

VIAC – Questionnaire for Arbitrators

1. **Name:** Dmitry Marenkov, LL.M., FCI Arb

2. **Citizenship:** Russian

3. **Contact information:**

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4. **Current position:**

Senior Manager (Lawyer) at Germany Trade & Invest, Bonn

Member of the Editorial Board, journal "Commercial Arbitration" (Russia)

5. **Education:**

University of Cologne (Germany), Law Studies, 1st and 2nd State Exam (German law, International law)

University of Dundee (LL.M. in International Dispute Resolution)

University College London (Erasmus exchange year; English law, EU law)

Chartered Institute of Arbitrators (Diploma in International Arbitration)

Accredited Mediator (London School of Mediation)

6. **Practiced experience in arbitration**

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

29 (VIAC, DIS, ICC, UNCITRAL Rules, ICAC/MKAS at CCI RF)

Parties from Austria, Belarus, Cyprus, Czech Republic, Denmark, France, Germany, Georgia, Hong Kong, Lithuania, Romania, Russia, Spain, Switzerland, Ukraine, United Kingdom

Places of arbitration: Vienna (Austria), Berlin, Munich, Münster (Germany), Moscow (Russia)

Applicable laws: German law, Russian law, Ukrainian law, Austrian law, English law, CISG

Subject-matter of arbitrations: international sales and services contracts, transportation, joint ventures, distribution and agency contracts

Languages of arbitration: English, German, Russian

- How often have you acted as Chairman?

2 arbitrations (DIS, ICAC/MKAS RF)

- How often have you acted as Sole Arbitrator?

4 arbitrations (VIAC, DIS)

- How often have you acted as Co-Arbitrator?

13 arbitrations (DIS, ICC, ICAC/MKAS at CCI RF, ad hoc)

- How often have you acted as Counsel?

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

10 cases as Administrative Secretary to the Tribunal (DIS, VIAC, ICC)

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

Speaking Engagements (selected):

- XI Annual ABA Moscow Conference on the Resolution of International CIS-related Business Disputes, 18 September 2019, Panel on “The role of secretary to the tribunal: fourth arbitrator or support staff?” (in English)
- Procedure in International Arbitration: Different Perspectives and Expectations, ICC YAF, University of Nicosia (Cyprus), 31 May 2019 (in English)
- Resolution of German-Russian commercial disputes, German Law Day at Moscow State University, 22 March 2019 (in Russian)
- IBA Conference Europe Caucasus Asia, panel on “How to become an arbitrator?”, Almaty (Kazakhstan), 7 September 2018 (in English)
- RAA40 discussion “Launching your career into arbitrators’ orbit”, Moscow, 12 April 2018 (in Russian)
- Challenge of arbitrators in international arbitration practice: procedure, time frames, standards, case law, 9th Moscow Pre-Moot Conference, 2 March 2018 (in English)
- Enforcement of ICAC/MKAS awards abroad: recent case law, Conference on the occasion of the 85th anniversary of the International Commercial Arbitration Court at Chamber of Commerce and Industry, Moscow, 5 December 2017 (in Russian)
- GTAI/DIS webinar “Arbitration with Eastern European parties”, 23 November 2017 (in German)
- Recognition and enforcement of foreign arbitral awards in Germany and Russia, Annual conference of the German-Russian Legal Institute (DRJI), Kiel/Germany, 13 October 2017 (in English)
- Webinar by GTAI and ICC Germany “Current Developments in International Arbitration”, 26 April 2017 (in German)
- Co-organiser and moderator: conference “Dispute Resolution with CIS parties”, Frankfurt, 3 March 2017, a full-day conference by the German-Russian Lawyers’ Association in cooperation with DIS, VIAC & DIS40 (in German)
- Recognition of foreign court judgments and arbitral awards in Germany, German-Russian conference on international arbitration and mediation in Russia and Germany, Chamber of Commerce and Industry of the Russian Federation, Moscow, 14 October 2016 (in Russian)
- Organiser and moderator: seminar “Resolution of German-Russian commercial disputes” by the German-Russian Lawyers’ Association and Russian Arbitration Association (RAA), Moscow, 26 May 2016 (in Russian)
- Enforcement of foreign arbitration awards in Russia, conference “Trade Sanctions and Arbitration”, Düsseldorf, 26 August 2015 (in English)
- The German court system, presentation at the representative office of the Hamburg Chamber of Commerce in St. Petersburg, 2 April 2015 (in Russian)
- ABA Section of International Law, 2015 Europe Forum, panel “Arbitration in Eastern Europe – What is Going On?”, Berlin, 27 March 2015 (in English)

- Arbitrability of disputes, KEEL Conference “Settlement of international trade disputes in the region of the Caucasus and Central Asia” in Kiel, Germany, 28 November 2014 (in English)
- Dispute resolution in German-Russian business, seminar by the German-Russian Lawyers’ Association, St. Petersburg, 4 September 2014 (in Russian)
- Current developments in Russia-related litigation and arbitration, Annual Conference of the German-Russian Lawyers’ Association (DRJV), Berlin, 12 June 2014 (in German)
- Arbitrability of corporate disputes under German Law, Russian Arbitration Day, Chamber of Commerce and Industry RF, Moscow, 29 May 2014 (in Russian)
- Recognition and enforcement of foreign court decisions and arbitral awards in Russia and Ukraine, German-Russian Lawyers’ Association, Frankfurt/M., 2 September 2013 (in German)
- International arbitration in Central and Eastern Europe, DIS40, Cologne, 5 June 2013 (in German)
- Recognition and enforcement of MKAS/ICAC awards in Germany, Conference on the occasion of the 80th anniversary of the International Commercial Arbitration Court at the Russian Chamber of Commerce and Industry (MKAS/ICAC), Moscow, 30 November 2012 (in Russian)
- The role and practice of arbitration in Russia and Germany, Joint DIS/MKAS Conference on Arbitration in Russia and Germany, Berlin, 25 October 2012 (in German)
- International commercial arbitration in Germany, Moscow Arbitration Forum 40, 20 April 2012 (in Russian)
- Arbitration law and practice in Russia and CIS Countries, DIS40/RCAN (Russia & CIS Arbitration Network), Frankfurt, 1 November 2011 (in German)
- Guest lecturer, University of Bonn, 2012- 2017 (in German)
- Guest lecturer, Goethe University Frankfurt, 2008-2016 (in German)
- Guest lecturer, Russian Foreign Trade Academy (VAVT), course on German law, 2016-2018 (in Russian and German)

Publications (selected):

Over 30 publications on international arbitration law and international business law with particular focus on CEE/CIS countries in legal periodicals and loose-leaf handbooks (in English, Russian and German), *inter alia* in German Arbitration Journal (SchiedsVZ), International Arbitration Law Review (Int. A.L.R.), International Arbitration Review (RF), GAR, Commercial Arbitration (RF) etc. e.g.:

- Recognition and Enforcement of ICAC Awards Abroad, Commercial Arbitration, 1-2019, pp. 40-57
- Chapters on Belarus and Ukraine, in: Geimer/Schütze (eds.), Internationaler Rechtsverkehr in Zivil- und Handelssachen [international litigation in civil and commercial matters] (co-author: A.Himmelreich)
- Chapter on litigation and arbitration in Ukraine, in: Breidenbach (ed.), Handbuch für Wirtschaft und Recht in Osteuropa [Handbook of Economics and Law in Eastern Europe], loose-leaf
- Die neue ICC-Schiedsgerichtsordnung [New ICC Arbitration Rules], IWB Internationales Steuer- und Wirtschaftsrecht, No. 8/2012 , pp. 290-293
- Признание и исполнение решений МКАС при ТПП РФ, МКАС при ТПП Украины и МАС при БелТПП в Германии [Recognition and Enforcement of Russian, Belarussian and Ukrainian Awards in Germany], in: „Вестник международного коммерческого арбитража“ [International Commercial Arbitration Review, Russia], No. 2/2011, pp. 34-62

- Zur Anerkennung und Vollstreckung von ausländischen Schiedssprüchen in Russland [Recognition and Enforcement of Foreign Arbitration Awards in Russia], *SchiedsVZ* 3/2011, pp. 136-147
- Aktuelle Entwicklungen im russischen Wirtschaftsrecht [Current developments in Russian business law], *Recht der internationalen Wirtschaft (RIW)* 2011, pp. 497 et seq.
- Chapter on Civil Procedure and Arbitration in Russia, in: Nussberger (ed.), *Einführung in das russische Recht [Introduction to Russian Law]*, 2010
- The principle of good faith in enforcement of foreign arbitral awards - the taming of another 'unruly horse' in German law, in *Stockholm International Arbitration Review* 2009:1, pp. 195-217 (co-author: Dr. Stefan Kröll)
- Editor and co-author "Сборник статей о праве Германии / Sammelband zum deutschen Recht in russischer Sprache" [Compendium on German law in Russian language], 2015/2017
- A number of case notes in *International Arbitration Law Review (Int. A.L.R.)*
- Several conference reports in *Global Arbitration Review* and *German Arbitration Journal (SchiedsVZ)*
- A number of articles on business law in Russia, Kazakhstan, Ukraine

Acting as arbitrator in moot courts:

Arbitrator at Willem C. Vis International Commercial Arbitration Moot in Vienna and Hong Kong, as well as pre-moots in Düsseldorf & Moscow; RAA Online Arbitration Moot (2018-2019); Rozenberg moot on commercial arbitration (2019)

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

Fellow of the Chartered Institute of Arbitrators (FCIArb), International Council for Commercial Arbitration (ICCA), Austrian Arbitration Association (arb | aut), Asian Institute of ADR (Fellow), German Institution of Arbitration (DIS), Swiss Arbitration Association (ASA), German-Russian Lawyers' Association (DRJV; member of the Board for two terms: 2013-2017), British-German Lawyers' Association (DBJV)

Listed arbitrator of the International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation (ICAC/MKAS)

Listed in the International Arbitration Database of Practitioners at the Russian Arbitration Center

Member of the CIArb Approved Faculty List

Member of the Internal Auditing Committee at the Russian Arbitration Association (RAA): 2013-2017

Coordinator of the Arbitration & Litigation Working Group of the German-Russian Lawyers' Association (www.drjv.org): 2013-2017

Member of the Working Group for the translation of 2018 DIS Arbitration Rules into Russian

Co-Organiser of several conferences on dispute resolution in Germany and Russia

9. Languages

Mother tongue: Russian

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): German, English, Russian

10. In which legal system have you trained?

Germany, UK

11. What is your main jurisdiction of practice?

Germany, Russia, CIS countries

12. Special expertise or specializations (please list a maximum of three):

Commercial contracts including sale of goods

Disputes with parties from Central & Eastern Europe (especially CIS countries)

13. Date of birth: 1977

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date: 29 September 2019