

VIAC – Questionnaire for Arbitrators

1. **Name:** Irina Paliashvili

2. **Citizenship:** Ukraine

3. **Contact information:**

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4. **Current position:** Managing Partner, RULG-Ukrainian Legal Group, P.A.

5. **Education:**

George Washington University, National Law Center, Washington, D.C.
International and Comparative Law, LL.M. 1993.

Kiev State University School of International Law, Kiev, Ukraine.
Candidate in Science (equivalent to Ph.D.), International Private Law, 1987.

Kiev State University School of International Law, Kiev, Ukraine
Graduate law degree with Highest Honors, 1983.

6. **Practiced experience in arbitration**

How many arbitrations have you participated in (domestic/international)? Under which Rules? N/A
How often have you acted as Chairman? N/A
How often have you acted as Sole Arbitrator? N/A
How often have you acted as Co-Arbitrator? N/A

How often have you acted as Counsel? Five times

How often have you acted in a different function (e.g. Administrative Secretary)? Served as a MEMBER OF THE CHAMBER OF INDEPENDENT EXPERTS (OMBUDSMEN) ON THE ISSUES OF FOREIGN INVESTMENT UNDER THE PRESIDENT OF UKRAINE, 1997-2000. Served more than 15 times as independent expert on the matters of Ukrainian and Russian law in international arbitration and in the US, UK and Swedish courts proceedings

7. **Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):** as per section V of the below attached Summary Experience

8. **Membership in arbitral institutions / functions in arbitral institutions/organizations:** as per section II of the below attached Summary Experience

9. Languages

Mother tongue: Russian, Ukrainian, Georgian

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, Ukrainian and Russian

10. In which legal system have you trained? USSR, Ukraine, USA

11. What is your main jurisdiction of practice? Ukraine

12. Special expertise or specializations (please list a maximum of three): corporate and business law; energy law; intellectual property.

13. Date of birth: 1 March 1961

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 and signature

13 July 2017



Dr. Irina Paliashvili began her private practice by co-founding one of the first private law firms in Ukraine, and expanded by founding the Washington-based RULG-Ukrainian Legal Group, P.A., where she serves as the President and Senior Counsel. She also serves as the Managing Partner of the Kiev-based Ukrainian Legal Group LLC.

Before going into private practice, she served as General Counsel (International) to two major companies in Ukraine. During that time, Irina completed a six-month assignment with a prominent Chicago law firm as a part of the ABA Internship Program followed by a four-month assignment working with a leading German law firm in Frankfurt. She has also served as a Professor of Law at the Kiev State University Law School.

Irina graduated with highest honors from the Kiev State University School of International Law and received a Ph.D. in Private International Law from the same school. She also holds an LL.M. in International and Comparative Law from George Washington University. She is licensed to practice Ukrainian and Russian law as a Special Legal Consultant in the District of Columbia and is a member of the Kiev Bar.

Irina frequently speaks at international conferences and publishes on the legal and business climates in Ukraine and other countries of the ECA (Europe-Caucuses-Asia) economic region. She serves as the Chair of the Legal Committee of the U.S.-Ukraine Business Council, for which she leads the on-going pro-bono project on the White Paper on Legal and Governance Reform in Ukraine. Irina is a member of the International Bar Association's (IBA) Law Firm Management Committee's Advisory Board, a Vice Chair of the IBA Senior Lawyers Committee, member of the Advisory Board of Best Lawyers® and member of the ICC Commission on Arbitration and ADR. She is the founder of the ECA (Europe-Caucuses-Asia) Legal Forum, which in 10 years has become the main platform in the ECA region for the wide-scale gathering of leading business lawyers, and at present is held under the auspices of IBA. She is regularly included in the Hundred Best Lawyers of Ukraine (Clients' Choice) and in the list of most successful and well-known (publicity index) women lawyers in Ukraine based on the surveys conducted by Yurydychna Gazeta, a leading legal publication in Ukraine. She is also regularly included in the top 10 best lawyers in Ukraine, as well as named "Lawyer of the Year" in several practice areas (Antitrust, Arbitration and Mediation, Corporate, Energy and Natural Resources Law and Mergers and Acquisitions) by Best Lawyers®, which is regarded as the definitive guide to legal excellence in the U.S. and around the world.

In addition to general corporate and transactional expertise, Irina has special experience in the areas of energy, oil and gas, intellectual property protection and antimonopoly law, as well as commercial dispute resolution and mediation. Irina is a mediator trained and certified by the CPR Institute for Dispute Resolution in New York and a member of its International Panel of Distinguished Neutrals, as well as a member of the Energy Community Dispute and Negotiation Centre Panel of Mediators. She has extensive experience in providing independent expert witness reports and testimony on the matters of Ukrainian and Russian law in international arbitration and in the US, UK and Swedish courts proceedings, including all formats of oral testimony: direct examination, cross examination, expert conferences, court depositions and court testimonies. Irina is included in the arbitrators panels of the Riga International Commercial Arbitration Court (RICAC) in Riga, the International Arbitral Centre of the Austrian Federal Economic Chamber (VIAC) in Vienna, Georgian International Arbitration Centre (GIAC) in Tbilisi and Lewiatan Court of Arbitration in Warsaw.

Irina is fluent in English, Ukrainian, Russian, Georgian, and Spanish. She divides her working time between Washington and Kiev. E-mail: irinap@rulg.com <http://www.rulg.com/>

I. REPRESENTING CLIENTS

- Nearly 30 years of experience in the areas of commercial dispute resolution, in 1987-1992 as General Counsel (International) for two major Kiev-based companies, and after that, while in private practice, representing international corporate clients in commercial disputes. Most of these disputes were resolved through amicable settlement, but some of them were litigated or arbitrated, in particular at ICC and at the International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry.

II. MEMBERSHIP IN COMMERCIAL DISPUTE RESOLUTION INSTITUTIONS

- Member of the Energy Community Dispute and Negotiation Centre Panel of Mediators https://www.energy-community.org/portal/page/portal/ENC_HOME/AREAS_OF_WORK/Dispute_Settlement/Centre/Panel
- Member in the List of Practitioners in International Arbitration: the International Arbitral Centre of the Austrian Federal Economic Chamber (VIAC) <http://www.viac.eu/en/>
- Member of the Panel of Arbitrators: Georgian International Arbitration Centre (GIAC) <http://giac.ge/>
- Member of the Panel of Arbitrators: Riga International Commercial Arbitration Court (RICAC) <http://www.ricac.org/en/>
- Member of the Panel of Arbitrators: Lewiatan Court of Arbitration in Warsaw <http://www.sadarbitrazowy.org.pl/en/index.html>
- Member of the ICC Ukraine and ICC Commission on Arbitration and ADR; 2014 - PRESENT
- Correspondent and Translator on arbitration and litigation cases in Ukraine: the Volume 2007 of the Yearbook Commercial Arbitration, published by ICCA Publications International Bureau, Permanent Court of Arbitration; 2007
- Member of the Board of Reporters of the Institute for Transnational Arbitration of The Center for American and International Law (ITA) as Reporter for Ukraine. The purpose of the ITA Board of Reporters is to collect and report current information on significant cases, laws and other developments in the field of arbitration for publication at <http://www.cailaw.org/Institute-for-Transnational-Arbitration/publications/ITA-Arbitration-Report/index.html>; 2004-2007
- A co-founding member of the Moscow Working Group on Dispute Resolution and Mediation; and a co-founding member of the Moscow Center for Dispute Resolution (established in November 2002); 2000 – 2005
- In June 2004, as soon as Ukrainian law permitted domestic arbitration to be conducted, worked with the European Business Association (EBA) in Kiev on establishing a domestic

court of arbitration ("Treteyski Sud") under the EBA's auspices and co-authored Regulations on the Court of Arbitration of the European Business Association. Irina reviewed the legal basis for this method of alternative dispute resolution in an article she co-authored on "New Prospects for Alternative Dispute Resolution in Ukraine", which is available at

http://www.rulg.com/documents/Alternative_Dispute_Resolution.pdf

- *MEMBER OF THE CHAMBER OF INDEPENDENT EXPERTS (OMBUDSMEN) ON THE ISSUES OF FOREIGN INVESTMENT UNDER THE PRESIDENT OF UKRAINE, 1997-2000.* Served for the entire duration of the mandate of the Chamber of Independent Experts as an Independent Expert (ombudsman) appointed by the President of Ukraine to mediate disputes between foreign investors and the government authorities of Ukraine. Irina Published an article analyzing the activities of the Chamber of Independent Experts available at [HTTP://WWW.RULG.COM/DOCUMENTS/CHAMBER_OF_OMBUDSMAN.HTM](http://www.rulg.com/documents/CHAMBER_OF_OMBUDSMAN.HTM)
- *ADVISOR TO THE UKRAINIAN CHAMBER OF COMMERCE AND INDUSTRY, KIEV, 1992.*
 - ◆ Participated in drafting Ukrainian Law on International Commercial Arbitration. Prepared the Introductory Memorandum on this law to the Ukrainian Parliament (Supreme Rada).
 - ◆ Prepared the draft of the Rules of International Commercial Arbitration of the Ukrainian Chamber of Commerce and Industry.

III. COMMERCIAL MEDIATION

Irina is a mediator trained and certified by the CPR Institute for Dispute Resolution in New York; served as a member of its International Panel of Distinguished Neutrals. She also serves as a member of the Energy Community Dispute and Negotiation Centre Panel of Mediators.

Also in 2003-2007 served as a member of the INTA Panel of Neutrals and member of the INTA Alternative Dispute Resolution (ADR) Committee Mediation Seminar Taskforce. In this capacity organized three INTA interactive seminars "Mediation as an Alternative Method for Commercial Dispute Resolution" held in 2005-2007 in Kiev, Moscow and Baku.

Based on Irina's past experience (1997-2000) at the Chamber of Independent Experts under the President of Ukraine, where she served as an Independent Expert (ombudsman) appointed by the President of Ukraine to mediate disputes between foreign investors and the government authorities of Ukraine, Irina now leads a Working Group on establishing the new Chamber of Independent Experts under the auspices of UkraineInvest (Ukraine Investment Promotion Office) under the Cabinet of Ministers of Ukraine.

IV. INDEPENDENT EXPERT WITNESS EXPERIENCE

Irina has extensive experience in providing independent expert witness reports and testimony (or providing local counsel advice) on the matters of Ukrainian and Russian law in international arbitration and in the US, UK and Swedish courts proceedings. She has experience with all formats of oral testimony: direct examination, cross examination, expert conferences, court depositions and court testimonies. Select examples of her assignments are listed below:

- In 2017 provided an independent expert witness report on various aspects of the judicial system in Ukraine, including commercial procedure legislation, to the High Court of Justice Queen's Bench Division Commercial Court in London in a case filed by Naukovo Virobnyche Pidpriyemstvo Altergeotechnologies against ArcelorMittal Kryvyi Rih and others.
- In 2017 provided an independent expert witness report on certain matters of Ukrainian law, including the matters of constitutional law, corporate law, anticorruption regime and legal regime for gas distribution in Ukraine, in the Energy Charter Treaty investment arbitration brought by Littop Enterprises Limited, Bridgemont Enterprises Limited and Bordo Management Limited against the State of Ukraine under the Rules of Arbitration of the Arbitration Institute of the Stockholm Chamber of Commerce.
- In 2016 provided three expert reports on the matters of Ukrainian law, including the recognition and enforcement of foreign court judgments, to the High Court of Justice Queen's Bench Division Commercial Court in London in a case filed by PJSC TATNEFT against several Ukrainian citizens and Cypriot companies.
- In 2014 - 2015 provided two independent expert reports and an oral testimony (in the format of experts conference followed by cross-examination) on the matters of production sharing agreements (PSA) regime in the Russian Federation in the arbitration under the Rules of Arbitration Institute of the Stockholm Chamber of Commerce in a case brought by Interneft, Region of Saratov, Region of Volgograd v. Elf Neftegaz.
- In 2013 submitted expert Declaration in Support of Solux Corporation's Opposition to Synbias Pharma's Motion for Summary Judgment to the US District Court Southern District of California and provided videotaped deposition on the matters of intellectual property rights under Ukrainian law in a case involving manufacturing methods and patents in the pharmaceutical industry.
- In 2011 –2012 provided two independent expert reports and oral testimony, including direct examination and cross-examination, on the matters of natural gas export under legislation of Ukraine in the arbitration under the Rules of Arbitration Institute of the Stockholm Chamber of Commerce in a case brought by an Italian

company ITALIA UKRAINA GAS Spa against National Joint Stock Company “Naftogaz of Ukraine”.

- In 2012 provided local counsel assistance in Ukraine on two expert declarations to the US District Court Southern District of New York in a case involving transfer of ownership rights of shares in a Ukrainian joint stock company.
- In 2011-2012 provided independent expert reports and oral testimony, including cross-examination, to the Svea Court of Appeals in Stockholm on the matters of natural gas export and public order under legislation of Ukraine in relation to the arbitration under the Rules of Arbitration Institute of the Stockholm Chamber of Commerce between the National Joint Stock Company “Naftogaz of Ukraine” (claimant) and ITALIA UKRAINA GAS Spa (respondent).
- In 2009-2010 served as an independent expert in the arbitration under the Rules of Arbitration Institute of the Stockholm Chamber of Commerce in a case brought by Vanco Prykerchenska Ltd. against the State of Ukraine and provided two comprehensive expert opinions on Ukraine’s natural resources laws, including oil and gas legislation and specifically production sharing agreements legislation.
- In 2009 provided expert opinions on the matters of Ukraine’s antitrust laws to the High Court of Justice Queen’s Bench Division Commercial Court in London in a case filed by Sir Michael David Bishop and the BBW Partnership Limited against Deutsche Lufthansa Aktiengesellschaft and British Midland PLC.
- In 2007 provided an expert declaration to the US District Court District of Massachusetts on a case related to a US company’s civil liability for personal injury occurred in Ukraine. The declaration related to different areas of Ukrainian law, including Ukraine’s civil code, corporate law, judicial proceedings and company law.
- In 2007 provided an expert declaration to the US District Court Southern District of New York in a case related to a contractual and bankruptcy dispute in Ukraine. The declaration related to different areas of Ukrainian law, including Ukraine’s contract law, civil code and commercial code, company law, bankruptcy proceedings, enforcement of court decisions, dispute settlement and commercial procedure code.
- In 2005 provided an expert statement to the High Court of Justice Queen’s Bench Division Commercial Court in London in a case that involved several claimants and defendants regarding the damages arising from economic torts. The statement related to different areas of Ukrainian law, including Ukraine’s constitutional law, rule of law, company law, contract law, civil code and commercial code, unfair competition, civil and commercial law, civil liability, remedies and damages, economic torts and commercial procedure code.

- In 1999 provided a complex witness statement to the High Court of Justice Queen's Bench Division Commercial Court in London on a major litigation over the ownership rights of the Ukrainian media conglomerate. The statement related to different areas of Ukrainian law, including Ukraine's court system, issues of jurisdiction, enforcement of domestic and foreign court decisions, rule of law, contract law, company law, media law and intellectual property rights, civil and commercial law and civil liability and damages.

V. SELECTED CONFERENCES AND PUBLICATIONS ON DISPUTE RESOLUTION

- Co-Chair of the Organizing Committee of the 2017 Eastern European Dispute Resolution Forum (EEDRF) in Minsk.
- Moderator: the session on Repositioning Expert Witnesses in International Arbitration at the Vienna Arbitration Days 2017 World Café; Vienna, 25 February 2017. The conferences' Program is available at http://www.viennaarbitrationdays.at/VAD_2017_Programm_A4_2017-01-17.pdf
- Speaker: Conference on International Dispute Resolution in Sweden at the Panel on "The four cornerstones of evidence: Documents, factual & expert witnesses, on-sight inspection." The conference was organized by The Arbitration Institute of the Stockholm Chamber of Commerce (SCC) and held on 3-4 November 2014 in Stockholm. The conferences' Program is available at <http://www.sccinstitute.com/filearchive/4/47620/International%20Dispute%20Resolution%20Sweden%20Program.pdf>
- Member of the Organizing Committee and Panel Chair: "Kiev Arbitration Days 2013: Think Big! <http://uba.ua/eng/events/1092/>; November 14-15, 2013 in Kyiv. At this conference Irina chaired one of the key panels "The Expert in International Arbitration: Role on the Chessboard?", which a leading Ukrainian professional publication, Jurliga, highlighted as a main conference topic and made a special report on it. The conference was widely covered in the media: Law and Business; Yurydychna Praktyka №47 (830) of 19 November 2013; Irina gave several interviews to Ukrainian publications, including to Jurliga (video available at <https://www.youtube.com/watch?v=ZXfjG8Kedpk#t=293> (minute 2.50) and to Yurydychna Praktyka №48 (831) of 26 November 2013.
- Member of the Organizing Committee, speaker and moderator of the ABA Annual Conference on the Resolution of CIS-Related Business Related Disputes (2009, 2010, 2011, 2012)
- Organized and led the team of RULG attorneys preparing the Comprehensive Guide to Dispute Resolution 2008 – Ukraine, which was published in the 2008 edition of *Getting the Deal Through, Dispute Resolution, Section on Ukraine* by Global Arbitration Review, The International Journal of Public and Private Arbitration http://www.rulg.com/documents/Getting_Deal_Through_Dispute_Resol_2008_Ukraine.pdf

- Organized the INTA interactive seminar "Mediation as an Alternative Method for Commercial Dispute Resolution" held on November 29, 2005, in Kiev. The seminar was a success and received positive feedback from several legal and IP publications in Ukraine: the March 1st issue of the INTA Bulletin, Vol. 61, No. 5, the December 2005 issue of the journal *Intelektualna Vlasnist* and in the December 2005 issue (Vol. 3, No. 12) of *The Ukrainian Journal of Business Law*. These articles and the seminar's agenda are available for download in Ukrainian and English at http://www.rulg.com/commercial_dispute.asp
- Co-organized the seminar in Moscow "Mediation as an Alternative Method for Commercial Dispute Resolution in the Area of Intellectual Property", held on 18 April 2006. Spoke at the seminar on the topic of "Growing Interest in Mediation as a Method for Commercial Dispute Resolution in the Area of Intellectual Property". The seminar was covered in the April 2006 (#4) issue of the Russian Law Journal "Kollegia". This article and the seminar's agenda are available for download in Russian and English at http://www.rulg.com/commercial_dispute.asp
- Co-organized the INTA interactive seminar "Mediation as an Alternative Method for Commercial Dispute Resolution" in Baku on 22 June 2007. The seminar's agenda are available for download in Russian and English at http://www.rulg.com/commercial_dispute.asp
- Speaker: C5 Conference "Strategies for Successful Commercial Disputes Resolution" held in Moscow on 29-30 November 2004. The presentation is available at http://www.rulg.com/documents/Presenation_Prospects_Mediation_29_Nov_04_eng.doc