

VIAC – Questionnaire for Arbitrators

1. **Name:** Vladimir Khvaley

2. **Citizenship:** Russian Federation

3. **Contact information:**

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LinkedIn:

4. **Current position:** Partner

5. **Education:** a degree in law (the Belarusian State University, Minsk, 1992)

6. **Practiced experience in arbitration**

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

No of domestic arbitrations - 10

No of international arbitrations - around 40

ICAC (RF), UNCITRAL, ICC, SCC, LCIA and others Rules

- How often have you acted as Chairman?

7

- How often have you acted as Sole Arbitrator?

10

- How often have you acted as Co-Arbitrator?

18

- How often have you acted as Counsel?

25

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

Expert witness - 3

Mediator/Conciliator - 4

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

Lecturer at RAA-Pericles (Center for International Legal Education) educational program on International Arbitration (2017);

Lecturer at ICC Arbitration Academy (2011-2013; 2014-2016);

Mr. Khvaley is included on the list of tutors, examiners and assessors of the Chartered Institute of Arbitrators (CI Arb).

Articles:

- What to do with the arbitration clause after September 1, 2016 // Moscow: Infotropic media, Legal Insight. №8 (54) 2016;
- 33 Rules of Drafting Documents in International Arbitration // [Treteiskiy Sud] Journal. №2/3 (104/105) 2016;
- New legislation on arbitration: life has improved, life has become more joyous. // St. Petersburg: Zakon Journal. №5. May 2016;
- ICC Arbitration from a CIS Perspective: If Not Faster and Cheaper, Why Choose It? (in association with G.Zukova) // International Arbitration Under Review | Essays in Honour of John Beechey - ICC Publication No. 772E. 2015;
- Standards of Proof for Allegations of Corruption in International Arbitration // Addressing Issues of Corruption in Commercial and Investment Arbitration - ICC Publication No. 768E. 2015;
- Where will the Russian disputes head to? // Moscow: Zakon Journal. №5. May 2015;
- Arbitration of M&A Transactions - Chapter on Russia: A Practical Global Guide (in association with A.Maltsev) // United Kingdom: 2014 Globe Business Publishing Ltd;
- Using Red Flags to Prevent Arbitration from Becoming a Safe Harbour for Contracts that Disguise Corruption - ICC International Court of Arbitration Bulletin VOL 24/ Special Supplement – 2013 // France: ICC services (wholly-owned affiliate of the International Chamber of Commerce), 33-43 avenue du Président Wilson, 75116 Paris, France;
- Nauja Tarptautinių prekybos rūmų arbitražo reglamento redakcija [The revision of the International Chamber of Commerce New Arbitration Rules] (in association with G.Zhukova and V. Vaitkute Pavan) // Teisė, No. 86, pp. 201-216. 2013;
- IBA Guidelines on Party Representation in International Arbitration // Moscow: GARANT resource, 2013;
- Russian Arbitration Association establishment: is this necessary? // Moscow: Infotropic media, Legal Insight Journal. №8 (24). 2013;
- Will Ukraine become a platform for the International Commercial Arbitration? // Ukraine, Information agency "Liga Zakon". June 2013;
- Regarding the independence of arbitral institutions in general, and the Russian Arbitration Association in particular // St. Petersburg, Moscow, Berlin: Infotropic Media, Arbitration Court [Treteiskiy Sud] Journal. №5. 2013;
- The world is not universal yet, there are national and regional interests // Moscow: Zakon Journal. №2. February 2013;
- National and International Sources of International Commercial Arbitration // International Commercial Arbitration Textbook. St. Petersburg, Moscow, Berlin: Infotropic Media, Arbitration Court [Treteiskiy Sud] Journal. №5. 2012;
- Arbitration Rules of the International Chamber of Commerce // Practical Comments on Arbitration Rules of Leading Arbitration Institutions. St. Petersburg, Moscow, Berlin: Infotropic Media, Arbitration Court [Treteiskiy Sud] Journal. №4. 2012;
- Historia, losy oraz znaczenie Konwencji moskiewskiej [History, Fate and Role of the Moscow Convention] // Arbitraz I mediacja. Księga jubileuszowa. Warsaw: Sad Arbitrazowy. 2012;
- Yearly Review of Russian State Courts' Cases on Matters Related to Arbitration for the Years 2007-2012 (in association with E.Solomatina and I.Varyushina) // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal;
- Yearly Contribution of the Chapter on Russia (Legislation, Case Law on Issues Related to International Arbitration) to Baker & McKenzie International Arbitration Yearbook (in association with E. Solomatina and I.Varyushina) // The Baker&McKenzie International Arbitration Yearbooks. USA: JurisNet, LLC. 2007-2013;
- Arbitration in CIS Countries: the Same as Everywhere? Current Issues. Association for International Arbitration // Maklu: Antwerpen, Apeldoorn, Partland. 2012;
- ICC Šķirējtiesas reglamenta jaunā redakcija [New ICC Rules of Arbitration] (in association with G.Zukova) // Riga: Jurista Vārds. №2. 2012;

- Constitutional Grounds for Arbitration and Arbitrability of Disputes in Russia and Other CIS Countries // Czech (& Central European) Yearbook of Arbitration. USA: JurisNet, LLC. Vol.I. 2011;
- New ICC Rules of Arbitration (in association with G.Zukova) // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal. №6. 2011;
- Guerrilla Tactics in International Arbitration, Russian View - Chapter IV Alternative Dispute Resolution (“Guerrilla Tactics”) // Austrian Yearbook on International Arbitration. Wien: Manz, Beck, Stampfi. 2011;
- Enforcement of SCC Arbitral Awards in CIS Countries: Reflections on Arbitration History - Essays in Honour of Ulf Franke - Between East and West // USA: JurisNet, LLC Publishing. 2010;
- Arbitraż w Krajach Wspólnoty Niepodległych Państw [Arbitration in CIS Countries] (in association with A.Tynel and I.Funk) // Warsaw: Arbitration Bulletin No. 11.2009;
- Procedure in International Arbitration. Practical Recommendations on Application of International Commercial Arbitration. Alternative Dispute Resolution Textbook // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal. №3. 2009;
- International Commercial Dispute Resolution in Russia - International Commercial Dispute Resolution // Tottel Publishing. 2009.
- Derogation effect of the Arbitration Agreement // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal. №10. 2009;
- Staying Court Proceedings under the New York Convention - Chapter 4 Staying Court Proceedings/Compelling Arbitration (in association with Haig Oghigian) // International Arbitration Checklists. Baker&McKenzie International Dispute Resolution Practice Group. USA: JurisNet, LLC. 2004. 2nd edition. 2009;
- Belarus // Arbitration Law and Practice in central and Eastern Europe (in association with I.Funk). USA: JurisNet, LLC. Release №1. 2008;
- The Effect of Parallel Litigation under Russian law // Global Arbitration Review. Volume 3. Issue 2. 2008;
- Russia: Disclosure Standards for Arbitrators. The Lessons of a Certain Case - Chapter 2 Arbitration // Austrian Arbitration Yearbook. Wien: Manz, Beck, Stampfi. 2008;
- Determining Rules of Procedure. Place of Arbitration. Commentary to the Law of the Russian Federation on International Commercial Arbitration // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal . № 2. 2007;
- Recognition and Enforcement of Foreign Arbitral Awards in the Russian Federation (in association with J.Benedictsson)// Stockholm International Arbitration Review. Issue 1. 2005;
- 12 Criteria of a Choice of Jurisdiction // Collegium Journal. №3. 2005;
- Choice of the Place of the Arbitration // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal. №1. 2004;
- How to Kill Arbitration Clause // St. Petersburg: Arbitration Court [Treteiskiy Sud] Journal. №5. 2003;
- Agency Agreement // Zakon. №6. 2000.

Books:

- Baker&McKenzie: International Commercial Arbitration. Central and Eastern Europe and the CIS Countries (in association with A.Tynel) // Moscow: BEK. 2001.

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

ICC International Court of Arbitration - Vice President
 London Court of International Arbitration - Member
 Russian Arbitration Association - Chairman of the Board
 International Counsel for Commercial Arbitration (ICCA) - Member, Governing Board
 Arbitration Commission of the Russian National Committee of the ICC - Chairman
 International Arbitration Court at the Belarusian Chamber of Commerce and Industry - Board Member
 Ukrainian Arbitration Association - Board Member
 Polish Arbitration Association - Member
 Austrian Arbitration Association - Member

IBA - Vice Chair, Arbitration Committee (2013-2014)

Mr. Khvalei is included on the lists of arbitrators of arbitration institutions in Russia, Austria, Azerbaijan, Belarus, Kazakhstan, UAE, China, Hong Kong, Malaysia, Singapore, US and Israel.

9. Languages

Mother tongue: Russian, Belarusian

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, Polish

10. In which legal system have you trained?

Continental

11. What is your main jurisdiction of practice?

Russia, Belarus

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

Commercial Law

Corporate Law

Construction Contracts

13. Date of birth:

31 January 1968

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.

27-07-2017

Date and signature