

## MARKIYAN MALSKEY



Partner at Kochanski and partners, PhD hab., attorney-at-law, MCI Arb

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PhD hab., attorney-at-law, with over 15 years of experience, specializes in international commercial and investment arbitration. Since 2008, he was an attorney-at-law and partner (since 2012) at Ukrainian leading law firm Arzinger. Prior to joining Arzinger, Markiyan worked as a lawyer in the international arbitration team at Freshfields Bruckhaus Deringer in Paris. In February 2022 due to the war in Ukraine he has reallocated and joined as partner a leading Polish law firm Kochanski and partners.

He has vast experience in resolving corporate disputes, contractual disputes, sales and services, real estate & construction disputes, post M&A disputes, enforcement of foreign judgments and arbitral awards. He was engaged in the settlement of over 300 disputes, including under the ICSID, ICC, SCC, UNCITRAL, LCIA, FAI, VCCA and ICAC rules.

He is the author of four books, more than 100 scientific papers and more than 300 articles and commentaries.

### EDUCATION

- Taras Shevchenko National University of Kyiv, **PhD hab.** (thesis "Theoretical basis of International enforcement process") (2020)
- 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) (Corporate, contract, investment law, international trade) (2007)
- Stockholm University, **LL.M in International Commercial Arbitration** (magna cum laude) (Commercial arbitration, dispute settlement) (2006)
- Ivan Franko National University of Lviv, **Master of International Economics** (International economics, business, finance and financial planning, investments), **Master of Law** (Civil, financial, corporate, contract, international law) (2006)

### RECOMMENDED ARBITRATOR

- Vienna International Arbitral Centre (VIAC);

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WARSZAWA  
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- International Commercial Arbitration Court at Ukrainian Chamber of Commerce and Industry (ICAC at UCC);
- Arbitration Court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic;
- China International Economic and Trade Arbitration Commission (CIETAC);
- Riga International Commercial Arbitration Court (RICAC);
- Chisinau International Court of Commercial Arbitration (CACIC);
- Court of Arbitration at Nowy Tomyśl Chamber of Commerce;
- Korean Commercial Arbitration Board Arbitration Center of Mexico (CAM);
- International arbitration court "Chamber of Arbitrators at the Union of Lawyers" (Belarus);
- Recommended arbitrator in the financial restructuring procedure pursuant to the Law of Ukraine "On Financial Restructuring.

### **AUTHOR OF 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.

### **RECOGNITION & AWARDS**

- Chambers Global 2013–2019, 2021-2022: recommended in dispute resolution.
- Chambers Europe 2013–2019, 2021: recommended in dispute resolution.
- Benchmark Litigation Europe 2020 named Markiyan a Litigation Star.
- The Legal 500 Europe, Middle East & Africa 2013–2018: recommended in dispute resolution.
- Best Lawyers 2021-2022 recommends in Insolvency and Reorganization Law.
- Best Lawyers 2019-2022 recommends him in Arbitration and Mediation, Corporate Law, International Arbitration, Litigation, Mergers & Acquisitions Law and Real Estate Law.
- Best Lawyers 2013–2019: leading international arbitration practitioner in Ukraine, also recommended in Corporate and M&A, and Dispute Resolution.
- Ukrainian Law Firms. A Handbook for Foreign Clients (2020): is ranked in International Arbitration and Litigation.
- Ukrainian Attorney Association: Attorney of the year 2018 in the nomination "International Arbitration".
- Ukrainian Law Firms. A Handbook for Foreign Clients 2018: among 5 leaders in International Arbitration.
- Ukrainian Law Firms. A Handbook for Foreign Clients (2012–2018): is ranked among the leading experts in international arbitration, transport and infrastructure, agriculture, and international trade.
- Client's Choice 2012-2018 (by "Yurydychna Gazeta"): is among TOP 100 best lawyers of Ukraine, is noted in court practice and international arbitration.
- The International Who's Who of Construction Lawyers 2014: one of leading experts in real estate.

- The International Who's Who of Commercial Arbitration 2014, 2015: one of leading experts in commercial arbitration.
- Legal Award 2014: Lawyer of the Year in International Arbitration.
- Ukrainian Law Firms (by "Yurydychna Praktyka"): was among 16 young ambitious lawyers of Ukraine in 2012 and TOP 5 Best Lawyers of Ukraine in international arbitration.

## **LANGUAGES**

Ukrainian, Polish, English, German, Russian.