

# VIAC – Questionnaire for Arbitrators

1. **Name: Tomas Vail**

2. **Citizenship: USA**

3. **Contact information:**

Address: White & Case LLP, 5 Old Broad Street, London EC2N 1DW UK

Telephone: +44 80 7532 2488

Fax: +44 20 7532 1001

E-Mail: tomas.vail@whitecase.com

Website: <https://www.whitecase.com/people/tomas-vail>

LinkedIn: <https://www.linkedin.com/in/tomasvail/>

4. **Current position: Senior Associate, International Arbitration Group (London), White & Case LLP**

5. **Education:**

- **American University Washington College of Law**, Washington, DC USA, Juris Doctor, May 2009
- **Université Paris X Nanterre**, Paris, France, Masters studies in International Commercial Arbitration and Private International Law, August 2008-May 2010
- **Macalester College**, St. Paul, Minnesota, Bachelor of Arts in Political Science, May 2005

6. **Practiced experience in arbitration**

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

I have participated in 15 arbitrations under the ICSID, LCIA, ICC and UNCITRAL arbitration rules, as well as under the Nigerian Arbitration and Conciliation Act.

- How often have you acted as Chairman?

0

- How often have you acted as Sole Arbitrator?

0

- How often have you acted as Co-Arbitrator?

0

- How often have you acted as Counsel?

15

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

0

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

**Publications:**

- “The Brčko Arbitration: A Process for Lasting Peace between Non-State Actors” in Non-State Actors and International Obligations: Creation, Evolution and Enforcement (ed. James Summers), Nijhoff, 2017 (forthcoming)
- “The English courts’ discretion on foreign policy issues post-Brexit”, Commercial Dispute Resolution (with Ed Attenborough), 2017

- YOUNG ITA #LONDON, The Institute for Transnational Arbitration, News & Notes, 2017
- “Would World Duty Free v Kenya be decided differently today?”, Global Arbitration Review, 2016
- “Ethics and the Arbitral Secretary”, The Institute for Transnational Arbitration, News & Notes, 2016
- “Arbitrator's award of third party funding costs upheld by High Court”, White & Case Alert, 2016 (with Robert Wheal and Luiz Aboim)
- “Advice to Young Arbitrators: Interviews with Leading Practitioners”, The Institute for Transnational Arbitration, News & Notes, 2016
- “Retention And Advancement Of Women In The Law Firm Environment”, The Institute for Transnational Arbitration, News & Notes, 2016
- “Does The "Culture" Of International Arbitration Serve Its Users?”, Kluwer Arbitration Blog, 2015

#### **Presenting at Conferences and Trainings:**

- “Investor Protection in Construction Disputes”, 2017: IBA ECA (Europe Caucasus-Asia) Forum 2017, UK
- “Tax Disputes and Investor Protection”, 2017: 6th IEL-IBA SEERIL International Oil and Gas Law Conference (Institute for Energy Law and the International Bar Association’s Section on Energy, Environment, Natural Resources and Infrastructure Law), UK
- “Document Production in International Arbitration”, 2017 : LCIA (YIAG), Russia
- "The call for specialised arbitrators, fora and procedures in energy arbitration", (moderator), 2017: ITA-IEL-ICC Joint Conference on International Energy Arbitration, USA
- Training (5 day) to Turkmenistan Oil/Gas Industry, 2016: Turkmenistan
- "The Brčko Arbitration: Exploring the State/Non-State Boundary", 2016: Conference of the International Law Association (British Branch), UK
- “The role of Amici Curiae in International Arbitration”, 2015, GIAC Arbitration Days, Georgia
- Oil & Gas Lawyers School – International Arbitration, 2015: UK
- "Investment Treaty Arbitration in the Construction Sector", 2013: St Petersburg International Legal Forum, Russia

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

- Appointed as legal specialist in investment treaty arbitration to the American Bar Association’s Rule of Law Initiative
- Advisory Board member of the Institute for Transnational Arbitration (ITA) and UK Regional Chair for the Young ITA
- Member of the Y-ADR Steering Committee of the International Institute for Conflict Prevention & Resolution (CPR)
- Member of the LCIA (YIAG), ICC (YAF), ICDR (Y&I), Young ICCA, Young ICSID and IBA
- Member of Association of International Petroleum Negotiators (AIPN), the Russian and CIS Arbitration Network (RCAN), British Russian Law Association (BRLA), Anglo-Russian Law Association (ARLA), Russophone Lawyers in International Commercial Arbitration (RYUMKA)
- Judge in UK national rounds of the Philip C. Jessup International Law Moot Court Competition (2011-2017)

- Judge, coach and competitor (variously) of the Willem C. Vis International Commercial Arbitration Moot with Université Paris X Nanterre (2008 – 2009) and the EFB Paris Bar School (2010)

**9. Languages**

Mother tongue: English and 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): French

**10. In which legal system have you trained?**

- England and Wales (Solicitor)
- United States (Attorney and Counsellor at Law, New York)
- France (not admitted)

**11. What is your main jurisdiction of practice?**

International, based in London, working often in Russia and CIS, Eastern Europe and Sub-Saharan Africa

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

- Joint-venture and post-M&A disputes in various industries, including in the telecoms, financial services, consumer goods and manufacturing sectors
- Oil/gas/mining disputes, including secondment to an oil major
- Disputes involving states and/or state-entities

**13. Date of birth: 6 July 1983**

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