

**MINUTES OF THE**  
**Moot Alumni Association's**  
**("MAA")**  
**2021 Annual General Meeting**

Sunday, 11 April 2021  
13:07 pm to 14:57 pm (CEST)

In light of the Coronavirus pandemic, the Annual General Meeting ("AGM") was held via video conference.

**Present during Zooms Meeting session:**

25 members

- Sherlin Tung
- Sabine Neuhaus
- Isabela Deveza
- Wendy Gonzales
- Cristen Bauer
- Maja Sutalo
- Matthew Suen
- Ramalingam Vallinayagam
- Antoinette Narcisco
- Dmytro Galagan
- Shashi Dholandas
- Akshit Vohra
- Ana Coimbra Trigo
- Yashraj Samant
- Chris Campbell
- Navin G. Ahuja
- Innhwa Kwon
- Ipek Ince
- Julia Richter
- Tess Bens
- Velislava Hristova
- Yuri Leite
- Amarachi Ego-Osuala
- Tatiana Polevshchikova
- Alicja Zielińska-Eisen.

**1. Welcome**

The attendees were welcomed at 13:07 pm CEST and the meeting was opened.

A quorum was established for the holding of the 2021 Annual General Meeting ("**2021 AGM**").

**2. Recording of Proxies**

A total of 14 proxies were issued to those present at the 2021 AGM.

The details of the proxies are as follows:

- Zhuomei Chen granted a proxy to Matthew Suen
- Shangling Qui granted a proxy to Matthew Suen
- Rong Jin granted a proxy to Matthew Suen
- Dini Sun granted a proxy to Matthew Suen
- Nuo Chen granted a proxy to Matthew Suen
- Ferguquan Chen granted a proxy to Matthew Suen
- Hiro Sonoo granted a proxy to Sherlin Tung
- Mariya Davis granted a proxy to Sherlin Tung
- Eleanor Denis granted a proxy to Ipek Ince
- Leonardo de Oliveira granted a proxy to Innhwa Kwon
- Arno Eisen granted a proxy to Sherlin Tung
- Gustavo Becker granted a proxy to Wendy Gonzales
- Ulrich Schroeter granted a proxy to Sherlin Tung
- Rob Warzel granted a proxy to Sherlin Tung.

### **3. Appointment of AGM Chairman and Secretary**

Pursuant to Article 9(9) of the MAA's Articles of Association ("AoA"), the President of the MAA, Ms. Sherlin Tung, chaired the 2021 AGM. Sherlin Tung nominated Sabine Neuhaus to act as secretary of the AGM to take the Minutes of the meeting pursuant to Article 9(10) of the AoA.

**Resolution:** To elect Sabine Neuhaus to act as secretary of the 2021 AGM.

**Vote:** The resolution was passed unanimously.

### **4. Assessment of final agenda**

Sherlin Tung indicated that in light of the Coronavirus pandemic, the 2021 AGM had to be held virtually. It was noted that the 2021 AGM notice and agenda had been validly circulated beforehand and revised agenda was sent in accordance with the AoA.

**Resolution:** Confirmation that the 2021 AGM Notice and agenda were validly circulated and that the 2021 AGM was to take place in accordance with the circulated agenda.

**Vote:** The resolution was passed unanimously.

### **5. Endorsement of 2021 AGM Meeting-Minutes**

Sherlin Tung referred to the Minutes of the 2020 AGM and invited comments from the members. No comments were received and Sherlin Tung proposed that the 2020 AGM Minutes be endorsed.

**Vote:** The 2020 AGM minutes were unanimously endorsed.

### **6. Reports by the 2020/2021 International Board**

A general overview on the MAA activities was reported by the Executive Board and/or other MAA Core Team Members.

#### **MAA Board**

Sabine Neuhaus provided a brief recap of the year.

Sabine Neuhaus first thanked Sherlin Tung for her support and leadership. Then Sabine Neuhaus provided an overview on some of the major events that took place this year. Due to the pandemic, MAA conferences (which used to take place in person) once again turned into a webinar series. The webinars received a lot of participation and positive feedback from speakers

and participants. This year, MAA Core Team numbers significantly increased and the Core Team stepped up to face the challenges associated with the virtual Vis Moots. There were ongoing issues and challenges with the MAA Paypal account. The Board is still trying to resolve these issues. The MAA initiated an Inaugural MAA Speaker Series, which attracted a very positive response. The MAA also hosted a virtual booth during the weeks of the Vis Moot and tried to connect with MAA members virtually. The MAA received new membership sign-ups this year.

Isabela Deveza also thanked Sherlin Tung, the Board, and the Core Team for their support. Isabela Deveza noted that she was working closer with İpek Ince on Instagram and other social media outlets. Isabela Deveza also praised the efforts of Julie Richter who suggested that the Core Team organize virtual catch-ups. In general, Isabela Deveza stressed that the MAA is more connected than before. Isabela Deveza then thanked the Board for being open to initiate a Diversity and Inclusion Committee and thanked Shashi Dholandas and Tess Bens for stepping up to lead this Committee. She also congratulated them for organizing their first successful event.

Wendy Gonzalez thanked the Board and everyone on the call. Wendy Gonzalez updated that in August 2020, the Board processed over 90 applications for the Core Team members. In November 2020, the Board released the first the guidelines for the MAA Core Team, reimbursement guidelines, an organizational chart, and the Core Team Newsletter. The Newsletter will be released on a periodic basis. Wendy Gonzalez also added that the Virtual Vis Moot Booth was organized by Eleanor Denis and İpek Ince, and the Booth received numerous online visitors. Isabela Deveza helped the MAA organize some Trivia questions. Wendy Gonzalez lastly noted that the Board has held regular calls, generally twice a month for 1-2 hours and records of the meetings are stored on the google cloud.

Lastly, Sherlin Tung thanked the other members of the MAA Core TEam. She noted that the Core Team has significantly increased its projects and activities since the all-female Board was elected in 2019.

## **7. Reports by Core Team**

### **Vindobona Journal**

Innwha Known reminded the members that the Vindobona Journal ("**VJ**") publishes two issues per year. The first issue of 2020 was a bit delayed due to the COVID Pandemic but all have been released now. The initial plan was to celebrate the 25th anniversary of the VJ, but it did not happen due to the pandemic. She also noted that the first issue of 2021 has been delayed but will be out soon.

Innhwa Kwon reported that the new website was finished in early April 2020, and that the website is now up and running. In addition, the Vindobona Journal team wants to add abstracts and Table of Contents of articles to the website. She stated that the articles are available on Westlaw and the MAA website once you log-in as a member. Innhwa Kwon further stressed that having abstracts and references would be helpful. She then thanked Antoinette Narciso. Innhwa Kwon raised a minor issue with the website was that the link to the website does not appear on the first page of a Google search. She has asked for help from the Core Team.

Sabine Neuhaus suggests inviting special people for this task and Antoinette Narciso added that they may also engage with a SEO expert on LinkedIn to increase visibility on LinkedIn. Innhwa Kwon suggested improving the LinkedIn page, by adding updates, such as when a journal article is released. İpek Ince suggested releasing an "article of the week" campaign from previous issues. Isabela Deveza queried whether there is an issue with paid access and Innhwa Kwon replied that there is not an issue, as online social media posts will only contain a short summary. She further noted that in the last AGM (2020) it was discussed to make early editions (20-15 years old) of the VJ publicly available but it may create conflict with sponsors. Sherlin Tung noted that according to Prof. Ulrich Schroeter (Advisory Board Member of the MAA), last

year the CISG website made a number of their articles public. Innhwa Kwon added that those articles were not available as PDF, but they just made the text available. Navin Ahuja asked whether there was a conflict with third-party database Westlaw. Innhwa Kwon responded that in the sponsor agreement from Westlaw, the MAA gives Westlaw a copy and access to the articles and they give the MAA financial support, but the MAA does not give Westlaw an exclusive license. Thus, Innhwa Kwon believed the VJ (and the MAA) could give any other party the right to publish the article on their separate database. Navin Ahuja queried whether online access to abstracts on LinkedIn and the MAA website. Innhwa Kwon responded that MAA will make the abstract of each article (PDF first page) available online. Navin Ahuja added that the journal is highly ranked and we can make agreements with universities.

### **Regional Representatives**

Yuri Leite thanked Mariya Davis, his Co-Chair of the Regional Representatives Team, who did a great job with reaching out to Pre-Moots to highlight the MAA.

A shout-out was also given to other Core Team members for also reaching out to Pre-Moots (e.g. Rob, Ojo, Tatiana, Akshit).

### **Media Team**

It was announced that Gustavo Becker will step down for the 2021/22 MAA Term. The 2021 thanks Gustavo Becker for the work he put in.

Ipek Ince delivered a report on how the MAA Media Team will run the social media accounts and promote MAA events. She added that (in addition to the virtual booth), the MAA rolled-out a TikTok/social media challenge.

Ipek Ince also gave many thanks to Julia and Shashi Dholandas who helped organized a second MAA 'meme challenge' with the Vis Moot team of Latvia.

### **Conferences Team**

Yashraj Samant stated that the MAA experienced some challenges with payment methods towards the end of registration period for the various conferences. He noted however, that overall, the conferences went well. The MAA was fortunate to get high-quality speakers but timing for certain panels was an issue. The Hong Kong numbers improved significantly due to advanced promotion for conferences. For Hong Kong, over 176 people registered.

Sherlin Tung informed the Meeting that Innhwa Kwon and Wendy Gonzalez were also on the Vienna Conferences Team. İpek İnce and Eleanor Dennis will figure out how to upload recordings of webinars.

### **China Project**

Nancy Qu informed the group that they were planning a training and will determine speakers after the topic is decided. With Matthew Suen, they were targeting to have a half-day training in May/June 2021.

Sherlin Tung reminded the AGM that the China project was born out of funds that the MAA received a few years back (around 2015) from the HK Arbitration Charity Ball. The MAA was gifted HKD 100,000 to be used to revamp the MAA website and for a China project to establish training sessions for young professionals and students in China on international arbitration and trade law.

### **Liaison Team, UNCITRAL sessions**

Dmytro Galagan, Chair of the International Liaisons team mentioned that this MAA Term, Benedetta Meloni took over a lot of responsibilities, and Ramalingam Va. also joined the team. He added that he will step down from this role soon. The team sent people to UNCITRAL meetings in 6 working groups. There was consistent interest to participate, mostly in the dispute settlement working group. Benedetta and Ramalingam have been reviewing reports from delegates. The reports will be ready to be published on the website soon. Lastly, Dmytro Galagan thanked Sherlin, Benedetta and Ramalingam for their continued assistance and support.

Sherlin Tung also thanked Dmytro Galagan, stating that the MAA would love to have him remain in the Core Team. She added that Dmytro was the longest-standing member of the Core Team and the Board was able to rely on him during his entire tenure. She also thanked Benedetta and Ramalingam for their hard work during the year.

### **Mentor/Mentee Program**

Cristen Bauer indicated that Sherlin Tung and Board did an amazing job keeping the program running this year.

Cristen Bauer mentioned that mentors had been appreciative of what the MAA is doing and they have expressed that this type of mentorship is now more important than ever. She stressed the importance of the work to connect people and keep the community alive. She provided information on the Mentorship committee which, was now in its second year.

In the first year of the program, the Mentor-Mentee Program had 20 pairings. This year, the program grew and welcomed 36 mentors to pair with mentees who are well-spread around the globe. Cristen Bauer expressed thanks to the team for their hard work. Throughout the year, the team had a bunch of online meetings, and participants requested to have more networking opportunities.

Sherlin Tung noted that this project is part of the reason why the MAA Core Team activities have tripled since the MAA's inception.

### **Compliance Team**

Julia Richer indicated that Maja Sutalo has done most of the work which includes GDPR forms. Maja was appointed as GDPR officer in the compliance team where she made a review of GDPR compliance of the MAA.

Julia noted that one issue from the Board remained outstanding and noted that the team would address the question on data storage with regard to Mainland Chinese MAA members.

### **Diversity and Inclusion Committee**

The Diversity and Inclusion (D&I) Committee co-chairs Tess Bens and Shashi Dholandas launched this committee last year. The team has kept the activities small. They organized one event, with the intention of it being a series: Being \* in Arbitration. This series is jointly organized and sponsored by the ICDR.

Thanks to Shashi Dholandas and Chris Campbell who participated in the inaugural "Being & in Arbitration" event. The event had over 96 participants take part and many more registered with access to the video. The Diversity team and ICDR look forward to organizing more events next year.

The team aims to focus on LGBT issues and cultural/racial issues.

### **Proposal from Velislava Hristova/Shashi Dholandas/Tess Bens/Tatiana Polevshikova for discussion**

Tess Bens indicated that during this year's moot, there were a number of unacceptable incidents with arbitral tribunals (mainly in feedback or during the oral arguments) and there is room for improvement. There are arbitrators who do not speak English or not understand what is inappropriate and/or appropriate behavior for the Vis Moot. Tess Bens added that it might be good to establish good/bad practices for arbitrators.

As part of their proposal, the team raised that if there was concern that something is inappropriate, this can be taken up with Vis Moot organizers. There should be an additional layer between moot directors and the teams who deal with such complaints. The educational experience of the Moot should offer a fair competition where complaints are dealt with during the competition, not afterwards.

Sherlin Tung acknowledged the proposal and comments but informed the team and Meeting that no decision needed to be immediately taken as it was not only not on the AGM Agenda but also an important topic that would need to be well thought through and a proper proposal submitted to the Board or, perhaps the next AGM. Sherlin Tung suggested that the team have a call and put together a formal proposal for the Board to consider, or, if the team felt appropriate, to submit to the next AGM.

### **8. Changes to the MAA's Articles of Association ("AoA")**

Sherlin Tung informed the Meeting of the Board's proposal to again revise the AoA, mainly due to the increased workload and need for flexibility.

The Board unanimously believes that the MAA is a great organization and the more the MAA does, the better for the Vis Moots and for everyone involved. The Board proposed a minimum requirement of 3 board members and included revised provisions to include more flexibility. The proposed change of a minimum of a three-person Executive Board would consist of one President and two Vice Presidents. Should the current Executive Board deem necessary, it can make a proposal to the AGM to vote on additional executive board members for the next MAA Term.

For the sake of full transparency, Sherlin Tung indicated that the current Executive Board would run again on one platform (Sherlin Tung, Isabela Deveza, Sabine Neuhaus, Wendy Gonzales), and would like to add one additional positional on the Executive Board, an additional Secretary. To fill this position, the current Executive Board would propose Alicja Zielinska-Eisen to fill the additional Executive Board Member. Sherlin Tung informed the AGM that Alicja Zielinska-Eisen was an important member of the MAA team in the past, and now that she has more time on her hands, she is willing and eager to take on again an active role with the MAA. Sherlin emphasized that Alicja has experience and knowledge, dedication and support.

Wendy Gonzalez reminded the AGM that the Executive Board Members were located in various time zones worldwide and it was a challenge to organize meetings and ensure constant communications. She believed that having Alicja in Europe would help with the current Board's workload and efficiency.

Alicja Zielinska-Eisen confirmed her willingness to be part of the Executive Board. She added that flexibility on how to structure the board will be an asset. Alicja Zielinska-Eisen is not sure how moots will look like in the future but is happy to divide tasks with Wendy and work with the Executive Board.

**Resolutions:** To amend the AoA to be more flexible and require at a minimum three Executive Board Members (President and two Vice Presidents) with the ability to increase the number of Executive Board Members as needed. To include an additional secretary position on the Executive Board.

**Vote:** Passed with no objections and abstention with the Board and Alicja Zielinska-Eisen. As a result of the resolution, as of 1 May 2021, the Executive Board would consist of: 1 President, 2 Vice Presidents, 2 Secretaries.

The AoA should be translated into German, Sabine Neuhaus will take care of this.

## 9. Membership Discussion

Sherlin Tung raised that in the past, the MAA has received complaints because EUR 20 was not enough for membership to support the MAA financially. However, when the membership fees were even higher, Sherlin Tung recalled that the MAA went years without any new members. The MAA used to receive income from social events and conferences. The Board has expressed some concerns about funding, as the MAA website costs around 140 EUR per month and the MAA incurs regularly monthly fees for various items.

Sabine Neuhaus suggested sponsorship. Elisabeth Opie indicated that the Board of Business Council had a similar issue and one thing they developed is having different types of sponsorship (gold/silver/bronze). Under such sponsorships give them naming rights, headline exposure. Elisabeth Opie believes that such a plan would not interfere with the non-profit status. Sherlin Tung noted that this is a great idea, dispute practices of firms growing after the crisis and Elisabeth Opie added that ex-mooties are now partners in firms. Sherlin Tung suggested putting together a funding proposal on the next MAA Core Team call.

## 10. Finances

Sherlin Tung stated that the MAA is at a standstill with Paypal. Paypal has frozen the MAA's account until the end of February with no response. Wendy Gonzales and Sherlin Tung tried calling Paypal at various numbers with no success. Paypal Germany only spoke German, and therefore, Prof. Ulrich Schroeter made some calls on MAA's behalf. However, customer service couldn't do anything. Paypal is to revert back to the MAA within 8 days. If Paypal still refuses to revert back to the MAA, the MAA will have no choice but to take further actions. By way of summary of legal actions, the MAA will need to send a demand letter from an external law firm to release the account. In the end, over EUR 19,000 is stuck and the MAA is not allowed to receive/withdraw any payments. In response to this particular issue, the MAA opened a Stripe account, which was a recommendation. Stripe has been thus far working well.

Julia Richer queried the reasons for the problems. Sherlin Tung informed that the MAA contact information with Paypal has not changed Paypal since Felix Lautenschlager times in 2010. Since the PayPal account information was handed over to Sherlin Tung in or around 2016, she has tried to update the names of officers, address, etc along with any other necessary information. While Sherlin was successful in updating her information, efforts have proved futile to update the account with Isabela Deveza and Sabine Neuhaus's information.

Wendy Gonzalez noted that the Bank has security checks that did not allow Wendy Gonzales to update records or details. The Board has tried different phone numbers but the customer service is horrible. Elisabeth Opie indicated that under new AML legislation for Europe, all you need to present is proof of bank account, AoA, and proof of registered office.

Sherlin Tung mentioned that they have submitted AoA and registration with Austria. Elisabeth

Opie offers help. Sherlin Tung indicated that they need to read terms and conditions of the account. Sabine Neuhaus suggested that the MAA should not incur external counsel cost.

**Resolution:** To take the necessary steps to retrieve the MAA's finances.

**Vote:** The resolution was passed unanimously.

Sherlin Tung noted that they have been working with Bank Austria since incorporation. They have received approval to look into other options but only Sherlin Tung and Sabine Neuhaus authorized. MAA enquired with some online banks but they did not take non-profits.

Isabela Deveza dropped from the call at 20:40 (HKT) and gave her proxy to Sherlin Tung.

## **11. Report for 2018/2019 Financial year**

**Cash Auditors:** Yuri Pedroza Leite and Gustavo Becker.

The cash auditors provided an update. The cash auditors received the auditors report for 2020/21. When they checked the opening balance for that report, they noted that it stated EUR 17,490.41. The current statement showed EUR 22,426. There was a change between opening balances between each report of almost EUR 5,000 and the cash auditors were not sure where that variation occurred.

Sherlin Tung referred to the report provided to the Cash Auditors by Sabine Neuhaus and noted that the source of that discrepancy was from the 18th Vis Moot Vienna from social events such as the Welcome / Farewell Party, Walking Tours/UN Tours and Goulash Dinner for the Vienna Vis Moot.

The cash auditors noted that the receipt for the debit transaction on 12 Aug 2019, Pagro Direct, 149.29 EUR could also not be found. Sabine Neuhaus informed the cash auditors that the receipt was in their records but would share it again.

The cash auditors stated that the VAT for Transperfect Austria receipt in the amount of EUR 550 (total of EUR 660) was not paid. Sherlin Tung responded that based on the subsequent communication, it was agreed with Transperfect that the MAA would be exempt from such charge as a non-profit, therefore the MAA did not need to make such payment and no follow up occurred.

## **2019/2020 Cash Audit:**

Velislava Hristova on behalf of the cash auditors (herself and Mariya Davis) confirmed that everything was in good order. The Cash Auditors recommended that the Board to be exonerated for 2019/2020.

## **12. Exoneration of Cash Auditors for 2018/2019 Financial Year**

**Resolution:** To exonerate Gustavo Becker, Yuri Pedroza Leite, Velislava Hristova and Mariya Davis.

**Vote:** Passed with no objections and 4 abstentions from the relevant cash auditors.

## **13. Election of 2020/2021 Cash Auditors**

Julia Richter and Matthew Suen volunteered to be cash auditors for 2020/2021.

**Resolution:** To elect Julia Richter and Matthew Suen to act as Cash Auditors for 2020/2021.



**Vote:** The resolution was passed unanimously with two abstentions.

#### **14. Exoneration of Board from 2018/2019 and 2019/2020**

**Resolution:** To exonerate the Board for the 2018/2019 and 2019/2020 Terms.

**Vote:** The resolution was passed with no objections and abstentions from the relevant Board Members.

#### **15. Election for the 2021/2022 Executive Board**

**Resolution:** To vote in: Sherlin Tung as President, Isabela Deveza and Sabine Neuhaus as Vice Presidents, Alicja Zielinska-Eisen and Wendy Gonzalez as Secretaries.

**Vote:** The resolution was passed with no objections and 5 abstentions being the relevant board members.

#### **16. Election of Honorary Members and Advisory Board Members**

Sherlin Tung invited comments and/or proposals from the Members for the election of honorary members and/or advisory board members. No comments and/or proposals were made.

#### **17. Miscellaneous**

Sherlin Tung indicated that the Board will ask the Core Team to re-apply for the upcoming term and they will specify what roles are available. The Board will invite everyone to indicate 2-3 interests. Ms. Tung indicated that the MAA should continue to grow and expand and reach over 3k members.

Julia Richter queried whether anyone knows if the next Vienna/HK moots will be online or in hybrid format. Sherlin Tung noted that no decision had been made and it was unlikely that any decision would be made before the Vis Moot Problem was released. Both organizers hope that there will not be a third online edition as arranging online moots is significantly more difficult. Sherlin Tung noted that in Vis East, 60% of arbitrators dropped out shortly before the moot. In Vienna, there were a number of truncated tribunals. The issue with hybrid moot was raised, no decision made, but consensus is not preferred, as it would be unfair to the teams, and would be too complicated for the organizers.

Lastly, Innhwa thanked Elizabeth Opie as the previous editor in chief of Vindobona Journal.

As there was no further business, Sherlin Tung thanked all the participants for their time and taking part in the 2021 AGM.

The Chairman closed the 2021 AGM at 14:57 pm CEST.



Sherlin Tung, AGM Chairman