

Nurbek Sabirov

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EDUCATION

UNIVERSITY OF CINCINNATI, COLLEGE OF LAW - Cincinnati, OH

Master of Law (LLM), (Completed with Honors), 2019-2020

Selected honors: Fulbright Fellow (full stipend and scholarship)

KYRGYZ NATIONAL UNIVERSITY, COLLEGE OF LAW - Bishkek, Kyrgyzstan

Jurisprudence Diploma, LLB (Completed with Honors), 1998-2003

Selected honors: Fellow of the Kyrgyz State Fellowship Program (full stipend and scholarship)

EXPERIENCE

ARBITRATION

- Represents interest of the Kyrgyz Republic in the investment dispute (UNCITRAL Arbitration Rules) as one of the counsels. Concluded case (waiting for the award). The sum of the claim over 30 million USD.
- Represents interest of the Kyrgyz Republic in the investment dispute (UNCITRAL Arbitration Rules) as a one of the counsels. Pending case. The sum of the claim over 70 million USD.
- Served as a local counsel of the international law firm representing the interests of the Kyrgyz Republic in the investment dispute (Additional Facility Rules of ICSID). The sum of the claim was over 400 million USD.
- Considered 2 international commercial arbitrations as a member of tribunal (ICC Arbitration Rules and UNCITRAL Arbitration Rules).
- Considered 30 cases as a sole arbitrator/member of the panel of the International Court of Arbitration of the Chamber of Commerce and Industry of the Kyrgyz Republic (the ICA).
- Represent one of the gold companies in insurance dispute. Sum of the claim over 5 million USD (ICA Arbitration Rules). Pending case.

LITIGATION

Manage all trial preparation for case litigation, develop detailed litigation strategies for each case; represent clients before various public authorities and courts of Kyrgyzstan in civil, constitutional, and administrative proceedings in all instances, including the Supreme Court, including but not limited:

- Represented interests of the Clients in the suits against the regulatory agencies including the Government) related to the contesting the acts, actions (inactions) of the state agencies and state officials (imposing fines for ecological violations, for non-performance of the license agreements, refusal to annual trademark etc.)
- Represented the interests of international organization related to the challenging of the Government Act on repeal of act of transformation of lands
- Challenged the laws for compliance with the Constitution (Articles of the Civil Procedural Code, Public Procurement Law and Disciplinary Commission of the Council of the Judges Law)
- Challenged the General Plan of Bishkek, approved by the Resolution of the Government, in the court.
- Represented the interests of a large-scale mining company, responding to an action of the General Prosecutor on contesting the land use rights, to an action of Vice Chairman of the Parliament on contesting of the investment agreement.
- Challenged in the court the plan of reorganization of bankrupt bank due to unequal protection of state creditors and private creditors (all liquid assets were moved out to a new established bank jointly with the debts before the state).

- Initiated the bankruptcy proceeding of the Bank in the National Bank of Kyrgyz Republic.

DRAFTING LAWS AND EXPERT WORK

Have experience in drafting laws starting from 2008 as an expert of international organizations, as a member of the working groups established under the state agencies. Experience in drafting laws includes a full support of the bill throughout the approval process (drafting of bill, revise a bill in accordance with comments of state agencies, meeting with state officials (including officials of the Parliament Office) in order to discuss their comments and get approval of the bill, presentation of the bill in the Government, in round tables with participation of all stakeholders, revise a bill upon completion of the public discussion, attend the meetings of the Parliament Committees and general meeting of the Parliament).

- Draft amendment to the Labor Code of the Kyrgyz Republic related to the balance of the interests between employer and former employee related to the sum of interests for nonpayment of any part of salary to the former employee (Bill was passed, the Law dated December 18, 2015 #227).
- Member of the group (under USAID project) drafted amendments to the Kyrgyz Laws (Civil Code, Tax Code etc.) related to the simplification of the procedure of liquidation (Bill was passed. Law on amendments and additions to some legislative acts of the Kyrgyz Republic dated May 22, 2015 #115).
- Drafted amendments to the Kyrgyz Laws (Investment Law, Tax Code, Custom Code, Law on nontax payment) related to the implementation of stabilization clause, including legal consultation and full support throughout the approval process (Bill was passed. Law on amendments and additions to some legislative acts of the Kyrgyz Republic dated February 13, 2015 #32).
- Drafted amendments to the Civil Procedure Code of Kyrgyz Republic related to the development of third courts (as a local expert in ADB Investment Climate Improvement Program), including legal consultation and full support throughout the approval process (Bill was passed. Law on amendments and additions to the Civil Procedure Code of Kyrgyz Republic dated December 11, 2013 #217).
- Member of regional panel experts in the EBRD project on assessment of court decisions and judicial system of the Kyrgyz Republic, Kazakhstan, Russia, Tajikistan, Ukraine, Moldova, Mongolia.

KALIKOVA & ASSOCIATES LAW FIRM – Bishkek, Kyrgyzstan

Partner, April 2010 to current time

- Draft, review and revise various types of contracts and internal documents of clients to ensure their compliance with the laws; draft legal briefs, opinions, and legal memoranda for clients; explain available courses of action and possible repercussions to clients, work with clients to resolve pre-litigation disputes.
- Conduct due diligence and draft reports on Kyrgyz companies and assets involving analysis of corporate performance, rights and interests in movable and immovable property, commitments, pending and/or potential litigation, validity of licenses and permits and other issues of operation of companies in Kyrgyzstan.
- Counsel clients on corporate, mining, energy, labor, intellectual property, antitrust and customs, as well as other issues in doing business in Kyrgyzstan

SECRETARIAT OF THE PRESIDENT OF THE KYRGYZ REPUBLIC – Bishkek, Kyrgyzstan

Legal Expert, October 2009 – April 2010

- Drafted analytical documents, drafts of the decrees of the President

KALIKOVA & ASSOCIATES LAW FIRM – Bishkek, Kyrgyzstan

Senior Lawyer, Head of Litigation & Arbitration Practice, October 2007-October 2009

PARTNER LAW FIRM – Bishkek, Kyrgyzstan

Leading Litigation Attorney, July 2005 – October 2007

USAID LEGAL INFRASTRUCTURE FOR MARKET ECONOMY PROJECT – Bishkek, Kyrgyzstan
Lawyer, July 2004 – July 2005

- Drafted laws (amendments to the land legislation), analytical documents on improvement of legal regulation of business.

HELVETAS-KYRGYZSTAN, LARC LEGAL PROJECT – Bishkek, Kyrgyzstan
Lawyer, February 2003 – June 2005

PROFESSIONAL ACTIVITIES & AFFILIATIONS

Designated by the Kyrgyz Republic as arbitrator into the list of ICSID Panel of Arbitrators	2022
Arbitrator of Vilnius Court of Commercial Arbitration (Lithuania)	2022
Member of the Legal 500 “Arbitration Powerlist: CIS and Caucasus”	2020
Trademark Attorney	2019
Recognized as the leading practitioner in litigation according Who is Who Legal 2018	2019
Arbitrator of Qinzhou Arbitration Commission (China)	2018
Member of the working group (Prague rules on taking evidence in international arbitration)	2018
Arbitrator of Riga International Commercial Arbitration Court (Latvia)	2014
Arbitrator of Georgian International Arbitration Center (Georgia)	2014
Member of Chartered Institute of Arbitrators (London)	2009
Arbitrator of the International Court of Arbitration of the Chamber of Commerce and Industry	2006
Attorney of Kyrgyz Republic	2006

PUBLICATIONS

“Perspectives of instituting appellate mechanisms in arbitration”, Third Court, # (1/2 (121/122), St. Petersburg, Russia	2020
“Recognition and enforcement of foreign arbitration awards in Russia and former USSR countries (Chapter about Kyrgyzstan)”	2019
Legal aspects of arbitrability in Kyrgyz Republic. Collection of articles for the 15th anniversary of the International Court of Arbitration of the CCI of Kyrgyzstan	2017
Legal regulation of the arbitration proceeding in Kyrgyz Republic. Schoolbook.	2017
Postal expenses of the courts: How save the state funds	2017
Investment Disputes: Reasons, Consequences, Conclusions: Review #2: Case – Sistem Mühendislik v. Kyrgyz Republic	2016
Investment Disputes: Reasons, Consequences, Conclusions: Review #1: Case - Petrobart Limited v. Kyrgyz Republic	2016
“Right to remedy as a tool to seek revision of the Investment agreement”, Third Court, № 1 (91), St. Petersburg, Russia	2014
“Are we ready to accept a decision of the Constitutional Court in spite of a price we have to pay”	2015
“Arbitration as the method of settlement of investments disputes against the Kyrgyz Republic”, Lawyer, April #4, Almaty, Kazakhstan	2013
“How to fight corruption”	2010
“Your company has been sued”, Business News, Issue 2(66), 2009	2009
Analysis of Judicial Practice of Reviewing Disputes Arising out of Inspections Conducted by State Controlling Authorities. One of the authors.	2006
Peculiarities of National Inspections. One of the Authors. My Right Series Booklet (Bishkek, 2006)	2006

- **Languages:** Fluent in English, Russian and Kyrgyz (native)