

Elijah Putilin

Nationality: Russian

Languages: Russian, English



Elijah Putilin is a leading independent arbitrator with over twelve years of dispute resolution experience in civil, common, and international law.

He regularly sits as a Sole-Arbitrator, Presiding Arbitrator, and co-arbitrator in cases administered by DIFC-LCIA, TRAC, RAC, IAC (Kyrgyzstan), and ICAC (Uzbekistan). His expertise spans a variety of industries, including oil & gas, banking & finance, construction, and agriculture.

In addition to sitting as arbitrator, Elijah is counsel at Putilin Dispute Management (PDM) where he has been involved in hundreds of disputes before SCAI, SCC, LCIA, ICC, ICDR, and ICAC (Russia) tribunals, foreign and domestic courts of all levels, international trade tribunals and sporting bodies.

Elijah regularly lectures on international commercial and investment arbitration at the Tashkent State University of Law and is an Adjunct Professor of international dispute resolution and business law at leading universities in Central and South-East Asia.

He is a member of the SCC Arbitrators' Council, a member of the Supervisory Board of the IAC (Kyrgyzstan) and an immediate-past member of the TIAC's Court of Arbitration. He is also a Fellow of the Chartered Institute of Arbitrators (FCIArb).

Sector Expertise

- Energy, Oil & Gas
- Banking & Finance
- Construction, Engineering & Infrastructure
- Agriculture

Energy, Oil & Gas

- Presiding Arbitrator in an arbitration conducted according to ICAC (Uzbekistan) Rules between a Kyrgyz seller and an Uzbek buyer arising out of an LNG supply agreement. Applicable law(s): CISG and Kyrgyz law. Seat: Tashkent, Uzbekistan. The amount in dispute: ~ USD 1 mln;

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- Sole Arbitrator in an arbitration conducted according to ICAC (Uzbekistan) Rules between an Uzbek buyer and a Russian seller arising out of an agreement to supply certain products of oil refining. Seat: Tashkent, Uzbekistan. Applicable law(s): CISG and Russian law. The amount in dispute: ~ USD 100 k;
- Sole Arbitrator in an arbitration conducted according to TRAC Rules between an Iranian buyer and Indian seller arising out of an agreement to supply certain products of oil refining. Seat: Tehran, Iran. Applicable law(s): the laws of Iran and India. The amount in dispute: ~ EUR 300k;
- Co-Arbitrator in an arbitration conducted according to ICAC (Uzbekistan) Rules between a Bulgarian distributor of petroleum products and an Uzbek company. Seat: Tashkent, Uzbekistan. Applicable law(s): TBD. The amount in dispute: ~ USD 330k.

Banking & Finance

- Co-Arbitrator in an arbitration conducted under the DIFC-LCIA Rules between two African financial institutions arising out of the English law-governed Facility Agreement. Seat: DIFC. Amount in dispute: > EUR 140 mln;
- Co-Arbitrator in an arbitration conducted according to ICAC (Kyrgyzstan) Rules between a Kyrgyz bank with foreign investments, a Kyrgyz borrower and several individuals arising out of the facility agreement, mortgage and guarantee agreements. Seat: Bishkek, Kyrgyzstan. Applicable law(s): Kyrgyz law. Amount in dispute: > USD 1 mln.

Construction, Engineering & Infrastructure

- Sole-Arbitrator in an arbitration conducted under the RAC Rules between an Italian contractor and a Russian employer arising out of a contract to design, manufacture and supply certain materials for a construction of an aerospace facility. Seat: Moscow, Russia. Applicable law: Russian law. The contract value: ~ USD 600k;
- Co-Arbitrator in an arbitration conducted under the ICAC (Uzbekistan) Rules between an Uzbek sub-contractor and a Singaporean contractor arising out of an Uzbek law-governed agreement to design and lay tracks for an oil refinery. Seat: Tashkent, Uzbekistan. The amount in dispute: ~ USD 40k;
- Co-Arbitrator in an arbitration conducted under the IAC (Kyrgyzstan) Rules between two Kyrgyz construction companies arising out of a Kyrgyz law-governed Partnership Agreement to build and manage a residential complex in Bishkek, Kyrgyzstan. Seat: Bishkek, Kyrgyzstan. The contract value: ~ USD 1 mln;
- Co-Arbitrator in an arbitration conducted under the IAC (Kyrgyzstan) Rules between a Kyrgyz seller and a Kazakh buyer arising out of an agreement to design, manufacture and supply an industrial steam boiler. Seat: Bishkek, Kyrgyzstan. The amount in dispute: ~ KZT 14 mln.

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Agriculture

- Sole Arbitrator in an arbitration conducted under the TIAC Rules between an Uzbek buyer and a Chinese seller in relation to a termination of an agreement to design, manufacture and supply seed preparation, solvent extraction, and vegetable oil refinery equipment. Seat: AIFC. Applicable law: CISG & Chinese law. The contract value: ~ USD 1,5 mln;
- Sole Arbitrator in an arbitration conducted according to ICAC (Uzbekistan) Rules between a Hungarian seller and an Uzbek buyer arising out of an agreement to supply livestock. Applicable law: CISG & Hungarian law. Seat: Tashkent, Uzbekistan. The contract value: ~ USD 430k;
- Presiding Arbitrator in an arbitration conducted according to ICAC (Uzbekistan) Rules between an Uzbek buyer and a German seller arising out of an agreement to supply certain crops. Applicable law: CISG & German law. Seat: Tashkent, Uzbekistan. The contract value: USD 1,7 mln.

Experience

Elijah's other appointments as an arbitrator not described above include:

- Sole Arbitrator in an arbitration conducted according to the ICAC (Uzbekistan) Rules between an Indian manufacturer of pharmaceuticals and medical equipment and an Uzbek buyer arising out of a series of supply contracts. Applicable law(s): the laws of India and Uzbekistan. Seat: Tashkent, Uzbekistan. The contract(s)' value: ~ USD 100 k;
- Co-Arbitrator in an arbitration conducted according to the ICAC (Uzbekistan) Rules between an Uzbek logistics company and a Singaporean contractor. Seat: Tashkent, Uzbekistan. The amount in dispute: ~ USD 40k;

Elijah also regularly acts as counsel and expert consultant in high value complex commercial, competition, intellectual property, and compliance disputes. To request a full copy of his previous case experience please email - elijah@putilin.law

Academic & Professional Qualifications

- LLB & LLM (cum laude), Moscow State Institute of International Relations (MGIMO)
- PhD, Tashkent State University of Law (pending)

Professional Associations & Recognitions

- Empanelled Arbitrator, Various Institutions;
- TIAC, Immediate Past Member of the Court;
- IAC (Kyrgyzstan), Member of the Supervisory Board;
- Fellow of the Chartered Institute of Arbitrators (FCIArb);
- R.E.A.L., Ambassador.

Publications, Articles & Thought Leadership

Elijah was one of the youngest practitioners worldwide to be admitted as a full member (fellow) of the Chartered Institute of Arbitrators (UK) and to complete the Oxford Diploma Course.

He divides his time between his practice, lecturing, and publishing. He is a frequent speaker at international conferences across the globe. The highlights of his academic profile include:

Faculty appointments and visiting lectureships

- Adjunct Professor, Conflict of Laws, International Commercial Law, International Commercial and Investment Arbitration, Tashkent State University of Law;
- Adjunct Professor, Introduction to Business and Corporate Law, British Management University in Tashkent;
- Visiting lecturer, 'How "International" and "Commercial" International Commercial Arbitration Truly Is', Tashkent State University of Law;
- Visiting faculty, 'Law, Practice and Procedure of International Commercial Arbitration', American University of Central Asia, Kyrgyzstan;
- Visiting faculty, 'The Essentials of International Investment Law & Arbitration', KAZGUU University, Kazakhstan;
- Visiting lecturer, 'International Commercial Arbitration: Modern Trends', Westminster International University in Tashkent (WIUT), Uzbekistan;
- Visiting lecturer, 'International Commercial Arbitration: The Flavours of Asia', University of World Economy and Diplomacy, Uzbekistan;
- Visiting lecturer, 'Arbitration in Asia: Practical Considerations'; 'Introduction to International Investment Law: Vietnamese International Investment Regime', 'Provisional Measures in Investment Arbitration', Foreign Trade University, Vietnam;
- Visiting lecturer, 'Introduction to Mediation', Taylor's University, Malaysia;
- Visiting lecturer, 'The Art of Resolving Construction Disputes', SEGi University, Malaysia.

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Publications: Books & Book Chapters

- Author, 'Uzbekistan's Arbitration Act: A Practical Commentary', (CLDP, forthcoming 2024);
- Author, 'TIAC Arbitration Rules: A User's Guide', (CLDP, forthcoming 2024);
- Co-editor with C. Baltag, K. Gore and K. Duggal, 'International Investment Law & Investment Dispute Settlement in Central Asia: Emerging Issues', (Kluwer Law International, 2023);
- Author, 'Private International Law in Uzbekistan', (Hart, forthcoming 2024);
- Author, 'AIAC Arbitration Rules: A Commentary', (Kluwer Law International, forthcoming, 2023);
- Author, '2119: An Arbitral Odyssey or Proliferation of International Arbitration of Space-Related Disputes' in 'A Brand New World: The Evolution and Future of Arbitration', CIARB, (2020);
- Contributor, S. Rajoo, WSW Davidson, 'The Arbitration Act 2005: the UNCITRAL Model Law as applied in Malaysia', (Sweet & Maxwell Asia) (2018);
- Co-author, Chapter on Russia in 'International Agency and Distribution Law', 2nd ed, D. Campbell, (2013).

Publications: Selected Articles and Blog Posts

- Author, 'Arbitration in Uzbekistan', Legal500, (2022);
- Author, 'International Commercial Arbitration in Uzbekistan', GTDT, (2022-2023);
- Author, 'Investment Treaty Arbitration: Uzbekistan', GTDT, (2022-2023);
- Author, 'A Golden Age of International Commercial Arbitration in Central Asia: Quo Vadis Kyrgyzstan?', ICAC Kyrgyzstan, (2021);
- Author, 'Resolving Potential Disputes Between Belorussian and Central-Asian Companies Through Arbitration', Chamber of Arbitrators, (2021);
- Co-author, 'Immunities and Privileges in Practice: A Tale of How to (Not) Apply Them in Practice', Czech Yearbook of International Law, (2020);
- Co-author, 'Bishkek Arbitration Days: Dispute Resolution in Times of Pandemic', Arbitration.ru, No. 6(20), (2020);
- Author, 'Security of Payment Legislation: An Answer to Resolving Construction Disputes in Times of Pandemic?', Arbitration.ru, No. 4(19), (2020);
- Author, 'Book Review: Arbitration in Malaysia by Thaya Baskaran', Malaysian Arbitration Forum, (2020);
- Author, 'Construction Industry Payment & Adjudication Act: A Call for Amendments?', Malaysian Arbitration Forum, (2020);
- Author, 'Third Party Funding in Malaysia', Malaysian Arbitration Forum, (2020);
- Author, 'AIAC Arbitration Rules: A Commentary – Parts I & II', Malaysian Arbitration Forum, (2020);
- Author, 'Strike the Iron While Its Hot: SG HC Refused to Extend the Set Aside Period in Case of Fraud', Malaysian Arbitration Forum, (2020);
- Author, '1MDB Saga Continues before English Courts', Malaysian Arbitration Forum, (2019);
- Author, 'The Great Equaliser or Reflections on the Use of Mediation in Investor-State Dispute Settlement', Asian Pacific Mediation Journal, Vol. 1, No. 2 (2019);
- Co-author, 'CPTPP and the Tale of Two Tigers: How May the Ratification of the CPTPP Affect Malaysia's International Investment Regime?', Transnational Dispute Management, Special Issue on the CPTPP (2019);

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- Author, 'On the Notion of Economic Regionalism in International Law', Moscow Journal of International Law, No. 4 (2015);
- Author, 'Dispute Resolution in Russia', Faces of Dispute Resolution 2012, Financier Worldwide, (2012).

Thought Leadership

- International expert appointed by the Uzbek Institute of Law & Policy as part of the Civil Code reform;
- International expert appointed by the Commercial Law Development Program to develop materials and conduct trainings for Uzbek practitioners and judiciary on alternative dispute resolution;
- Advising the Uzbek Chamber of Commerce on the revision of the Uzbek arbitration act;
- Advising the Kyrgyz Chamber of Commerce on the development of alternative dispute resolution;
- Advising the Asian International Arbitration Centre and the Government of Malaysia on the revision of the Malaysian Arbitration Act 2005, the Construction Industry Payment and Adjudication Act 2012.

Directories & Client Quotes

Elijah has been ranked in WWL Arbitration since 2022 and a Next Generation Partner in Legal500 EMEA.

He has been praised for his "extensive specialist knowledge of oil and gas as well as investment treaty disputes" and ability "to present even the most complex concepts in a simple and understandable manner, which tribunals appreciate".

"Elijah Putilin is a strategic thinker with great attention to details and second to none oral and written advocacy. Elijah is capable of mastering even the most complex cases in a short time frame and advise the client on a winning strategy".

"highly able, keen, and very efficient"

"a star in the making"

"great for CIS related disputes"

"a world class practitioner"