

Get directions in Russia's ever-changing business landscape

THE AEB MONTHLY



Association
of European
Businesses



Dear Reader,

Welcome to the December edition
of the AEB Newsletter!

The sanctions environment still remains unrelieved and the EU businesses are trying to find ways for staying afloat during this challenging time.

November was quite a busy time with many interesting and informative events. This month AEB was proud to welcome Boris Titov, Presidential Commissioner for Entrepreneurs' Rights Protection as well as organise the presentation of the Sverdlovsk region with Evgeny Kuivashev, Governor of the Sverdlovsk Region, participating.

As usual, this Newsletter will provide you with information about the recent achievements of, and important forthcoming events organized by, the AEB. There is also news about our latest lobbying initiatives, and updates on Committee activities.

On this note I wish you pleasant reading!

Frank Schauff, CEO
Association of European Businesses

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Parallel imports (PI)

FAS has relaunched a discussion on parallel imports (PI) liberalization. FAS main arguments are the following:

- there are groups of foreign goods (e.g. microelectronics, cell phones, data transmission equipment, aircrafts, medical drugs, etc.) imports' limitation of which can threaten an economic stability in Russia, functioning of certain industries, providing services and accomplishing of other social obligations;
- it is also possible to legalize PI of cosmetics, spare parts, food products at first place since the analyses of possible impact of these markets in case of liberalization of PI can show a positive economic effect very fast.

AEB participated in the expert table organized by the Analytical Centre of the Government on PI and presented its position. Supporters of the current regime, the Eurasian Economic Commission, AEB and other associations and companies stated that the question of PI liberalization should be discussed with the EEC at first place since the Treaty of the Eurasian Union has just been signed where the regional principle of rights' exhaustion is established and a new regime will signify instability of legislation. It was decided that the discussion with FAS on PI would be continued.

Tax for trade activities

A new law introducing a trade tax (tax for trade activities) through addition of the chapter 33 to the Tax Code has been speedily adopted by the State Duma in its 3 readings and is now sent to the Council of Federation for approval. The text of the law was not consulted with business community, did not go through obligatory regulatory impact assessment procedure and did not receive an opinion of the Government as it is required by the RF Constitution. Moreover, many companies can be forced to go to the "grey zone" because of the heavy tax burden. AEB sent letters to the Council of Federation and the Administration of the President and will monitor the situation.

Waste management

The draft law amending the law on waste management is planned to be heard by the State Duma in its 2nd reading by the Government on 19 December 2014. The latest version of the draft text still contains the possibility for the producer to recycle by his own but at the same time provides for the tax as an alternative to recycling undertaken by the producer which will be paid to the Federal budget which will then compensate expenses of the organizations dealing with recycling as well as will send funds it to the RF subjects through subsidies. The taxation nature of the payment is not supported by AEB since a tax is an obligatory payment and the right to recycle can be therefore put in danger. The order of tax collection will be established by the Government decree (not by a law as it is prescribed by the Tax Code). Moreover, the date of the entry into force is 1 January 2015 and there is no transitional period for entry into force of the law. The Ministry of Economic Development analyzed the latest text of the law and gave a negative regulatory impact assessment opinion which will be attached to the set of documents before the Government submits it to the State Duma for the 2nd reading. AEB sent letters to the Administration of the President, the Ministry of Natural Resources and Ecology and the Ministry of Finance and closely monitors the situation.

Personal data protection

For the moment due to AEB and its partners lobbying efforts the 3rd reading of a new draft law on a change in date of the entry into force of the Law on Data Protection from 1 September 2016 to 1 January 2015 (already adopted at its 1st and 2nd readings), has been cancelled and the draft law is likely not to be adopted. However, companies are recommended to adapt their activities in a way to comply with an adopted law. The AEB Working Group under the IT and Telecom Committee will monitor the situation. AEB is in close contact with the State Duma and other state bodies on the issue.

For more details please contact [Maya Limonnikova](#), AEB Legal Advisor, or coordinators of the respective AEB Committees and Working Groups

Zayomniy trud, Outstaffing, Secondment

AEB continues its work with the MED on a draft law regulating secondment mechanism, in particular, the definition of legal entities, and possible changes to the Federal Law on Zayomniy Trud. AEB gathered replies from its members to the questionnaire on use of outstaffing and secondment carried out by the request of the Ministry of Economic Development which showed that the mechanisms are widely used in Russia and should be maintained.

Removal of threshold from insurance payments to the Federal Fund of Obligatory Medical Insurance (FFOMI)

A draft law introducing removal of threshold from insurance payments to the FFOMI (now the amount is 624,000 rubles) has been adopted by the State Duma in its 3 readings and by the Council of Federation for approval. The implementation of the law, which is applicable to all employers, includes several risks (e.g. cuts in jobs, going of some companies to the "grey zone", not paying "white salaries" and therefore taxes and insurance payments, etc.). Moreover, AEB sent letters with its arguments to the Government, the State Duma Committees, the Council of Federation and other relevant authorities recommending not adopting the law.

Other issues included:

- code of Conduct for the pharmaceutical industry;
- de-offshorisation;
- localisation;
- consumer protection legislation;
- organisation of paid parking places in Moscow;
- takhographs;
- implementation of ERA Glonass;
- public procurement questions;
- customs issues (TIR carnet use, authorized economic operator, amendments to the Code of Administrative Offences on responsibility in the field of customs regulation), and others.

AEB Events in December 2014

Upcoming Events

Date	Title	Time	Venue
3 December 2014	AEB Open Event: Round Table "Meet the Media" with Yulia Yarosh, Deputy Editor-in-Chief of the business newspaper "RBC Daily"	10:00 – 12:00	AEB Conference Centre
5 December 2014	AEB Sponsor Event: ORANGE BUSINESS SERVICES "Managed Mobility for Business"	09:30 – 11:00	AEB Conference Centre
11 December 2014	AEB Breakfast with New Members	09:00 – 11:00	AEB Conference Centre
17 December 2014	AEB Taxation Committee Business Meeting: "Is the Russian Tax Reform at an end?"	09:00 – 14:00	Venue to be confirmed
19 December 2014	AEB Migration Committee Open Event with the Federal Migration Service	09:00 – 12:00	AEB Conference Centre
December 2014 (to be confirmed)	AEB Open Event: Briefing by RF Deputy Minister of Labour, Ms. Blinova	09:00 – 11:00	AEB Conference Centre
December 2014 (to be confirmed)	AEB Christmas CEO Evening (upon invitation only)	19:00 – 21:00	All-Russian Museum of Decorative and Folkloric Arts

Saint-Petersburg

Date	Title	Venue
5 December 2014	World Bank Briefing "Policy Uncertainty Clouds Medium-Term Prospect"	Consulate General of the Netherlands in St. Petersburg
17 December (date to be confirmed)	Briefing with Yuri Lyamkin, Deputy head of North-Western Customs Authorities	Conference hall of DLA Piper in St. Petersburg

AEB Trainings in December 2014

Training

Date	Title	Provider	Venue
02 December 2014	Government Relations for Business	Grayling	Moscow, AEB Office
08 December 2014	Talent management and involvement	NORD OUTSOURCING	Moscow, AEB Office
11 December 2014	MS Excel power training – increase personal productivity	Awara Eduhouse Training	Moscow, AEB Office
12 December 2014	Reputational Steeple-chase - How to manage your reputation in difficult situations	Reichlin & Partners Reputation Management	Moscow, AEB Office
15–16 December 2014	Finance Analysis & Strategic Planning	CBSD	CBSD training center
16 December 2014	Cross-cultural communications for expatriates	EGO Translating	Moscow, AEB Office

Briefing by Boris Titov

On 30 October 2014, **Boris Titov**, Presidential Commissioner for Entrepreneurs' Rights Protection, briefed AEB members. The event was hosted by the AEB Finance and Investments Committee.

The event was chaired by **Frank Schauff**, AEB CEO, and **Stuart Lawson**, Chairman of the AEB Finance and Investments Committee, Executive Director, EY. During the event Boris Titov spoke about business and investment climate in Russia, his achievements and prospects in the field of entrepreneurs' rights protection. He also answered numerous questions about parallel import liberalization, amnesty of imprisoned business people, the draft law that proposes to lift limitations to salary amount for deductions to the Federal Compulsory Medical Insurance Fund, recent tax initiatives and other issues.

Dmitry Marinichev, Ombudsman for issues related to elimination of violations of entrepreneurs' rights in implementation of regulation and control for Internet operations and development, told about recent developments regarding processing and storage of personal data of Russian citizens in databases on the territory of the Russian Federation.



Boris Titov, Presidential Commissioner for Entrepreneurs' Rights Protection

VI Annual International Moscow Congress on Intelligent Transportation Systems ITS MOSCOW 2014

On 5 November 2014, **Frank Schauff**, AEB CEO, presented the results of AEB work in the field of ITS at the plenary session in the **VI Annual International Moscow Congress on Intelligent Transportation Systems ITS MOSCOW 2014**. The event took place at the Congress Centre of the Russian Chamber of Commerce and Industry.

Among the speakers at the plenary session were **Evgeny Moskvichev**, Chairman of the State Duma Committee on Transport, **Alexei Tsydenov**, Deputy Minister of the RF Transport, **Sergey Katyrin**, President of the RF Chamber of Commerce, **Anatoly Geller**, Deputy Minister of Information and Communication of the Republic of Tatarstan, **Alexander Polyakov**, Deputy Head of the Centre of traffic management motion of the Government of Moscow, **Igor Rosenberg**, First Deputy CEO, JSC "NIIAS", **Alexander Terekhov**, Director of strategic planning and operational management, Samsung, **Joseph Jacquot**, Chairman of the International Road Federation ITS, **Evgeny Kazantsev**, Vice-President of the Union of Russian Transport, **Sultan Zhankaziev**, Head of the department "Organization and safety", MADI, and **Vladimir Klimov**, Executive Director, Association "GLONASS/GNSS-Forum".

The Congress covered several topics such as implementation of intelligent transport systems, optimization of supply chains through innovative technologies, the use of ITS for sustainable development of road construction and road infrastructure.



L-R: **Joseph Jacquot**, Chairman of the International Road Federation ITS; **Alexander Terekhov**, Director of strategic planning and operational management, Samsung; **Igor Rosenberg**, First Deputy CEO, JSC "NIIAS"; **Alexei Tsydenov**, Deputy Minister of the RF Transport; **Sergey Katyrin**, President of the RF Chamber of Commerce; **Evgeny Kazantsev**, Vice-President of the Union of Russian Transport; **Frank Schauff**, AEB CEO; **Evgeny Moskvichev**, Chairman of the State Duma Committee on Transport;

Meeting with French speaking Ambassadors

On 5 November 2014, **Philippe Pegorier**, Chairman of the AEB Board; General Director, Alstom (Russia, Ukraine, Belarus), had a meeting with French speaking Ambassadors accredited to Russia. He presented to the Ambassadors the AEB point of view about the Eurasian Union at the invitation of **Jean Maurice Ripert**, the Ambassador of France. The meeting took place at the residence of France.



Guests of the event

Presentation of the Sverdlovsk Region

On 10 November 2014, the Association of European Businesses held a meeting with **Evgeny Kuivashev**, Governor of the Sverdlovsk Region. Among the topics were investment projects and development of the Sverdlovsk region. The event was chaired by **Philippe Pegorier**, Chairman of the AEB Board, President, Alstom (Russia, Ukraine, Belarus), and **Frank Schauff**, AEB CEO.

Alexey Orlov, First Deputy Head of Administration of the Sverdlovsk Region, Minister of Investment and Development of the region, told about co-operation between the Sverdlovsk Region and the European companies. **Artemy Kyzlasov**, CEO OJSC SEZ "Titanovaya dolina", presented "Titanovaya dolina" project.



Evgeny Kuivashev, Governor of the Sverdlovsk Region

“Energy Efficiency and Automation in Commercial Buildings 2014 – How it can be done in Russia”

On 13 November 2014, the AEB in co-operation with Messe Frankfurt opened a co-organized event **The International Forum «Energy Efficiency and Automation in Commercial Buildings 2014 – How it can be done in Russia»** in the framework of the **XX International Fair “Interlight Moscow powered by Light+Building 2014”**.

The Forum held a B2B-meetings’ session where everyone got a chance to receive information first-hand and to exchange professional experience on energy efficiency. In the evening a group of participants visited a technical level and then enjoyed a panoramic view on the 58th floor of the Impire Tower in the Moscow City business-center.



L-R: **Vincent de Rul**, General Director, FENICE Rus; **Svetlana Lomidze**, AEB Director of External Affairs; **Frank Schauff**, AEB CEO.

Construction Industry and Building Material Suppliers Committee

On 6 November 2014, the AEB Construction Industry and Building Material Suppliers Committee held its open event "**Association Dynamo Projects**".

For the first time **Vladimir Pronichev**, Chairman of the Association Dynamo, addressed the AEB members. During the event, the AEB members and guests learnt more about the Association Dynamo, main spheres of co-operation, investment projects (Petrovsky park in Moscow, Dynamo Stadium in Saint-Petersburg and others), etc. The presentations were followed by lively discussion and Q&A session.

Presentations from the meeting are available [HERE](#).



L-R: **Antonio Linares**, AEB Board member, Chairman of the AEB Construction Industry and Building Material Suppliers Committee, Vice-President, ROCA; **Sergey Sysoyev**, First Deputy Chairman of Association Dynamo; **Vladimir Pronichev**, Chairman of the Association Dynamo; **Philippe Pegorier**, Chairman of the AEB Board, President, Alstom (Russia, Ukraine, Belarus).

Crop Protection Committee

The AEB Crop Protection Committee (CPC) is continuing to concentrate its efforts on the waste container management issues. On 20 November 2014, **Tatiana Belousovich**, Crop Protection Committee GR Manager, presented the two-year results and prospects of the Container Management System Pilot Project in Russia (Voronezh region) at the Conference «**Energy Efficient Technologies for Waste Management in Agriculture**», organized by the Voronezh State Agrarian University.



L-R: **Eugeny Pukhov**, Head of the Chair of Machines and Tractors Maintenance, Voronezh State Agrarian University, **Tatiana Belousovich**, Crop Protection Committee GR Manager, **Alexander Kvasov**, First Deputy Head of the Department of Agrarian Policy of the Voronezh Region, **Vladimir Orobinsky**, Dean of the Agro-engineering Department, Head of the Chair of Agricultural Machines, Voronezh State Agrarian University.

Customs & Transport Committee

On 19 November 2014, **Dmitry Cheltsov**, Chairman of the AEB Customs and Transport Committee, IRU Permanent Delegation to Eurasia, talked about the European business point of view on the customs union customs legislation development at the II International Research and practical conference **"Prospects of the Customs Union customs legislation development (international and regional experience) and technological aspects of Single Window mechanism realization"**, which was organized by the Eurasian Economic Commission, Federal Customs Service and the Russian Customs Academy in the Russian Customs Academy in Lubertsy.

Mr. Cheltsov touched in his speech the most important issues for European businesses in the customs sphere in CU: an imperfect system of administrative responsibility for customs rules violation, the TIR Convention in Russia, development of the institute of authorized economic operator and single window in Customs Union.



Dmitry Cheltsov, Chairman of the AEB Customs and Transport Committee, IRU Permanent Delegation to Eurasia

Customs & Transport Committee

On 20 November 2014, **Sergei Gusev**, Deputy Chair of the AEB Customs and Transport Committee, made a presentation on the Draft law # 611997-6 "On amendments to the art. 16.2 and 29.9 of the RF Code of administrative offences" at the Coordination Council for optimizing movement of foreign trade cargo flows at the State Duma Transport Committee.

Mr. Gusev introduced the amendments proposed by the AEB members to this law, which aims to grant a possibility to foreign trade participants to declare with no administrative liability undeclared goods that have been released by customs. Coordination Council has unanimously supported and approved suggested amendments.



Sergei Gusev, Deputy Chair of the AEB Customs and Transport Committee and Coordination Council members at the State Duma Transport Committee meeting.

Human Resources Committee

On 13 November 2014, the Compensation & Benefits Sub-Committee of the AEB HR Committee held its business meeting "**Overview of Salary Surveys in Russia**". The event which has been held annually for the past seventeen years, followed the format of a panel discussion. All the major providers of salary surveys in Russia including EY, PwC, HayGroup and Human Capital Solutions were invited to take part in the event as speakers. The event was moderated by **Ekaterina Kibis**, Chair of the AEB Compensation & Benefits Sub-Committee, Manager, Tax & Law Department, Human Capital Group, EY.



L-R: **Alyona Leonova**, Human Capital Solutions; **Irina Chernozubova**, Hay Group Russia; **Evgenia Kurzaeva**, PwC; **Evgeniya Bolshakova**, EY; **Ekaterina Kibis**, EY.

Insurance & Pensions Committee

On 26 November 2014, the AEB Insurance and Pensions Committee representatives delivered a presentation at the meeting of the Central Bank's Expert Council on Insurance regarding current problems in the insurance market (court practice, cooperation with Rospotrebnadzor and other agencies, representation in OSAGO, etc.) and Committee's suggestions to solve them. The AEB suggestions were met with keen interest, lively discussed and mostly supported by the Expert Council members.

Legal Committee

On 21 November 2014, the AEB Legal Committee held its In-House Counsel Day for second year in a row. This event provided a unique opportunity to general counsels and senior in-house lawyers to share their experience and challenges they face. The meeting was co-chaired by **Alexander Kozhukhov**, Chairman of the AEB Legal Committee and **Sergey Krokhalov**, Deputy Chairman of the AEB Legal Committee. **Frank Schauff**, AEB CEO, held a welcome speech for the participants. Heads of legal departments of the AEB member-companies from different industries as well as representatives of legal firms discussed issues related to legal department management, interaction with regulators, litigation, ethics and compliance issues.

AEB expresses its deepest gratitude to the sponsors for supporting the event:

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L-R: **Frank Schauff**, AEB CEO; **Alexander Kozhukhov**, Chairman of the AEB Legal Committee; **Ilsur Akhmetshin**, Country Integrity Officer Russia, Azerbaijan, Belarus, ABB; **Ekaterina Pustovalova**, Regional Director (Russia and CIS) ICA/International Compliance Association, President ICS; **Anton Subbot**, Counsel, Baker & McKenzie – CIS Limited; **Sergey Krokhalov**, Deputy Chairman of the AEB Legal Committee.

North-Western Regional Committee

On 26 November 2014, the AEB North-Western Regional Committee organized an open event in St. Petersburg on "Recent amendments to corporate law: practical aspects".

The event was focused on main amendments to corporate law, which will come into force in 2015; new rules on shareholders' agreements: impact on existing and new joint venture projects; new procedure for accrediting branches and representative offices of foreign legal entities in 2015; latest amendments to the legislation on restructuring (reorganization and liquidation).

Also, a panel discussion on the practice of transferring shareholder register to a specialized registrar in terms of practical issues and peculiarities for foreign shareholders, in particular, related to the recent amendments of the law, was organized.

AEB expresses its deepest gratitude to the sponsors for supporting the event:



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L-R: **Taisiya Vorotilova**, Baker & McKenzie; **Elena Agaeva**, Egorov Puginsky Afanasiev & Partners; **Anna Afanasyeva**, Chair, AEB NWRC's Legal & Tax Subcommittee; **Alexey Yavosrkiy**, Beiten Burkhardt.



Real Estate Committee

On 12 November 2014, the AEB Real Estate Committee held its open event: "Mega Moscow – Mega Projects". The event was moderated by **Christophe Vivic**, AEB Real Estate Committee Steering Group member, COO, JLL, and opened by **Ruslan Kokarev**, AEB COO. Speakers from the Government of Moscow oblast, Sberbank of Russia and Millhouse highlighted such issues as investment attractiveness of Moscow oblast, project finance in Sberbank of Russia, and "Skolkovo Park" project.

Presentations from the meeting are available [HERE](#):

- [Presentation "Mega Moscow - Mega projects"](#)
- [Presentation from Government of Moscow oblast](#)
- [Presentation from Millhouse](#)
- [Presentation from Sberbank](#)



L-R: **Pavel Gusyatnikov**, Directorate of client managers on real estate enterprises and infrastructure, Sberbank of Russia; **Vadim Khromov**, First Deputy Minister of Investment and Innovation of Moscow oblast; **Christophe Vivic**, AEB Real Estate Steering Group Member, COO, JLL; **Igor Pyatibratov**, Head of development department, Millhouse.

Southern Regional Committee

On 11–12 November 2014, the International Business-Forum on Don was held at the Congress hotel Don-Plaza in Rostov-on-Don. In the framework of the Forum a number of conferences, round tables and seminars were organized. The AEB management was actively involved in the work of the Business forum being invited by the Ministry of Economic Development of the Rostov region administration.

Olga Bantsekina, First Deputy Chair of the AEB Board, Coleman Services UK, was a speaker at the conference **“Main macroeconomic trends and regional economic policy”** held on 11 November 2014. **Mikhail Chernyshev**, Deputy Governor of the Rostov region, and **Alexander Levchenko**, Minister of Economic Development of the Rostov region were among speakers.

At the conference were discussed relationship between macroeconomics and geopolitics, membership in the WTO, consequences of the sanctions, import substitution as an instrument of economic policy.

Philippe Pegorier, Chairman of the AEB Board, President, Alstom (Russia, Ukraine, Belarus), took part in the conference **“Investment message of the Governor of the Rostov region”** held on 12 November 2014 in the Rostov State Musical Theatre. Among the topics discussed during the conferences were issues of investment development, finding ways of overcoming the policy of economic sanctions, elimination of geopolitical contradictions in the relations. The conference was attended by high-ranking regional and federal officials, the Russian public organizations, the Agency for strategic initiatives in the Rostov region and representatives of business community.

Working Group on Modernization & Innovations

On 29 October 2014, the AEB held its round table “The integration of European business into the modernization of the Urals” during the **IX Annual Interregional Conference “Growth points of the Ural Macroregion’s Economy”**.

The session was organized by the AEB Working Group on Modernization and Innovations in co-operation with the Analytical centre and the magazine Expert-Ural. The session was co-moderated by **Michael Akim**, Member of the AEB Board, Chairman of the AEB WG on Modernization and Innovations, Vice-President, ABB Russia, and **Gleb Zhoga**, Scientific Editor, Expert-Ural. **Ruslan Kokarev**, AEB COO, welcomed the participants and stressed the role of the AEB members in the modernization of the Russian economy. The discussion topics of the round table were the most appropriate and attractive forms of cooperation for European business in the Ural region including the development of in-house facilities, joint venture companies, partnerships, priority sectors for cooperation, the corporate networks development for scientific organizations.

The “Growth points of the Ural Macroregion’s Economy” is a recognized research and communication project of the Expert Media Company in which key vectors of region development are formulated and discussed. The key leading persons of all regional subjects of Urals and Siberia as follows: leadership executive authorities, large and medium-sized companies, administrations of cities, organizations, scientific and educational groups, as well as leading experts from Russia and abroad, and representatives of the federal government.



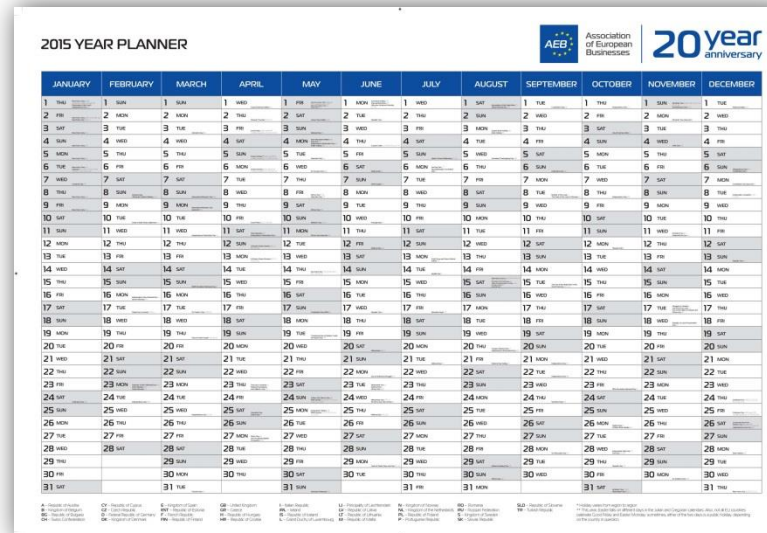
L-R: **Mikhail Akim**, Chairman of the AEB Working Group on Modernization & Innovations, Vice-President, ABB Russia; **Ruslan Kokarev**, AEB COO.

AEB Publications

Following publications were published in November 2014:



Position Paper 2014



AEB Planner 2015

Upcoming publications:

- **Business Quarterly: Customs** (release date: **15 December 2014**)
- **Real Estate Monitor (web)** (release date: **15 December 2014**)

The AEB Welcomes New Members

New Members



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The AEB Welcomes New Members

New Members



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<http://www.tecnicasreunidas.es/>



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