

# VIAC – Questionnaire for Arbitrators

**1. Name:** Markian Malskyy

**2. Citizenship:** Ukraine

**3. Contact information:**

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LinkedIn: <https://www.linkedin.com/in/malskyy/>

**4. Current position:**

Partner, Head of International Litigation and Arbitration Practice, Head of West Ukrainian branch.

**5. Education:**

Taras Shevchenko National University of Kyiv, PhD (thesis "Arbitration agreement as a precondition of dispute resolution in international commercial arbitration") (2012)

World Trade Institute, Master of International Law and Economics (summa cum laude) (2007)

Stockholm University, LL.M in International Commercial Arbitration (magna cum laude) (2006)

Ivan Franko National University of Lviv, Master of International Economics, Master of Law (2006) (with distinction)

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
- How often have you acted as Chairman? 2
- How often have you acted as Sole Arbitrator? 3
- How often have you acted as Co-Arbitrator? 10
- How often have you acted as Counsel? 40
- How often have you acted in a different function (e.g. Administrative Secretary)? None

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

Author of four textbooks on the resolution of commercial disputes, as well as more than 100 publications on legal topics.

Books:

- Recognition and enforcement of foreign arbitral awards in Ukraine;
- Adverse inference in WTO law and other dispute settlement fora;
- Arbitration Agreement. Theoretical and Practical Aspects;
- International enforcement process. Theory and Practice.

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

Member: CIArb (Member), LCIA YIAG (Regional representative in 2012-2014), Young ITA, YAAP, ASA below 40, ICDR Young & International, Cepani 40, ICC YAF, Ukrainian Arbitration Association (Member of the Board in 2012-2019)

Recommended arbitrator:

- International Commercial Arbitration Court at Ukrainian Chamber of Commerce and Industry
- Chisinau International Court of Commercial Arbitration\*
- Riga International Commercial Arbitration Court\*
- Court of Arbitration at Nowy Tomyśl Chamber of Commerce
- Arbitration Court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic
- Arbitration Center of Mexico
- Kazakhstan International Arbitrage\*
- China International Economic and Trade Arbitration Commission
- Asian International Arbitration Centre\*
- Recommended arbitrator in the procedure of financial restructuring pursuant to the Law of Ukraine "On the financial restructuring"

*\*in process of renewal of the status of recommended arbitrator*

**9. Languages**

Mother tongue: Ukrainian

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, Russian, German.

**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 checked="" type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law           | <input type="checkbox"/> Slovakian Law | <input type="checkbox"/> European Law             |

Other \_\_\_\_\_

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

Ukraine

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

Ukraine

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

**14. Date of birth: 11 December 1984**

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>.

\_\_\_\_\_  
Date

and

\_\_\_\_\_  
Signature