

Warsaw, February 28, 2022.

Open Letter to the ViS Moot Directors

I am deeply disturbed by the decision of the Vis Moot Directors to refuse to exclude from participation in the Willem C. Vis International Commercial Arbitration Moot teams representing Russia and Russian law schools (<https://www.vismoot.org/news/Statement>). You write that "*One of the fundamental ideals upon which the Vis Moot is based is that peaceful and respectful dispute resolution is always possible.*" I don't understand. The context is that Russia and Russian soldiers are invading Ukraine, which wanted and still wants peace. The Ukrainians are arranging peace talks with Russia and Russia is killing civilians.

From the statement of the Vis Moot Directors, it is clear that you are deeply concerned about the situation in Ukraine. However, your fundamental values do not allow you to exclude teams representing Russia from international competition! "Deep concern" is not enough when innocent people are killed.

You appeal for support of teams from Ukraine. But this appeal may be in vain. Ukrainian law students may be killed by Russians (not Russia, but Russian soldiers). At best, Ukrainian students are already totally mentally broken and incapable of competing in the ViS Moot against, among others, with teams from Russia. Instead of preparing - like the teams from Russia - for the ViS Moot Competition, Ukrainian students (girls and boys) put on soldiers' uniforms and grab their weapons to fight with the Russian army. Ukrainian students believed in Cicero's slogan "Cedant arma togae". Today, instead of studying law, they are forced to fight militarily to prevent Cicero's slogan from remaining as law in books.

The Vis Moot Directors are also fighting, but ... to get teams representing Russia and Russian law schools to participate in the ViS Moot Competition!

I am embarrassed by the appeal of the ViS Moot Directors, in which I read that: "[...] *it is critically important that these Russian teams do not suffer prejudice because of the unacceptable actions of the Russian government.*". The legal community of the civilized world never discriminates against anyone, including Russian students. This call by the ViS Moot Directors is not only unnecessary, it is simply astonishing. The ViS Moot Directors should show more empathy towards students from Ukraine.

The isolation of Russia by the international community in every field is unfortunately necessary. No one wanted it and no one wants it. Of course it hits ordinary Russians, not just Russian law students. Economic sanctions, boycotts of Russian products, closure of the civilized world to Russia, exclusion of Russian sports teams, etc. mean that many Russians who oppose Russia's assault on Ukraine will lose their jobs, fall into poverty, lose their dreams. This is well understood by Russian academics who, in a moving letter of protest against Russia's assault on Ukraine, write: "[...] *Russia has condemned itself to international isolation, to the position of an outcast country. [...] Russia's isolation from the world means further cultural and technological degradation with a complete lack of positive prospects.*". Apparently, several thousand Russian law students have also issued a protest against the war! This gives great hope for the rebirth of a Russia that is democratic and empathetic towards other nations. But for now it is what it is, and it is terrible!

The whole world, including the legal world, should send a clear signal that it does not accept gross violations of international law and human rights. Just as the Ukrainians are defending their freedom and

their lives, the Russians should take responsibility for breaking with Putin's Russia so that Russia never again invades other nations.

How deceptive is the slogan that Russians are not responsible for the acts of the Russian government. After all, it is not the question of the responsibility of those Russians who are protesting this war. Unfortunately, they are bearing the consequences of this war. The point is that it is in the hands of the Russians to change the government in Russia. I am writing this as a Pole, a person, from a country that was 45 years under Soviet domination. The Poles got out of authoritarian and totalitarian rule. Poland was subjected to sanctions. Poles felt excluded, but they understood that the isolation was not against them, even though Poles, including Polish students, suffered the consequences. Lawyers of a format such as the ViS Moot Directors should understand very well that Russia's isolation must include teams representing Russia or Russian institutions that operate under license from the Russian government.

The role of mature lawyers is to educate students by showing them the consequences of lawless governments and outright thuggery, and methods to counter lawless governments. No one is attacking Russians and Russian students who loudly oppose the assault on Ukraine. Isolationism is a consequence unwanted by democratic societies characterized by openness, tolerance and a desire for peace.

It is about defending Ukrainians killed by Russian soldiers, including Ukrainian law students.

Today, allowing teams from Russia to compete internationally in any field should be as outrageous as FIFA's recent decision to allow a soccer team from Russia to compete. But even FIFA has just changed its mind as a result of pressure from Poland. FIFA and UEFA have suspended Russia's club and national teams from football competitions! This is not about discrimination and attack on Russians and foreigners playing in Russian club teams, but a cry of dissent against the killing of the Ukrainian people!

You can still change your mind. The biggest mistake is not to make a mistake, but to persist in it. The alternative is to boycott the ViS Moot Competition. I will urge students from Poland and other countries to do so in the name of solidarity with Ukraine! Reputations take a long time to build and can be lost in a second.

The law favors righteous causes!

A handwritten signature in blue ink, appearing to read 'Michał Romanowski', written in a cursive style.

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