

Dmitry Marenkov, LLM, FCIArb, FAIADR

CV

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Nationality: Russian

Contact information:

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Current positions:

- Until May 2021: Lawyer with Germany Trade & Invest, Bonn (Export and Investment Promotion Agency, International Business Law Department)
- From June 2021: Legal Counsel, Harsco Rail Europe GmbH, Düsseldorf, Germany
- Member of the Approved Faculty List of the Chartered Institute of Arbitrators (CIArb)
- Current Member of the Editorial Council, journal “Commercial Arbitration” (published by Chamber of Commerce and Industry of the Russian Federation)
- Current member of the Editorial Sub-Committee of the Asian Institute of ADR

Language skills:

- English
- Russian
- German

(I have conducted arbitration proceedings and written arbitral awards in these three languages)

Education:

- University of Cologne (Germany), Law Studies, 1st and 2nd State Exam, fully qualified German lawyer
- University of Dundee (UK, LLM in International Dispute Resolution)
- University College London (Erasmus exchange year)
- Chartered Institute of Arbitrators (Diploma in International Arbitration)
- London School of Mediation (Accredited Mediator)
- Russian Academy of Foreign Trade (MBA, due in June 2021)

Experience as Arbitrator

- 21 appointments as arbitrator (co-arbitrator, sole arbitrator, presiding arbitrator)

German Arbitration Institute - DIS, International Chamber of Commerce – ICC; Vienna International Arbitral Centre – VIAC, International Commercial Arbitration Court at Russian Chamber of Commerce and Industry – ICAC/MKAS, ad hoc under UNCITRAL Rules

2 appointments as presiding arbitrator (DIS & ICAC/MKAS at CCI RF)

4 appointments as sole arbitrator (DIS & VIAC)

15 appointments as co-arbitrator (DIS, ICC, ICAC/MKAS at CCI RF, UNCITRAL Rules)

Places of arbitration: Moscow (Russia), Vienna (Austria), Berlin, Munich, Stuttgart (Germany)

Applicable laws: German law, Russian law, Ukrainian law, Austrian law, English law, CISG

Languages of arbitration: English, German, Russian

Subject-matter of arbitrations: international supply contracts, commercial contracts, joint ventures, international distribution agreements, transportation, licencing agreements

Parties from Austria, Belarus, Cyprus, Czech Republic, Germany, Georgia, Hong Kong, Lithuania, Russia, Switzerland, Ukraine, United Kingdom

Most recent appointments:

Arbitral institution	Function	Applicable Law	Amount in dispute	Place of Arbitration	Origin of Parties	Language of arbitration	Subject-matter
Ad hoc (UNCITRAL Arbitration Rules)	Co-arbitrator	German law	5.8 million EUR	Vienna, Austria	Russia, Germany	English	Distributorship (Engineering / Manufacturing)
ICC (Expedited)	Co-arbitrator	Russian law	205,000 USD	Vienna, Austria	Russia, Germany	Russian	Sale of goods (Nuclear industry)
ICAC/MKAS (Russian CCI)	Presiding Arbitrator	Russian law	175,000 EUR	Moscow, Russia	Russia, Germany	Russian	Sale of goods (Pharmaceuticals)
ICAC/MKAS (Russian CCI)	Co-arbitrator	English law	565,000 USD	Moscow, Russia	UK, Russia	English	Legal services (Solicitors' fees)
DIS – German Arbitration Institute	Presiding Arbitrator	German law	460,000 EUR	Münster, Germany	Germany, Belarus	German	Sale of goods (Chemical industry)
ICAC/MKAS (Russian CCI)	Co-arbitrator	Russian law	1 million USD	Moscow, Russia	Russia, Hong Kong	Russian	Transportation (Oil industry)
VIAC (Vienna)	Sole Arbitrator	German law	600,000 EUR	Vienna, Austria	Germany, Austria, Czech Republic	German	Joint-Venture (R & D)
VIAC (Vienna)	Sole Arbitrator	CISG	222,000 EUR	Vienna, Austria	Lithuania, Austria	German	Sale of goods (Timber industry)

Further experience in arbitration:

- 10 appointments as secretary to the arbitral tribunal
- Member of the Approved Faculty List of the Chartered Institute of Arbitrators (CIArb) – approved as tutor for CIArb courses “Introduction to International Arbitration” and “Module 1: Practice, Law and Procedure of International Arbitration”, since 2019
- Completed training for members of CIArb including Award Writing (2012 – 2016)
- Placement with the International Arbitration Group at Jones Day in Paris
- Placement at Clifford Chance in Moscow
- Arbitrator in moot courts: Arbitrator at Willem C. Vis International Commercial Arbitration Moot in Vienna and Hong Kong (since 2012), as well as pre-moots in Düsseldorf, Hamburg, Kuala Lumpur, Moscow; RAA Online Arbitration Moot (2018-2019); Rozenberg moot on commercial arbitration (RF, 2019)
- Certificate Course on International Arbitration, Maharashtra National Law University Mumbai
- Member of the Internal Auditing Committee at the Russian Arbitration Association (RAA): 2013-2017
- Member of the Working Group for the translation of 2018 DIS Arbitration Rules into Russian
- Coordinator of the Arbitration & Litigation Working Group of the German-Russian Lawyers’ Association (www.drjv.org): 2013-2017
- Cologne Academy on International Arbitration
- Internship with Barrister/Arbitrator Professor Martin Hunter, Essex Court Chambers (London)
- Summer School in Dispute Resolution (Tulane University / Humboldt University), Berlin
- Assistant at the Chair of International Business Law at University of Cologne headed by Professor Karl-Heinz Böckstiegel
- Current member of the Working Group for the translation of Arbitration Rules of ICAC/MKAS at CCI RF into German
- Co-Organiser of several conferences on dispute resolution in Germany and Russia
- Interviews with representatives of arbitral institutions, e.g. AIAC, ICC, VIAC (MOST East West Disputes’ Guide: https://www.youtube.com/channel/UCDYsB8QsTUKcodIB_e5jurw)
- Frequent speaker in seminars and conferences on international dispute resolution (see below)
- A number of publications on international arbitration and international business law (see below)

Panels / List of arbitrators:

- Vienna International Arbitral Centre (VIAC) – List of practitioners
- International Commercial Arbitration Court at Russian Chamber of Commerce and Industry (MKAS/ICAC) – List of arbitrators for International Disputes
- Russian Arbitration Centre – Database of Specialists for International Arbitration
- Arbitration Centre at RSPP (Russian Union of Entrepreneurs and Industrialists) – List on International and Investment Disputes
- International Arbitration Court “Chamber of Arbitrators at the Union of Lawyers”, Minsk/Belarus

Memberships:

Fellow of the Chartered Institute of Arbitrators (FCIArb)
Fellow of the Asian Institute of ADR (FAIADR)
International Council for Commercial Arbitration (ICCA)
German Arbitration Institute (DIS)
Austrian Arbitration Association (arb | aut)
Swiss Arbitration Association (ASA)
German-British Lawyers' Association (DBJV)
German Association of corporate counsel (BUJ)

Speaking Engagements (selected):

- Guest Lecture at Higher School of Economics, Moscow (LLM programme "Corporate Lawyer"), lecture topic: "Arbitral Award", November 2020 (in Russian)
- Efimov Readings at Russian Academy of Foreign Trade, Exemption of Liability under Article 79 CISG, October 2020 (in Russian)
- Guest lectures at KAZGUU University (Kazakhstan) on German law, Private International Law and CISG, August 2020 (in Russian)
- "Sanctions in Contract Drafting and Dispute Resolution", DIS40 & German-Swiss Lawyers' Association, June 2020 (in German)
- GTAI webinar „Dos and Don'ts in drafting arbitration clauses", June 2020 (in German)
- GTAI webinar "40 years CISG", April 2020 (in German)
- GTAI webinar "Introduction to International Commercial Arbitration", March 2020 (in German)
- Public Policy Exception in Recognition and Enforcement of Foreign Arbitral Awards, 15 November 2019, Russian Foreign Trade Academy (VAVT), Moscow (in Russian)
- XI Annual ABA Moscow Conference on the Resolution of International CIS-related Business Disputes, September 2019, Panel on "The Role of Secretary to the Tribunal: Fourth Arbitrator or Support Staff?" (in English)
- Procedure in International Arbitration: Different Perspectives and Expectations, ICC YAF, University of Nicosia (Cyprus), May 2019 (in English)
- Resolution of German-Russian commercial disputes, German Law Day at Moscow State University, March 2019 (in Russian)
- IBA Conference Europe Caucasus Asia, panel on "How to become an arbitrator?", Almaty (Kazakhstan), September 2018 (in English)
- GTAI webinar "60th anniversary of the New York Convention", June 2018 (in German)
- RAA40 discussion "Launching your career into arbitrators' orbit", Moscow, April 2018 (in Russian)
- Challenge of arbitrators in international arbitration practice: procedure, time frames, standards, case law, 9th Moscow Pre-Moot Conference, March 2018 (in English)
- Enforcement of ICAC/MKAS awards abroad: recent case law, Conference on the occasion of the 85th anniversary of the International Commercial Arbitration Court at Chamber of Commerce and Industry, Moscow, December 2017 (in Russian)
- GTAI/DIS webinar "Arbitration with Eastern European parties", November 2017 (in German)
- Recognition and enforcement of foreign arbitral awards in Germany and Russia, Annual conference of the German-Russian Legal Institute (DRJI), Kiel/Germany, October 2017 (in English)
- Webinar by GTAI and ICC Germany "Current Developments in International Arbitration", April 2017 (in German)

- Co-organiser and moderator: conference “Dispute Resolution with CIS parties”, Frankfurt, March 2017, a full-day conference by the German-Russian Lawyers’ Association in cooperation with DIS, VIAC & DIS40 (in German)
- Recognition of foreign court judgments and arbitral awards in Germany, German-Russian conference on international arbitration and mediation in Russia and Germany, Chamber of Commerce and Industry of the Russian Federation, Moscow, October 2016 (in Russian)
- Organiser and moderator: seminar “Resolution of German-Russian commercial disputes” by the German-Russian Lawyers’ Association and Russian Arbitration Association (RAA), Moscow, May 2016 (in Russian)
- Enforcement of foreign arbitration awards in Russia, conference “Trade Sanctions and Arbitration”, Düsseldorf, August 2015 (in English)
- The German court system, presentation at the representative office of the Hamburg Chamber of Commerce in St. Petersburg, April 2015 (in Russian)
- ABA Section of International Law, 2015 Europe Forum, panel “Arbitration in Eastern Europe – What is Going On?”, Berlin, March 2015 (in English)
- Arbitrability of disputes, KEEL Conference “Settlement of international trade disputes in the region of the Caucasus and Central Asia” in Kiel, Germany, November 2014 (in English)
- Dispute resolution in German-Russian business, seminar by the German-Russian Lawyers’ Association, St. Petersburg, September 2014 (in Russian)
- Current developments in Russia-related litigation and arbitration, Annual Conference of the German-Russian Lawyers’ Association (DRJV), Berlin, June 2014 (in German)
- Arbitrability of corporate disputes under German Law, Russian Arbitration Day, Chamber of Commerce and Industry RF, Moscow, May 2014 (in Russian)
- Recognition and enforcement of foreign court decisions and arbitral awards in Russia and Ukraine, German-Russian Lawyers’ Association, Frankfurt/M., September 2013 (in German)
- International arbitration in Central and Eastern Europe, DIS40, Cologne, June 2013 (in German)
- Recognition and enforcement of MKAS/ICAC awards in Germany, Conference on the occasion of the 80th anniversary of the International Commercial Arbitration Court at the Russian Chamber of Commerce and Industry (MKAS/ICAC), Moscow, November 2012 (in Russian)
- The role and practice of arbitration in Russia and Germany, Joint DIS/MKAS Conference on Arbitration in Russia and Germany, Berlin, October 2012 (in German)
- International commercial arbitration in Germany, Moscow Arbitration Forum 40, April 2012 (in Russian)
- Arbitration law and practice in Russia and CIS Countries, DIS40/RCAN (Russia & CIS Arbitration Network), Frankfurt, November 2011 (in German)
- Guest lecturer, University of Bonn, 2012- 2017 (in German)
- Guest lecturer, Goethe University Frankfurt, 2008-2016 (in German)
- Guest lecturer, Russian Foreign Trade Academy (VAVT), course on German law, 2016-2018 (in Russian and German)

Publications (selected):

Over 30 publications on international arbitration law and international business law in legal periodicals and loose-leaf handbooks (in English, Russian and German), inter alia in International Arbitration Review (RF), Commercial Arbitration (RF), Arbitration Court (Tretejsky sud, RF), GAR, German Arbitration Journal (SchiedsVZ), International Arbitration Law Review (Int. A.L.R.), etc., e.g.:

- Совещания арбитров и риски для исполнимости арбитражного решения (Tribunal Deliberations and Risks for the Enforceability of Arbitral Awards), Commercial Arbitration, 1/2021 (in Russian)

- Проведение онлайн-слушаний в международном арбитраже вопреки возражениям одной из сторон. Решение Верховного суда Австрии (Remote Hearings in International Arbitrations Despite One Party's Objections. Decision of the Supreme Court of Austria). Tretejsky sud (Arbitration Court), 1/2021 (in Russian)
- Einbeziehung und Ausschluss von UN-Kaufrecht (Inclusion and exclusion of CISG in international contracts), Internationales Handelsrecht (IHR) 1/2021, pp. 1-8 (in German)
- Решение Верховного федерального суда Германии от 14 ноября 2019 г. – пример успешного признания и исполнения решения МКАС при ТПП РФ (German Federal Supreme Court's Ruling of 14 November 2019 – an Example of a Successful Recognition and Enforcement of a MKAS/ICAC Award), Commercial Arbitration 2/2020, pp. 30-39 (in Russian)
 - О роли секретарей (докладчиков) в международном арбитраже (The role of a Tribunal Secretary in International Arbitration), Commercial Arbitration 2/2020, pp. 107-122 (in Russian)
 - О частичном непризнании решения МКАС при ТПП РФ в Германии из-за размера неустойки (комментарий к решению Высшего суда Берлина от 7 февраля 2019 г. № 12 Sch 5/18) (On the partly denial of enforcement of an ICAC/MKAS Award in Germany Due to Public Policy Violation), Commercial Arbitration 1/2020, pp. 15-27 (in Russian)
- Интервью с д-р Алис Фремут-Вольф (Interview with Secretary General of the Vienna International Arbitral Centre), Commercial Arbitration 1/2020, pp. 155-167 (Russian-English)
- Berufungsgericht in Den Haag erklärt den Yukos-Schiedsspruch für vollstreckbar (Appellate Court in the Hague declared the Yukos Award enforceable), German-Russian Law Review 1/2020, pp. 76-87 (in German)
- Vollstreckung von in Russland ergangenen Schiedssprüchen in Deutschland (Enforcement of Russian Arbitral Awards in Germany) German-Russian Law Review 1/2020, pp. 90-98 (in German)
 - Практика признания решений МКАС при ТПП РФ в мире [Recognition and Enforcement of MKAS/ICAC Awards Abroad], Commercial Arbitration, 1/2019, pp. 40-57 (in Russian)
 - Die neue ICC-Schiedsgerichtsordnung [New ICC Arbitration Rules], IWB Internationales Steuerund Wirtschaftsrecht, No. 8/2012, pp. 290-293 (in German)
 - Признание и исполнение решений МКАС при ТПП РФ, МКАС при ТПП Украины и МАС при БелТПП в Германии [Recognition and Enforcement of Russian, Belarussian and Ukrainian Awards in Germany], in: „Вестник международного коммерческого арбитража“ [International Commercial Arbitration Review, Russia], No. 2/2011, pp. 34-62 (in Russian)
 - Zur Anerkennung und Vollstreckung von ausländischen Schiedssprüchen in Russland [Recognition and Enforcement of Foreign Arbitration Awards in Russia], German Arbitration Journal SchiedsVZ 3/2011, pp. 136-147 (in German)
 - Aktuelle Entwicklungen im russischen Wirtschaftsrecht [Current developments in Russian business law], Recht der internationalen Wirtschaft (RIW) 2011, pp. 497 et seq. (in German)
 - Chapter on Civil Procedure and Arbitration in Russia, in: Nussberger (ed.), Einführung in das russische Recht [Introduction to Russian Law], 2010 (in German)
 - The principle of good faith in enforcement of foreign arbitral awards - the taming of another 'unruly horse' in German law, in Stockholm International Arbitration Review 2009:1, pp. 195-217 (co-author: Dr. Stefan Kröll) (in English)
 - Editor and co-author “Сборник статей о праве Германии / Sammelband zum deutschen Recht in russischer Sprache” [Compendium on German law in Russian language], 2015/2017/2018
 - A number of case notes in International Arbitration Law Review (Int. A.L.R.) (in English)
 - Several conference reports in Global Arbitration Review and German Arbitration Journal (SchiedsVZ) (in English and German)
 - A number of articles on business law in Belarus, Kazakhstan, Russia, Ukraine