> <p>Kristina Shcheglazova (Hava Kadyrova)</p>

	<p><i>agreements and license payments, analysis and elimination of possible or potential flaws in foreign trade documentation</i></p> <ul style="list-style-type: none"> • Structuring of internal processes for efficient interaction with customs authorities <p><i>foreign trade special</i></p> <p>Q&A</p>	
12:30 - 12:50	Coffee-break	
12:50 - 14:05	<p>Topic 3: Challenging customs requests and audits (once customs has already "paid a visit")</p> <ul style="list-style-type: none"> • Customs documentary inspections: smart reaction to customs requests <ul style="list-style-type: none"> ◦ <i>from the standpoint of importers, exporters, foreign persons, other contractors</i> • Behaviour strategy during on-site inspections <p>Q&A</p>	<p>Alexander Bychkov (Vladimir Efremov)</p> <p>Andrey Gavrilov</p> <p>Oleg Tkachenko</p>
14:05-15:20	<p>Topic 4: Customs investigations</p> <ul style="list-style-type: none"> • Preparation for and behaviour during a questioning or an interrogation in course of customs investigative operations <ul style="list-style-type: none"> ◦ <i>including overview of recent trends in behavior of customs inspectors</i> • Best practice of defending the company and its management in case of customs investigations • Overview of recent trends in investigations: what attracts special interest of controlling authorities <p>Q&A</p>	<p>Alexander Bychkov (Vladimir Efremov)</p> <p>Andrey Gavrilov</p> <p>Kristina Shcheglazova</p> <p>Oleg Tkachenko</p>

9 December 2021

Day 3 – Key aspects of dealing with counterparties in Russia: commercial contracts, public procurement, localization (Part 1).

Working language - Russian

Time (Moscow)	Item	Speaker
9:30 - 10:00	Registration and breakfast	
10:00 - 11:15	<p>Topic 1: Commercial contracts with counterparties in Russia: execution, enforcement and termination</p> <ul style="list-style-type: none">• Negotiating a contract: how to avoid mistakes and defend against actions taken in bad faith• Contractual protections applied during execution and enforcement of commercial contracts• Industry and enforcement practice related to performance and termination of contracts during COVID-19 pandemic <p>Q&A</p>	Alexander Bychkov (Vladimir Efremov) Denis Ezhov Ekaterina Erova
11:15 - 12:30	<p>Topic 2: Public procurement in Russia: statutory limitations for foreign vendors</p> <ul style="list-style-type: none">• Access of foreign companies to public and municipal procurement<ul style="list-style-type: none">◦ <i>including prohibitions and restrictions for various industries</i>• Preferences for local goods• Recent legislative developments in the area of public procurement• Peculiarities of executing government contracts <p>Q&A</p>	Alexander Bychkov (Vladimir Efremov) Anastasia Efimova Nadia Goreslavskaya
12:30 - 12:50	Coffee-break	
12:50 - 14:05	<p>Topic 3: Antitrust and criminal prosecution for anticompetitive behavior at procurement tenders held by state-owned and private companies</p> <ul style="list-style-type: none">• collusion between suppliers, including their dealers, collusion between suppliers and	Alexander Bychkov (Vladimir Efremov) Nadia Goreslavskaya

	<ul style="list-style-type: none"> procuring entities mechanics of joint investigations conducted by the competition and law enforcement authorities (e.g. Federal Security Service, Investigative Committee, Ministry of Internal Affairs). <p>Q&A</p>	
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10 December 2021

Day 4 - Key aspects of dealing with counterparties in Russia: commercial contracts, public procurement, localization (Part 2).

Working language - Russian

Time (Moscow)	Item	Speaker
9:30 - 10:00	Registration and breakfast	
10:00 - 11:15	<p>Topic 1: Localization of products in Russia</p> <ul style="list-style-type: none"> Confirmation of "Made in Russia" status Equipment localization peculiarities Software localization peculiarities <ul style="list-style-type: none"> <i>including overview of recent expected changes and localization trends</i> Recent initiatives regarding import substitution with local products <p>Q&A</p>	<p>Vladimir Efremov</p> <p>Andrey Gavrilov</p> <p>Hava Kadyrova (Kristina Shcheglazova)</p>
11:15 - 11:35	Coffee-break	
11:35 - 12:50	<p>Topic 2: Non-tariff regulations</p> <ul style="list-style-type: none"> Product certification in Russia: recent trends in controlling the compatibility of products with technical requirements <ul style="list-style-type: none"> <i>including discussion regarding test protocols, status of importer of record and authorized person in Russia, etc.</i> Recent labelling trends and expected developments in products' labelling and product control, including the traceability approach <p>Q&A</p>	<p>Vladimir Efremov</p> <p>Andrey Gavrilov</p> <p>Hava Kadyrova (Kristina Shcheglazova)</p>

