

CURRICULUM VITAE

IRINA TYMCZYSZYN FCIArb Arbitrator



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Nationalities: British, Ukrainian

Irina Tymczyszyn FCIArb is a full-time international arbitrator, based in Great Britain. She qualified as a solicitor of the High Court of England and Wales in 2001 and has been solicitor-advocate (Civil) since 2014. Irina practiced international arbitration and commercial litigation for nearly 20 years at various UK, US and global law firms in the City of London before setting up Tymczyszyn Arbitration in February 2019 to become a full-time arbitrator in a conflict-free environment. She has been appointed as international arbitrator since 2007.

Ms. Tymczyszyn has considerable experience in arbitration of international commercial cross-border disputes with a particular focus on energy and infrastructure, mining and construction, commodities, telecommunications and shareholder disputes. She has acted as counsel and/or sat as arbitrator in arbitrations held under the ICC, LCIA, SCC, UNCITRAL, ICSID and other institutional rules which have been seated in a variety of jurisdictions including London, Geneva, Stockholm, Paris, Frankfurt and Abu Dhabi. Irina has been listed in the 2018, 2019, 2020 and 2021 editions of "Who's Who Legal: Arbitration".

Irina Tymczyszyn is fluent in English, Ukrainian and Russian and has working knowledge of German, French and Polish.

Education/Qualifications

- Postgraduate Diploma in Legal Practice (College of Law, London 1999)
- Postgraduate Diploma in Law (London Guildhall University 1998)
- Master of Arts in Economic and Social Studies (University of Manchester 1996)
- Bachelor of Arts in Social Sciences (National University of Kyiv-Mohyla Academy, Ukraine 1996)
- Combined Bachelor/Master of Arts in Russian and English Languages (National Pedagogical Drahomanov University, Ukraine 1994)

Principal areas of practice

- Energy and Infrastructure
- Mining
- Construction (including Marine Construction)
- Shareholder Disputes
- International Trade

Admissions

- England and Wales (2001)

Representative Experience

Ms. Tymczyszyn received her first appointment as arbitrator in 2007 and to date has sat on arbitral panels in a number of international commercial arbitrations under the ICC Rules, LCIA Rules and the SCC Rules, with seats as diverse as London, Geneva, Frankfurt, Stockholm and Abu Dhabi, and the applicable laws including English, German and Emirati law. She has conducted arbitral proceedings and drafted arbitral awards in English and Russian languages. The recent concluded arbitrations where Ms. Tymczyszyn sat as an arbitrator include:

- A claim against two Ukrainian steel companies for breach of a loan agreement (ICC Rules)
- A dispute between a Russian state-owned company and a German distributor for breach of contract of delivery of pharmaceutical products (SCC Rules, sole arbitrator)
- A claim against a German construction equipment manufacturer under a contract for delivery of construction equipment to Kazakhstan (SCC Rules, sole arbitrator)
- An investment dispute between a Middle Eastern state and a state-owned Eastern European oil and gas company in relation to breach of investment agreement (ICC Rules)
- A dispute between a Scandinavian commodities trader and an Eastern European exporter over failure to deliver under multiple agreements (SCC Rules)
- A claim against a state-owned Eastern European marine construction company for breach of contract (LCIA Rules, chair)
- A claim against an Eastern European businessman for breach of a guarantee (ICC Rules)
- A post-acquisition dispute between two BVI companies in relation to breach of a sale and purchase agreement (LCIA Rules)

The following is a representative sample of matters with which Ms. Tymczyszyn had been involved as counsel:

- Acting for a Russian businessman in a LCIA arbitration against an Eastern European Bank arising out of a breach of a settlement agreement.
- Acting for a South African mining construction company in an ICC arbitration and two Swiss Chambers' arbitrations in a dispute with a Russian mining company arising out of a contract for construction of a potash mine in Russia.
- Acting for an investor in a LCIA Arbitration against a Russian company in an investment dispute over construction of a diamond mine in Angola.
- Acting for a Jordanian investor in two related UNCITRAL arbitrations against an Indian company in a marine construction dispute
- Acting for a Canadian oil extraction company in an ICC arbitration against a large Russian oil conglomerate in a breach of consortium agreement dispute arising out of the Claimant's investment into an oilfield in Kazakhstan
- Acting for a Brazilian oil extraction company in a LCIA arbitration commenced by an US oil extraction equipment supplier in an alleged breach of teaming agreement dispute.
- Acting for a Russian telecom company in a LCIA Arbitration and related English court proceedings against another large Russian telecom company in a breach of contract dispute arising out of sale of shares.

- Acting for a Norwegian river cruises provider in an ad hoc (UNCITRAL Rules) arbitration against a US tour operator in a breach of charterparty dispute
- Acting for a large French media conglomerate in a LCIA arbitration against a Polish telecom company in a breach of investment agreement dispute
- Acting for a large CIS metal company in a LCIA Arbitration and related English court proceedings against a large UK law firm in a negligence claim.

Professional Affiliations and Corporate Memberships

- Fellow of the Chartered Institute of Arbitrators (FCIArb)
- International Bar Association (IBA)
- Law Society of England and Wales
- London Court of International Arbitration (LCIA)
- Swiss Arbitration Association (ASA)

Arbitration Panel Listings

- International Arbitration Centre (IAC) at the Astana International Financial Centre (AIFC), Kazakhstan
- London Chamber of Arbitration (LCAM) at the London Chamber of Commerce and Industry (LCCI), Great Britain
- Ukrainian Arbitration Association (UAA), Ukraine
- Chamber of Arbitrators at the Union of Lawyers, Belarus
- Japan Commercial Arbitration Association (JCAA), Japan

Directorships

- Co-founder and managing director of the Ukrainian-British City Club (an organisation set out in London in 2005 to function as a chamber of commerce by facilitating business, trade and investments between Ukraine and the UK).

Selected Publications

- “Capacity of Parties to enter into Arbitration Agreements”, LexisNexis Practice Note, February 2021
- “Ukraine open for business: roads to success”, LinkedIn, 27 November 2017
- “Summary judgment in international arbitration - no longer dismissed?”, Lexology, 24 September 2014. Co-author: Clare Morel de Westgaver
- “Joining non-signatories to an arbitration: recent developments”, PLC Cross-Border Quarterly, Practical Law Arbitration, 6 August 2014. Co-authors: Claire Morel de Westgaver, Allan Van Fleet, Mark A. Corroero
- “Arbitration and competition law - new prospects of recovery for victims of antitrust infringements”, Financier Worldwide, Corporate Disputes, July-September 2014. Co-author: Clare Morel de Westgaver
- “Does your chosen jurisdiction clause extend to the arbitration agreement?”, Lexology, 22 May 2012. Co-author: Marianna Rybynok
- “Going private: resolving competition issues by international arbitration”, Competition Law Insight, 16 October 2012. Co-author: Marianna Rybynok
- “Joining non-signatories to an arbitration: recent developments”, PLC Cross-border Handbook on Dispute Resolution 2007/08, Volume 2: Arbitration. Co-authors: Richard Bamforth, Allan Van Fleet, Mark A Corroero