

# Anton Tugushev

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## I. EDUCATION

### CITY UNIVERSITY OF HONG KONG

*PhD in laws, thesis has been successfully defended (2018 – 2021)*

Scope of the research: comparative study of legal regime of Special Economic Zones in different countries with reference to the World Bank SEZs Project Portfolio. The objective is to describe a model of SEZ, which can be used for future social-economic development of underdeveloped regions.

### RUSSIAN CUSTOMS ACADEMY

*Candidate of Science (PhD) in laws, thesis has been successfully defended (2015 – 2018)*

Scope of the research: policies of trade and investment facilitation (free customs zone), which can be used to eliminate disbalance of economic development of remote, far-distant regions in Russia.

### RUSSIAN CUSTOMS ACADEMY

*Masters in laws with honors, duration of 5 years (2010 – 2015) with GPA 5.0/5.0*

Specialization: international law.

## II. SKILLS AND COMPETENCES

### HARD SKILLS



#### Languages:

- English – Fluent
- Russian – Fluent
- Ukrainian – Fluent
- French – Beginner



#### Analytical skills:

- Comparative Analysis
- Data management presentation
- Data and metrics interpreting



#### Project Management:

- Project scheduling
- Budgeting
- Project management software (Bitrix)



#### Computer Technology:

- Microsoft Office Tools
- Data management in Excel and Access
- Various legal research sources

### SOFT SKILLS

Successful experience working in a multicultural environment	Problem-solving abilities and creative thinking	Developed public speaking and presentation skills	Adaptability and flexibility in negotiations and work
Ability to work effectively in a team setting and autonomously	Developed interpersonal skills	Proved ability to work under time pressure	Developed critical thinking

## III. WORK EXPERIENCE



### International Centre for Settlement of Investment Disputes (the World Bank Group)

*STT Consultant, Jan 2022 – now (remote)*

I deliver legal research on various investment issues within international arbitration cases together with conflict checks and correspondence drafting.

#### Key achievements:

- Drafted analytical materials on different legal matters for 6 international investment cases related to countries of Eastern Europe and Central Asia;
- Prepared numerous working papers and conflict check reports;
- Made a comparative assessment of codes of conduct for adjudicators.



### IRC RESTRUCTURING SERVICES, Dubai

*Legal Advisor, Jan 2022 - now*

I am mainly dealing with corporate and tax matters for the companies doing business in the UAE, which also includes opening bank accounts and obtaining necessary governmental permit for business.

#### Key achievements:

- Assisted with registration of 11 companies in the UAE (the mainland and free zones);
- Assisted 3 individuals and 6 legal entities with opening bank accounts in UAE banks;
- Full legal support of a high-scale project of acquisition of coal plants in several Eastern European countries.



### Hong Kong International Arbitration Centre (HKIAC)

*Intern (Feb 2019 – Apr 2019)*

I assisted senior legal counsel with day-to-day work, which included institutional matters, drafting legal disputes agenda, correspondence to disputing parties.

#### Key achievements:

- Assisted legal counsel with 5 commercial and 2 investment arbitration cases;
- Composed several memorandums tackling the issues of 3rd party funding and enforcement of arbitral awards in different jurisdictions;
- Prepared the HKIAC license application of permanent arbitration institution to the Russian Justice Ministry.



### Ministry for the development of the Russian Far East

*Special Project Manager (Jan 2016 – Jan 2018)*

I drafted and proofread pieces of regulatory framework for regional development policies, gave complex advice to investors and ensure their compliance and eligibility for preferential treatment.

#### Key achievements:

- Assisted with drafting 3 federal laws on trade facilitation, unemployment reduction and transport infrastructure for low-developed and remote regions of the Far East (I worked specifically with taxation and customs incentives);
- Consulted foreign entities on import/export operations in SEZs (I drafted applications for incentives to be filed to state authorities on behalf of investors);
- Organized on-site visits of infrastructure projects (bridge over Amur river, gas power station) for investors from China and Japan;
- Proofread regulatory and policy documents regarding advanced special economic zones (SEZs) and Free port of Vladivostok in the Far Eastern region;
- Gathered statistics of international investments and trade in the Far Eastern region in order to publish news digests and updating Ministry's web-site.

## LIST OF PUBLICATIONS

№	TITLE AND DETAILS OF PUBLICATION	BRIEF CONTENT
1	<b>Factors Affecting Performance of Special Economic Zones.</b> A book chapter in Special Economic Zones as Regional Development Enablers, eds. P. Figueiredo, F. Leandro. IGI Global Publisher ( <a href="#">the web-page</a> of the book), August 2021.	The chapter follows the “law and development” doctrine and studies special economic zones (SEZs) as a development instrument of high complexity and inclusiveness. The paper suggests four main groups of factors which synergistically influence SEZ performance: organizational, politico-economic, legal and entrepreneurial factors.
2	<b>Special Economic Zones in China: rethinking of the concept in 21st century.</b> In E-journal of Law and Economy of China, University of Warsaw, May 2021	This article looks at the storyline of evolution of SEZ concept in China with reference to such cases as new zone in Hainan, modification of zone in Shenzhen, development of the Great Bay Area. The article also discusses the role of SEZs in One Belt One Road initiative.
3	<b>Gold Pool v Kazakhstan: the State is Not Bound by the Soviet Treaty.</b> Online publication at CIS Arbitration Forum, November 2020, available <a href="#">online</a> .	Overview of the latest international investment disputes between a Canadian company and the state of Kazakhstan. The issue of treaty succession is discussed in the article.
4	<b>Protection of Investment And Violations of Investor`s Rights in Special Economic Zones.</b> In a special issue of the TDM Journal “The Interaction Between International Investment Law and Special Economic Zones (SEZs)”, May 2020, available <a href="#">online</a> .	This article studies theoretical and practical aspects of SEZs, and in particular dispute resolution in the zones. Author emphasizes on expropriation claims, discrimination claims and claims alleging a breach of fair and equitable treatment standard with reference to 14 international arbitration cases.
5	<b>«Porto Franco» Regime in Canadian And Russian Sea Ports as an Instrument of Social-Economic Development in the Arctic.</b> In Arctic Institute Publications Series, June 2020, available <a href="#">online</a> .	Addressing the issue of trade and development in the Arctic, this article studies an initiative to spread out a “porto franco” regime in the Arctic sea ports. The article suggests that establishing free ports may increase the amount of foreign direct investments, and subsequently enhance social-economic development of the region.
6	<b>The Changing Paradigm of Dispute Resolution and Investment Protection in Post-soviet and Greater Eurasian Space.</b> Editorial work on a TDM special issue, Volume 17, Issue 1, January 2020	The issue embraces a number of articles, which devoted to the rules of cross-border trade and investment in Eurasian space in the light of undergoing significant transformation of legal and policy frameworks in the Eurasian countries.
7	<b>Special Economic Zones In The Russian Far East: A New Paradigm.</b> In Studies on China's Special Economic Zones, Yuan Yiming (Ed.), Research Series on the Chinese Dream and China's Development Path, January 2020	The article studies the issue of preferential regimes for investors, which are implemented in Russia in order to integrate country in Asian market and attract investors from ASEAN countries.
8	<b>Commentary to The Federal Law No. 289 “On Customs Regulation in the Russian Federation”.</b> Chapter 22, 24 and 25 of the book. P.N. Safonenkov (Ed.), Business dvor publisher, 2019	The book includes commentaries from the leading experts in sphere of international trade and customs regulation concerning the recently promulgated law, which ensures national legal framework`s consistency with laws of Eurasian Economic union.
9	<b>Enhancement of The Customs Procedure of Free Customs Zone in The Advanced Special Economic Territories And the Free port of Vladivostok (Legal Aspect).</b> Administrative and municipal law.	The article identifies collisions in laws and regulations of import/export operations in special economic zones and free port and suggests a set of legislative amendments to be implemented. This article was a part of bigger

	No. 1, 2018	research project, conducted under auspices of the Federal Customs Service.
10	<b>To The Question of The Concept And Classification of Customs Procedures in the Eurasian Economic Union.</b> Administrative and municipal law, No. 7, 2018	Criteria and approaches to classification of import/export regimes in the Eurasian Economic Union are under focus of this article. Author compares classifications which already exist in academic literature, and suggests new classification criteria.
11	<b>Enhancement of The Customs Procedure of Free Customs Zone in The Advanced Special Economic Territories And the Free port of Vladivostok (Organizational Aspect).</b> Digest of the Russian Customs Academy, Issue 4, 2017	The author identifies the main organizational problems, which are faced by national and foreign companies when importing to free customs zone. With reference to legal practice and statistics, the directions of organisational enhancement of a free customs zone implementation are developed in the article.
12	<b>Trade Facilitation in the Advanced Special Economic Territories And The Free Port of Vladivostok.</b> Digest of the Russian Customs Academy, Issue 2, 2017	The article conducts a comparative study of advanced special economic territories, the Free Port of Vladivostok and special economic zones in terms of trade facilitation mechanism envisaged in these territories.
13	<b>Theoretical Aspects of Legal Regulation of International Trade.</b> Digest of the Russian Customs Academy, Issue 2, 2016	The main objective of the article is to formulate the definition of “international trade regulation” and identify main principles and methods of such regulation with reference to national practice and international experience.
14	<b>Customs Procedures in the Eurasian Economic Union: Theoretical Discussion.</b> Digest of the Russian Customs Academy, Issue 2, 2016	This paper is focused on language inconsistency in Russian laws, regulating international trade and customs affairs. Author suggests a new definition of “customs procedure” which corresponds to the modern realities. The author also analysed the issue of differentiation between the terms “customs procedure” and “customs regime”.
15	<b>The Russia-China Cross-Border Cooperation in XXI century.</b> In the journal of Chinese Association for International Understanding, Issue 2, 2015	The article briefly discuss possible areas of cooperation between Russia and China. The main ideas of the article were developed by the author after participating in the “One Belt One Road” Educational program.
16	<b>Problems of Legal Regulation of International Trade in The Light of Russia`s Accession to The World Trade Organization.</b> Materials of the international academic conference “Mikhailovs scientific readings”. V.V Gavrilov (ed.), Far Eastern Federal University (Vladivostok), 2014.	The article highlights several problems linked to possible controversy and inconsistency in laws of Russia and regulations of the WTO after country`s accession. The main focus is on non-tariff regulation of international trade, including quotas and licensing, other prohibitions and restrictions

# TEACHING PORTFOLIO AND RESEARCH INTERESTS

of Anton Tugushev

PhD in Law, City University of Hong Kong

PhD in Law (Candidate of Science in Law), Russian Customs Academy

## Brief Biography

I first began teaching as a postgraduate student at Russian Customs Academy and Plekhanov Russian University of Economics. While at Plekhanov's University I have had a variety of teaching opportunities as Teaching Assistant and then as Associate Professor. International law has been the major focus of my teaching there (2016, 2020, 2021). I have taught both undergraduate and postgraduate students. Additionally, as a PhD student in City University of Hong Kong I have been teaching tutorials of Business Law for Bachelor's degree students (2019, 2020). As outlined in this dossier, I enjoy teaching and look forward to developing my skills further as I pursue my academic career.

## 1. TEACHING PORTFOLIO

### 1.1 Teaching Philosophy

My philosophy of teaching was founded from the professors I have been taught by. The combination of innovative approaches and conservative quality standards is among the key principles I adhere in my teaching practice. As I began teaching in the university setting, I experienced the joy and professional satisfaction of connecting with students and supporting them in the learning process. It became clear that teaching law students would be a suitable career path for me. My current philosophy of teaching has developed from my experiences as a researcher, a teaching assistant, and a lawyer. There are three key principles that guide my teaching practice:

*a) Synergy of theory and practice:* for law students it is crucial to be able to apply knowledge to real cases. For example, when teaching international law, I give not only fundamental theory of international legal framework but link this theory to events and development occurring today, in 21<sup>st</sup> century. That is also important to keep students engaged and motivated.

*b) Respect of student's individuality:* Students have different interests, capability, motivation. I always do my best to adjust the learning process in order to consider individual specificities of students. Personal contact with students is essential to my approach. I am always opened to students having special needs or enquires. I try to respond promptly to questions posed by students via email and to make myself available to meet with students as needed. I try to consider students' different learning styles and to create learning activities which reinforce key concepts pertaining to the heavy content of legal studies.

*c) Innovative environment:* I always strive to stimulate a usage of innovative methods and experimental practices (if they may improve the learning process). This includes as new technologies (online guest lectures, quizzes, usage of special online tools) so creative teaching methods (moot courts, debates, juridical clinic involvement). The learning atmosphere I seek to promote is also an active environment in which active learning strategies are incorporated into each of the classes to facilitate in-depth learning.

## 1.2 University Teaching Experiences

### 1.2.1 Plekhanov Russian University of Economics

#### *Teaching Assistant*

**International Trade Regulation** (2016/2017 academic year) is a facultative (elective) course for third-year students enrolled in the bachelor's program in Law. The number of students: 4 groups of 25 students each. The course involved tutorials twice per week and a submission of a report in the end of the course. Course content included issues of WTO law, regulation of tariff and non-tariff barriers. I was responsible for developing the plan and methodology for tutorials with input from law department. I was also responsible for final exam and report evaluation and marking.

#### *Associate Professor*

I) **International Public law** (2020/2021 academic year) is a required course for third or fourth-year students (depending on cohort) enrolled in the bachelor's program in Law. The number of students: 6 groups of approximately 20 students each. The course involved one lecture and one tutorial per week. Course content included general issues of international public law, including international maritime law and international environmental law. I was responsible for developing the curriculum for the course (updating the former one). I was also responsible for final exam evaluation and marking.

II) **International Private Law** (2020/2021 academic year) is a required course for third or fourth-year students (depending on cohort) in the bachelor's program in Law. The number of students: 6 groups of approximately 20 students each. The course involved one lecture and one tutorial per week. Course content mainly included issues of collision law and international sale of goods and services. I was responsible for developing the curriculum for the course. I was also responsible for final exam evaluation and marking.

### 1.2.2 City University of Hong Kong

#### *Teaching Assistant*

**Hong Kong Business Law** (2019/2020 and 2020/2021 academic years) is a facultative (elective) course for fourth-year students enrolled in the bachelor's program in Law. The number of students: 2 groups of 30 students each. The course involved tutorials twice per week and a submission of a written assignment. Course content included issues of contract, labour, insurance law of Hong Kong SAR. I was responsible for developing the plan for tutorials together with the course leader, who acted as a lecturer. I was also responsible for final exam and report evaluation and marking together with the course leader and another two teaching assistants.

## 1.3 Curriculum Development

As mentioned above, I have developed and updated the curriculum for the courses "International Private Law" and "International Public Law". At the same time, as an associate professor at Plekhanov University of Economics I assisted the law faculty in revamping the format and content of program's curriculum of many other disciplines. This was an important part of my duties as a staff of the Faculty of Law.

## 1.4 Student Feedback

I am glad to note that during my teaching practice I have received many positive feedbacks from students. Some of them are still reaching me out to ask for career advice or advice on useful literature.

I am eager to continue building a respectful and cooperative atmosphere with former, current, and future students.

## 2. RESEARCH INTERESTS

During the years of my research and teaching experience I have identified the key areas of my research interest. Even though I am always opened to something new, the given below areas and topics are those where my publication work and teaching endeavours are directed to.

### ◇ **International investment law**

#### *Synergy of Investment and Sustainability*

While traditional investing delivers value by translating investor capital into investment opportunities, sustainable investing balances traditional investing with environmental, social, and governance related (ESG) insights to meet sustainable development goals. But what do ESG standards mean as legal obligations? What are the legal mechanisms to increase commitment of states, businesses, and institutions in promoting sustainable investment? These questions are of my interest and can constitute a ground for future research.

Another dimension of this topic is to study the disputes related to state regulations implementing sustainable policies. Namely, the question is about rethinking “police powers doctrine” with regard to ESG. The police powers doctrine provides that a state possesses an inherent right to regulate in protection of the public interest and does not act wrongfully when it enacts non-discriminatory and proportionate regulations. I am interested in delving into the recent case law and identify triggering factors when sustainable reforms (e.g. reform of energy market in Spain, Norway) led to investment disputes.

#### *Reform of ISDS System*

Since 2014 the replacement of the 'outdated' investor-state dispute settlement (ISDS) system has been a debated topic among scholars and practitioners. The reform of ISDS envisages an establishment of a Multilateral Investment Court (MIC) on behalf of the European Union and its Member States. However, a number of opponents of the reform (the U.S., Canada, Japan and others) believes it would infringe interests of investors. I am interested in studying the advantages and disadvantages of the newly suggested system with focus on how the reform would affect investors and investments, particularly those originating from non-EU states.

### ◇ **Law and Development**

#### *Legal Aspects of Social-Economic Development in the Arctic*

The social-economic development of the High North territories is an important issue not only for the Arctic states but for the global community in general. This firstly includes the development of maritime shipping and seaport infrastructure (the necessity of which has become even more apparent after the obstruction of the Suez Canal in March 2021). There are a number of obstacles for accelerated socio-economic development in the Arctic, tackling of which requires implementing special legal policies. Thus, I am studying how legal instruments can contribute to the development of the Arctic states.

#### *Special Economic Zones (SEZs)*

As global practice shows, establishment of SEZs is considerably beneficial for national economies. The rational use of SEZ mechanism is contributing to development of production, inflow of advanced

technologies, creation of new jobs, increase in labour productivity, and complex development of remote regions. I have been studying and continue my research on positive and negative experience of countries in establishing SEZs in order to identify factors of success.

◇ **International Trade Law**

*Controversies of International Regulation of Subsidies and State Aid*

Within my previous research of special economic zones (SEZs) I have been also partially studying the issue of government support and state aid in industrial sectors. Current WTO and EU regulations on subsidies do not effectively regulate this aid, allowing it or restricting it unsystematically. Particularly this concerns state-owned enterprises which benefit from preferential domestic treatment. This uncertainty has caused and still causing disputes. Where to find a balance between the right of states to support lagging-behind sectors or areas and the equality and fair competition at the common market? I am eager to investigate legal framework and case law in order to suggest what can be done to improve the regulatory environment.

*Lawfulness of International Sanctions and Embargoes*

International sanctions have been significantly gaining their importance as the main instrument of state influence and statement of view. But how lawful are these sanctions when targeting entities, individuals (their family members) and assets? I am particularly interested in the issue of mechanisms for challenging such sanctions. The focus of research is directed to instances of sanctions against entities and individuals of Belarus, China, Myanmar, Russia.