

**VIAC CAN Newsletter for the CEE region**

**GET TO KNOW YOUR ARBITRATOR!**



*Interview conducted by: VIAC Ambassador for Estonia, **Dr Eveli Lume**, partner at Squire Patton Boggs*

In this month's edition of the **VIAC CAN Newsletter**, we had the honour of conducting a short interview with Maria Pihlak, partner at Sorainen (Tallinn).

**SHORT BIO**

I am a dual-qualified dispute resolution attorney focused on cross-border business disputes and international arbitration. Educated in both civil and common law systems and licensed in Estonia and the United States, I combine legal precision with strategic insight. I act as both counsel and arbitrator, and my work includes arbitration and related court proceedings, such as annulment, recognition, and enforcement of awards.

I've represented a broad range of clients—from winning a landmark case for the first Estonian investor at ICSID, to advising state-owned companies in energy disputes that shape national policy. I've also handled matters where what's truly at stake goes far beyond damages: shareholder disputes tied to business legacies, procurement issues involving unlawful contract changes, and cases where arbitration has been misused for fraudulent purposes. My sector experience spans M&A, construction, real estate, finance, and trade, under ICC, LCIA, SCC, FAI, VCCA, and UNCITRAL rules.

I'm a founding member of the Estonian Arbitration Association and organiser of Tallinn Arbitration Day. I enjoy mentoring future legal professionals—judging moot courts, guest lecturing at universities, and advising young lawyers. I also serve on the Estonian Bar Association's Committee of Ethics and Methodology, helping shape the profession's ethical standards.

1. **VIAC:** *Describe your approach to arbitration / your arbitration philosophy in a few words.*

**Maria Pihlak:** I see arbitration as a fast lane to resolution—where flexibility fuels efficiency, saving time and money for everyone involved. The goal is simple: get the best result for the client without burning resources. But for this to work, a healthy dose of civility and teamwork between practitioners is key—it’s all about collaboration, not confrontation.

2. **VIAC:** *Why would you encourage your clients in CEE / SEE to choose VIAC as an arbitration institution?*

**Maria Pihlak:** For clients with business in the CEE/SEE region, choosing VIAC makes perfect sense. With its strong presence and deep understanding of the local market, VIAC offers a reliable and efficient arbitration process. Additionally, I’m a big fan of VIAC’s unofficial scrutiny process of the award, which adds an extra layer of quality control, ensuring that the final product is thorough and well-crafted. It’s this attention to detail that makes VIAC a great choice for clients seeking both local expertise and high-quality arbitration.

3. **VIAC:** *What strategies do you employ to ensure effective dispute resolution? How do you manage and expedite the proceedings?*

**Maria Pihlak:** As an arbitrator, I aim to strike the right balance between procedural efficiency and fairness. I encourage early issue identification to focus the process and avoid unnecessary detours. In more straightforward cases, I often propose streamlined procedures: limited or no document production, virtual hearings in place of in-person ones where suitable, expert conferencing or pooling, reduced page limits for submissions, and a clear cut-off date. Where appropriate, I may suggest closing arguments instead of post-hearing briefs, and invite the use of legal design techniques to enhance clarity and persuasion in written and oral argumentation.

That said, I fully recognise that not all disputes fit into a simplified framework. Cases involving complex factual or legal issues may require a more nuanced and expansive process. In all instances, I engage actively with the parties to understand their preferences and jointly shape a procedure that supports both efficiency and legitimacy.

The goal is always a process that is purposeful, fair, and proportionate—ensuring the parties are heard and the final award is both timely and well-reasoned.

4. **VIAC:** *What three qualities are most important in an arbitrator and how should a client go about choosing the perfect arbitrator?*

**Maria Pihlak:** Three key qualities? Integrity, curiosity, and control.

Integrity ensures fairness and trust. Curiosity keeps the arbitrator engaged and sharp, especially in complex or unfamiliar industries. Control means managing the process with a steady hand—efficient, firm, but always respectful.

To choose the perfect arbitrator, clients should look beyond the CV. Think chemistry, not just credentials.

5. **VIAC:** *You have achieved so much in the field of arbitration, is there a personal or professional achievement you are particularly proud of?*

**Maria Pihlak:** When I returned to Estonia from the U.S. in 2014, international arbitration was still something we often handed off to other firms—there simply wasn't a strong local presence leading those cases. Over the past decade, it's been a real joy to help change that. Together with an incredible team of talented lawyers, we've built a regional arbitration practice from the ground up. Today, we not only handle these cases as lead counsel—we do so with confidence, creativity, and a deep understanding of what works in this part of the world. Watching the region grow into a more arbitration-friendly space, and knowing we've played a part in that, is something I'm genuinely proud of.

6. **VIAC:** *What was one of your funniest moments during an arbitration hearing?*

**Maria Pihlak:** Let's just say language mishaps keep us all humble. During a particularly intense cross-examination, I meant to politely interrupt a witness who was dodging my questions. What I meant to say was, "I'll have to cut you off here"—but what actually came out was, "I'll cut you right now."

I didn't notice anything amiss at the time, but afterward, my colleagues couldn't stop laughing. Apparently, the Tribunal's faces froze, the witness looked mildly alarmed, and I had unknowingly added a bit of courtroom drama no one signed up for.

7. **VIAC:** *Do you have any tips for the next generation of lawyers in order to assist them in pursuing a successful career in arbitration?*

**Maria Pihlak:** Play like an underdog—that's my guiding principle. Stay curious, be relentlessly prepared, and find your voice early, especially through oral advocacy.

But also—be bold. The next generation isn't just here to learn; you're here to lead. Arbitrators are curious, and they're listening. So bring fresh tools to the table—AI, legal design, smarter advocacy. Don't be afraid to offer a new menu for the tribunal to choose from. The future of arbitration needs your creativity as much as your case law.

8. **VIAC:** *Do you have a “secret recipe” to ensure a good Work Life Balance while enjoying a successful arbitration career?*

**Maria Pihlak:** Recipe for Work-Life Balance (Arbitrator Edition)

Ingredients:

- One heaping cup of strong coffee
- Two firm calendar boundaries (ICC Rule-tight)
- One generous scoop of guilt-free downtime
- A sprinkle of spontaneous genius (often found mid-hike or mid-cake)
- Optional: One glass of wine (post-submission)

Instructions:

1. Brew the coffee—this is your fuel, your anchor, your opening statement.
2. Set calendar boundaries like you’re drafting procedural orders. Stick to them like a tribunal to a timetable.
3. Fold in your downtime gently—make it part of the structure, not an afterthought.
4. When the urge to overwork kicks in, pause. Substitute with a walk, a hobby, or simply doing nothing (radical, I know).
5. Let ideas simmer. You’d be surprised how many breakthroughs happen away from your desk.
6. Serve your clarity of mind with a side of perspective and enjoy responsibly.

Chef’s note: A clear arbitrator is more effective than a tired one. Repeat as needed.

Bon appétit, balance!

**VIAC:** *Thank you very much for your interview!*

**Maria Pihlak:** It was an absolute pleasure.