

# VIAC – Questionnaire for Arbitrators

**1. Name:** Fatih Işık

**2. Citizenship:** Turkish

**3. Contact information:**

Address: Maslak Mah. Ahi Evran Cad. 6/3 Sarıyer – Istanbul / Turkey

Telephone: 0090 505 544 26 88

E-Mail: fatihisik@isik-partners.com

Website: www.isik-partners.com

LinkedIn: <https://www.linkedin.com/in/fatih-isik-49860639/>

**4. Current position:** Founding Partner at Işık & Partners Law Firm

**5. Education:**

2011-2014, Galatasaray University, Faculty of Law, Istanbul/Turkey (LL.M)

2009-2010, University of Nantes, Faculty of Law, Nantes / France

2004-2010, Galatasaray University, Faculty of Law, Istanbul/Turkey (LL.B)

**6. Practiced experience in arbitration**

- **How many arbitrations have you participated in (domestic/international); under which Rules?**

29 cases (14 international, 15 domestic) as counsel, sole arbitrator, chairman, and secretary/assistant to the Tribunal, under Swiss Chambers' Arbitration Institution Rules, ICC Rules, ISTAC (Istanbul Arbitration Center) Rules and ITOTAM (Istanbul Chamber of Commerce Arbitration Center) Rules.

- **How often have you acted as Chairman?**

4 cases as Chairman

- **How often have you acted as Sole Arbitrator?**

2 cases as Sole Arbitrator

- **How often have you acted as Co-Arbitrator?**

2 cases as co-arbitrator

- **How often have you acted as Counsel?**

16 cases as counsel.

- **How often have you acted in a different function (e.g. Administrative Secretary)?**

5 cases as secretary and assistant to the arbitral tribunal

## **7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**

### Selected Publications:

#### Book:

- Authority to Enter into Arbitration Agreements and the Law Applicable to this Authority in International Commercial Arbitration, Oniki Levha Publications, May 2015

#### Contributions:

- "Third Party Funding in International Arbitration", in International Investment Arbitration and Third Party Funding Symposium Book (co-authored with Hande Pat), Seckin Publications, November 2018
- "Concluding Arbitration Agreements through Agents", in Arbitration Agreement (Arbitration School Symposium Book), Oniki Levha Publications, December 2020
- "Authority to Enter into Arbitration Agreements - Specific Authority Requirement for the Agents" in Arbitration Agreement (Galatasaray University Symposium Book), Oniki Levha Publications, June 2020
- "Complex (Multi-Party and Multi-Contract) Arbitrations in Articles 7-10 of ICC Arbitration Rules", Annales de la Faculté de Droit d'Istanbul, Year: 2020, Issue: 69, March 2021
- "Multiparty Arbitration and Consolidation of Arbitrations", in Arbitral Proceedings, (Arbitration School Symposium Book), Oniki Levha Publications, July 2023

#### Articles:

- "Two Potential Pitfalls for Arbitration in Turkey Come to Light at the 16th ICC Turkey Arbitration Day" (Kluwer Arbitration Blog)
- "Enforceability of Emergency Arbitrator Orders in Turkey and Take-Aways from the 15th ICC Turkey Arbitration Day 2020" (Kluwer Arbitration Blog, co-authored with Ayca Bengu Koksal and Melissa Balikci)
- "Arbitration Agreements Concluded by Agents and the Specific Authority Issue" (Kluwer Arbitration Blog)
- Turkey International Arbitration Law (LexisNexis)
- Istanbul Regional Court of Appeal Decisions Regarding Law No. 805 on Mandatory Use of Turkish Language in Arbitration Agreements
- Review of Arbitration Agreement in Mandatory Mediation Procedures
- Forum Shopping Decision of the Federal Supreme Court of Switzerland
- The Law Applicable to the Substance of an Arbitration Agreement
- The Separability of an Arbitration Clause from the Underlying Contract

- The Effect of the Principle of Separability on Determination of the Law Applicable to Arbitration Agreements
- Arbitration Clauses Incorporated by Reference
- Consent to Arbitrate in Investment Arbitration
- ICSID Tribunal's Decision on the Claims of Ickale Insaat against Turkmenistan
- The New Emergency Arbitrator Procedure under the ICC 2012 Rules
- ICC Rules on Expedited Procedure
- Enforcement of Partial Arbitral Awards

Selected Lectures and Presentations:

- "Setting Aside Proceedings against a State-Owned Entity in Turkey" in 6th Baltic Arbitration Days organized by DIS (Deutsche Institution für Schiedsgerichtsbarkeit) in Riga
- "Document Production and Hearing in International Commercial Arbitration" in ELSA Summer Law School
- "How to Avoid Champagne Clauses", online seminar organized by Young ISTAC (co-panellist with Mariana Antonovych from Avellum, Kiev)
- Arbitral Tribunal Secretary Training, organized by ISTAC
- "Enforcement of Arbitral Awards and Post-Award Legal Remedies" in arbitration counsel training course organized by ISTAC and the Union of Turkish Bar Associations
- "Interim Measures in Arbitration", in arbitration counsel training course organized by ISTAC and the Union of Turkish Bar Associations
- "ICC Rules on Complex Arbitrations", ICC Young Arbitrators Forum (ICC YAF) Event
- "Grounds for Setting-Aside of Arbitral Awards and How to Avoid Them", in arbitrator training course organized by ISTAC
- "Tips on Arbitrating with Multiple Parties and Multiple Contracts and Constitution of the Arbitral Tribunal (ICC Rules, Articles 7-10)", ICC Young Arbitrators Forum Event
- "Arbitration Agreements Concluded by Agents and the Specific Authority Issue", in the symposium on "Arbitration Agreement" organized by Galatasaray University Law Faculty
- "Third Party Funding in International Arbitration" in the panel organized by Kadir Has University Law Faculty

## 8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

Mentor in Young ISTAC Mentorship Programme, memberships in Young ICCA, ICC Young Arbitrators Forum, LCIA Young International Arbitration Group, Young ISTAC

## 9. Languages

Mother tongue: Turkish

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): English and French

## 10. In which legal systems have you trained?

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input type="checkbox"/> Common Law    |  |
| <input type="checkbox"/> Austrian Law         | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law     |
| <input type="checkbox"/> Czech Law            | <input type="checkbox"/> Polish Law    | <input type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law           | <input type="checkbox"/> Slovakian Law | <input type="checkbox"/> European Law  |

Other: Turkish Law

## 11. What is your main jurisdiction of practice?

Türkiye

## 12. In which jurisdictions are you admitted to the bar?

Türkiye

## 13. Special expertise or specializations (please list a maximum of five):

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> Antitrust/Unfair competition               | <input type="checkbox"/> Damages                          | <input type="checkbox"/> Insolvency               | <input type="checkbox"/> Natural resources       |
| <input type="checkbox"/> Aviation                                   | <input type="checkbox"/> Distribution                     | <input type="checkbox"/> Insurance                | <input checked="" type="checkbox"/> Power plants |
| <input type="checkbox"/> Banking & Finance                          | <input type="checkbox"/> Domain name disputes             | <input type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Private Intern. Law     |
| <input type="checkbox"/> Capital markets                            | <input type="checkbox"/> Employment                       | <input type="checkbox"/> Investment arbitration   | <input type="checkbox"/> Public Intern. Law      |
| <input type="checkbox"/> CISG                                       | <input type="checkbox"/> Energy                           | <input type="checkbox"/> ISDS/Foreign inves.      | <input type="checkbox"/> Real estate             |
| <input type="checkbox"/> Civil fraud disputes                       | <input type="checkbox"/> Engineering                      | <input type="checkbox"/> Joint ventures           | <input type="checkbox"/> Shipping                |
| <input checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment                    | <input type="checkbox"/> Licensing                | <input type="checkbox"/> Sports                  |
| <input type="checkbox"/> Commodity market                           | <input checked="" type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Life sciences            | <input type="checkbox"/> State/Public contracts  |
| <input checked="" type="checkbox"/> Company/Corporate/M&A           | <input type="checkbox"/> Hotel/Gastro./Tour.              | <input type="checkbox"/> Maritime arbitration     | <input type="checkbox"/> Technology              |
| <input type="checkbox"/> Construction                               | <input type="checkbox"/> Inform. technology (IT)          | <input type="checkbox"/> Media                    | <input type="checkbox"/> Telecommunication       |
| <input checked="" type="checkbox"/> Contract law                    | <input type="checkbox"/> Infrastructure                   | <input type="checkbox"/> Mining                   | <input type="checkbox"/> Transport               |
| <input type="checkbox"/> Other _____                                |   |   |  |

**14. Date of birth:** 1986

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

✓ I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

✓ I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to [office@viac.eu](mailto:office@viac.eu). The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

01.08.2023

Date