

VIAC – Questionnaire for Arbitrators

1. **Name:** Andrey Artyushenko

2. **Citizenship:** Kazakhstan

3. **Contact information:**

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4. **Current position:**

Arbitrator

5. **Education:**

KazGUU University, Bachelor degree, International Law

6. **Practiced experience in arbitration**

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

Andrey is an arbitrator in Arbitration center of the National Chamber of entrepreneurs Atameken. He is also an arbitrator in the International Arbitration Court (IAC) and the Kazakhstan International Arbitration (KMA).

• How often have you acted as Chairman?

• How often have you acted as Sole Arbitrator?

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

Atameken arbitration center. Participation in a panel with three arbitrators. The case was in respect of the goods supply. Goods quality does not meet the technical requirements.

Atameken arbitration center. Participation in a panel with three arbitrators. The case was in respect of the debts collection. Russian located company has failed to supply goods.

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

Andrey Artyushenko frequently acts as Counsel in arbitration proceedings, representing clients in complex disputes, including those related to construction and corporate law.

- Co-counseling jointly with two international law firms (Integrites, Freshfields) the local Employer against an arbitration claim (ICC, Paris) of the China contractor on the Kazakhstani based Refinery project. Claims was related to the quality of the constructed assets, guarantee period, etc

-Providing a witness expert legal opinion for corporate arbitration in Stockholm (Arbitration Institute of the Stockholm Chambers of Commerce), hired by Russian law firm in favor of Kazakh citizen. The issue was related to shareholders' agreement for big acting processing plant in Kazakhstan. Dispute amount: circ. US \$20 million

-Providing a witness expert legal opinion for construction (FIDIC based) contract in London LCIA (London Court of International Arbitration). The matter case was connected to acceptance of the works results, quality and other issues based on Kazakhstani law

-Advising an international contractor Arabtec Consolidated Contractors in relation to an EPC contract project (FIDIC) in Kazakhstan worth more than US\$ 1,5 billion, in the framework of a possible arbitration in Abu Dhabi (the amount of the dispute is about US\$ 200 million) (Abu Dhabi Commercial Conciliation & Arbitration Centre). Preparation to arbitration.

-Representation interests of the local contractor in local arbitration (KMA, Kazakhstan International Arbitration centre) re EPC contract (construction of the plant) against the structure of Lukoil group. Dispute amount of circ. US \$4 million claim and contract termination;

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

Is the member in:

- Kazakhstan Bar Association;
- International Bar Association;
- Society of Construction Law;
- DRBF, Dispute Resolution Board Foundation.

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

Has several dozen of publications in Construction and Corporate laws.

You may find his articles on websites and in journals of The Law Society of England and Wales, Chartered Institution of CIVIL ENGINEERING SURVEYORS, Construction Law by IBA, Legal Guide to REAL ESTATE by ICLG, Corporate Real Estate Q&A for Thomson Reuters, Doing business in Kazakhstan – Construction for World Bank and other.

Author:

- Construction Guide: How to build in Kazakhstan, 2016, 2017, 2018, 2019, The Lawyer;
- The co-author of the 2nd Edition of International Construction Contract Law by Mr. Lukas Klee, 2018, Wiley Blackwell.

Acting trainer in Kazakhstan with seminars – Application EPC and FIDIC contracts in Kazakhstan; Construction process in Kazakhstan; Lawyers in real estate management, etc.

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

- Arbitration Center of the National Chamber of Entrepreneurs Atameken (Arbitrator)
- International Arbitration Court (IAC) (Arbitrator)
- Kazakhstan International Arbitration (KMA) (Arbitrator)

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): English

10. In which legal systems have you trained?

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input checked="" 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 _____

11. What is your main jurisdiction of practice?

Andrey Artyushenko's main jurisdiction of practice appears to be Kazakhstan. This is evident from his extensive experience and involvement in various construction projects, litigation, and arbitration within Kazakhstan, as well as his membership in the Kazakhstan Bar Association.

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

- Kazakhstan Bar Association;
- International Bar Association;

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 checked="" type="checkbox"/> Insurance | <input 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 checked="" type="checkbox"/> Energy | <input type="checkbox"/> ISDS/Foreign inves. | <input type="checkbox"/> Real estate |
| <input type="checkbox"/> Civil fraud disputes | <input checked="" type="checkbox"/> Engineering | <input type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input checked="" type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input checked="" type="checkbox"/> Contract law | <input checked="" type="checkbox"/> Infrastructure | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 21.05.1980

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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. 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>.

_____19 June 2024_____

Date