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Primorsky Inmar Legal Co.: Leaders in jurisprudence in the Far East
Early in December 2015 Inmar Legal Co. was included in the regional Top-50 of the annual rating Pravo.ru-300

Vladivostok, 5 February, PrimaMedia. Inmar Legal Co. became the only legal company from the Far-Eastern Federal District included in the prestigious rating Pravo.ru-300, wherein the major Russian and foreign law companies were represented. In accordance with the rating, Inmar Legal Co. was one of the best Russian companies majoring in maritime law. RIA PrimaMedia decided to receive particulars on business of one of the flagships of Primorsky jurisprudence straight from the source. Our source is **Dmitry Kafanov, Senior Partner of Inmar Legal Co.**

— Dmitry Alexandrovich, please, say some words about the rating.

— The rating Pravo.ru-300 was held sixth time, and now it is the most recognized and representative rating of legal specialists dealing in Russia.

Our company takes part in the rating from the very first, we are proud that we are permanently awarded the high assessments of our professionalism. Suffice it to say that Inmar Legal Co. is the only among legal companies in the Far-Eastern Federal District included in the last-year rating.

— As the rating results show, your company is one of the best Russian companies majoring in maritime law. Tell, do you deal with this area of jurisprudence only?

— Certainly not. Maritime law practice is one of our strongest practices traditionally which is directly related to a specific feature of the Far-Eastern region. We just didn't state other practices for participation in the rating.

In spite of rather extensive and interesting cases in the area of corporate law, merger and acquisition, enforcement proceedings, legal support of agricultural business we deem that now we are unable to compete with those grandiose projects which are carried out by our Moscow partners.

Also we have many cases connected with individuals. These are family disputes and inheritances cases as well as real property and land related cases.

It is safety to say that our real property practice is the strongest in the region and is one of the basic sources of the company's incomes, after legal support of foreign investment projects.

— Could you detail this line of business.

— Upon establishing our company in 1998 we focused on overall legal support of business, including investment projects with the involvement of foreign investors.

I can say that at present the local market has no other legal company with such work experience in this area as our company has. Suffice it to say, as legal advisors, we participated in most major foreign investment projects in the territory of Primorsky region, we deal and go on with dealing with such companies as Lotte, Hyundai Heavy Industries, Huindai Electronics, DSME, STX Corporation, Parker Drilling, LG International and many others.

— Recently, a matter of foreign investments in the Russian economics is rather burning. Both the free port of Vladivostok and priority development areas are under discussion at different levels, are there any particular problems which prevent the efficient investment process?

— In my opinion, one of the basic problems is lack of communication channels between potential investors and Russian government authorities. One of the specific features of the Asian business mentality (when we talk of attraction of foreign investors to the Far East, first of all we mean investments from our nearest neighbors) is that the investor is not satisfied with the bureaucratic references such as "there is a procedure, prepare documents, refer, we'll handle within the fixed dates and give a written reply to...".

The investor needs special attention to be paid to himself and the project itself. He should meet with representatives of various regional and federal authorities, discuss a project, feel that the project is supported and realize that such support is real and this is not just empty promise. That is, we think, there should be a permanent working platform where the potential investor can directly discuss any problems with federal and regional officials.

A problem of absence of tools for pre-trial resolution of disputes with the involvement of investors is directly related to a lack of communications between foreign investors and government authorities, when there is a possibility of direct dialog and direct cooperation with the Russian power structures.

Many commercial disputes between Russian businessmen and foreign investors are caused by differences in business culture and mentality, while discrepancies can be successfully resolved through a pre-trial procedure aided by a public participant whom all parties to dispute place confidence in.

— Well, are there any specific legal problems that should be solved in order to increase investment attractiveness of the region?

— Yes, there is a wide range of strategically important legal points related to problems of domestic investment relationships (at that, those not necessarily connected with the presence of a foreign subject) requiring, first, development of a unified doctrinal legal position and, second, implementation of special legal measures.

As our company pointed out, the law on free ports of the Far East and priority development areas needs to be improved in order to provide investors with most favorable conditions, on the one hand and on the other hand, to minimize risks of using new promising investment tools by bad faith businessmen.

The points to be settled, in particular, can also include expediency of the development of special legal instruments for the protection of investors' interests and bringing the migration law into line with business requirements, and development of special mechanisms for promoting foreign investments in the Russian fishing industry.

Also we believe that a matter of legal regime of foreign investments in Russian agriculture is very urgent now. On the one hand, we see a strong interest in similar investments taken by Chinese and Korean businessmen. On the other hand, a whole set of legal problems including those connected with arrangements for using agricultural lands by foreigners remains to be unsolved.

— Have you addressed any proposals to relevant government authorities to handle the said problems?

— Yes, of course. Generally, our practice demonstrates a lot of examples when on the basis of our suggestions on a necessity of a relevant legislative initiative, amendments were introduced both to departmental statutory enactments and federal legislation.

This year our company has been elected as an organizer of the event held within the Petersburg International Legal Forum, the most important and representative working platform of the legal community organized by the Justice Ministry and operating with the support of the President of Russia.

At this regional event to be held from May 18 to 21, 2016 we are planning to bring up a number of challenging and conflicting issues mainly residing in the area of investment relations for discussion of the legal and business community and all parties concerned.

— We'll make amendments to the law, we'll enact new laws, and investments will come with a gush, right?

— Development of regulatory environment is just a part of the large complex of administrative, financial, technical and other challenges that should be resolved to make the Far East one of the main investment-attractive Russian regions being properly integrated into economics of the Asian Pacific Region.

For instance, among challenging issues which require special attention to be paid by the appropriate government authorities, defects in law enforcement practice may be noted and they significantly complicate the protection of investors' legal interests.

In practice we come up against the situation many times when, despite the court of all instances including the highest one indicated the truth of our client, he still could not execute his legal rights due to various tricks of law on the part of opposing party.

I'm sure that such cases directly affect the investment attractiveness of the region, and potential investments have to take into account any additional risks that in any disputable situation the system of legal solution implementation would not operate properly.

— Let's return to the results of Pravo.ru-300 rating. Indeed, there are a lot of legal companies engaged in various branches of law, both in Primorye and Far East in whole. Why has particular your company been selected ever?

— Yes, our region has a lot of top-ranked qualified lawyers who are employed with various legal firms inter alia. In the meantime, some our colleagues who are very good in their areas and we're enjoying to cooperate with them (whether being partners or opposite parties in any proceeding), apply the prudent approaches to their own promotion at the market, namely, any lawyers, as money, love silence, and reputation of a good lawyer should be extended behind the scenes, as the special secret knowledge.

We, being a public, open and transparent company from the very beginning of our operation, to the full extent make use of experience in carrying out of legal business by our foreign colleagues and mainly by leading domestic legal firms.

Talking about publicity and transparency I also mean that we do not "solve any problems" as anyone could say about a lawyer's job supposing a corruption element, we're acting only within the legal frameworks and use all possible tools to solve any problems of a client.

In this connection I'd like to quote the words of Dmitri Afanasiev, a partner of the leading Russian lawyer's bureau "Egorov, Puginsky, Afanasiev and Partners", who said in one of his interview that a proper lawyer should not ensure that a court or any government law

will be in agreement with him/her. But if such lawyer from day to day works in this court or government authority, acts in a professional manner and uses all possible legitimate bases, he/she will be respected. For such lawyer it will ensure to be heard *ceteris paribus*, and this will be his/her significant competitive advantage.

I'm sure that the pride for a regular lawyer should include the recognition of the fact the he/she has protected the interests of a client due to his/her knowledge (using all possible legitimate methods) and for account of his/her creativity and health competitiveness, but not due to his/her ability to "solve a problem" simply paying a bribe from one person to another one.