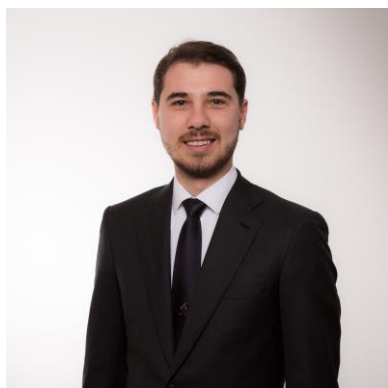


## Leonid SHMATENKO

Associate



### Admission

Germany, 2016

Geneva (foreign lawyer),  
2018

### Nationality

German

### Languages

German, Russian

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Spanish, Ukrainian

### Practices

International Commercial Arbitration

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## BIOGRAPHY

Leonid Shmatenko joined LALIVE in 2017 and is a member of the international arbitration team, specialising in international commercial and investment arbitration. He has been involved as counsel and secretary in over twenty international arbitration proceedings conducted in German, English and French.

Leonid Shmatenko is a Student Fellow of the Chartered Institute of Arbitrators and a member of several international arbitration associations, including the Young International Council for Commercial Arbitration (Young ICCA), the German Institution of Arbitration (DIS) and DIS40, the LCIA Young International Arbitration Group (YIAG) and ASA Below 40. As of May 2018 Leonid Shmatenko is also member of the "Russian Committee" of the DIS, being *inter alia* responsible for the translation of the 2018 DIS Arbitration Rules into Russian.

Before joining LALIVE, Leonid Shmatenko worked at Kantenwein Zimmermann Fox Kröck & Partner in Munich and as a foreign attorney at Orrick Herrington Sutcliffe LLP in Paris. He initially trained with Derains & Gharavi in Paris and Freshfields Bruckhaus Deringer LLP in Düsseldorf. He also completed internships with Freshfields Bruckhaus Deringer LLP in Paris and Clayton Utz in Sydney focusing mostly on domestic and international arbitration. Between 2011 and 2013 he worked as a research and teaching assistant at Heinrich-Heine-University of Düsseldorf where he taught administrative law and investment arbitration.

Leonid Shmatenko studied law at Heinrich-Heine-University of Düsseldorf from 2006 to 2011. He passed his First State examination (Dipl. iur.) in Düsseldorf in 2011 and his Second State examination in 2015. He finished his doctoral thesis and awaits receiving his doctorate from Heinrich-Heine-University of Düsseldorf. He currently teaches investment arbitration at the National Technical University of Ukraine "Igor Sikorsky Kyiv Polytechnic Institute".

## PUBLICATIONS

### **Zur einseitigen Aufhebung einer Schiedsklausel in der Ukraine**

Leonid Shmatenko, 2018

Wirtschaft und Recht in Osteuropa (WiRO) Issue 8, 2018, pp. 235-240

### **Packaging-Related Measures for Alcohol and Unhealthy Food and their Impact on Trademarks – The Perspective of Article 17(2) CFRE**

Leonid Shmatenko, David K. Shaverdov, 2018

Zeitschrift für das gesamte Lebensmittelrecht - ZLR (German Journal of Food Law), Heft (Issue) 3, 2018, pp. 315-335

### **Die Schließung einer Betriebskrankenkasse sowie ihre Auswirkungen auf Schuldverhältnisse**

Leonid Shmatenko, 2018

Neue Zeitschrift für Sozialrecht (NZS), Issue 8, 2018, pp. 306-310

### **Corruption in Investor-State Arbitration – It Takes Two to Tango**

Leonid Shmatenko, Sergey Alekhin, 2018

New Horizons of International Arbitration, A.V. Asoskov, A.I. Muranov, R.M. Khodykin (eds.), 2018, pp. 150-179

### **Arbitrability of Corporate Disputes in Ukraine**

Leonid Shmatenko, Dr. Svitlana Bezv, 2018

Swiss Arbitration Association (ASA) Bulletin, Vol. 36, No. 1, 2018, pp. 53-76

### **Arbitrability of Corporate Disputes in Ukraine**

Leonid Shmatenko, Dr. Svitlana Bezv, 2017

The Ukrainian Journal of Business Law, November 2017, pp. 32-34

### **Die Schiedsfähigkeit gesellschaftsrechtlicher Streitigkeiten in der Ukraine**

Leonid Shmatenko, Dr. Svitlana Bezv, 2017

SchiedsVZ (German Arbitration Journal), No. 6, 2017, pp. 300

### **“Smells like Teen Spirit“- Zur Geruchsbelästigung durch Parfummmissionen des Einzelhandels**

Leonid Shmatenko, Eric Bremer, Lea Bosch, 2017

Juristische Arbeitsblätter 2017, pp. 450 – 456

### **Der rechtliche Status der cGMP und der FDA-Guidances im amerikanischen Verwaltungsrecht**

Leonid Shmatenko, 2016

Arzneimittel und Recht, 2016, pp. 71 -76

### **Tobacco Control in Europe: The Potential for Plain Packaging**

Leonid Shmatenko, 2014

In: Andrew Mitchell / Tania Voon / Cathrine Gascoigne (Eds.), *International Legal Dimensions of Tobacco Control*, Edward Elgar, 2014, pp. 187 – 208

### **Einheitsverpackungen von Tabakerzeugnissen und die Charta der Grundrechte der EU**

Leonid Shmatenko, 2014

Zeitschrift für Europarecht, Internationales Privatrecht und Rechtsvergleichung (ZfRV) 2014, pp. 4 – 20

## **“Wer wird denn da gleich in die Luft gehen?” - Das neue Tabakgesetz der russischen Föderation**

Leonid Shmatenko, 2013

Wirtschaft und Recht Osteuropas (WiRO) 2013, pp. 321 - 327 (part 1) and pp. 367 - 373 (part 2)

## **Oberstes Spezialisiertes Gericht für Zivil- und Strafsachen der Ukraine – Urteil vom 10 Oktober 2012 – Die Auslegung des anerkennungsrechtlichen ordre public in der Ukraine**

Leonid Shmatenko, 2013

Praxis des internationalen Privat- und Verfahrensrechts (IPRax) 2013, pp. 449 - 450 and 473 – 474

## **An Overview of Kazakhstan’s Investment Laws and its Investor-state Arbitral Awards**

Leonid Shmatenko, 2013

XXX/4 International Law Quarterly (ILQ) 25 - 33 (2013)

## **Schiedsverfahrensrecht der Republik Kosovo**

Leonid Shmatenko, Shpetim Bajrami, 2013

Zeitschrift für Europarecht, Internationales Privatrecht und Rechtsvergleichung (ZfRV) 2013, pp. 132 - 141

## **Die bilateralen Investitionsschutzabkommen Russlands**

Leonid Shmatenko, 2013

Eastlex 2013, pp. 100 - 104

## **Regulatory Measures through Plain Packaging of Tobacco Products in the Light of International Trade Agreements**

Leonid Shmatenko, 2013

In: Alexander J. Belohlávek / Nadežda Rozehnalova (Eds.), *Czech Yearbook of International Law*, Vol. IV, 2013, Juris Publishing, Inc., 2013, pp. 27 – 48

## **Is lex mercatoria jeopardizing the Application of Substantive Law in International Arbitration?**

Leonid Shmatenko, 2013

In: Alexander J. Belohlávek / Nadežda Rozehnalova (Eds.), *Czech (& Central European) Yearbook of Arbitration*, Volume III, 2013, Juris Publishing, Inc., 2013, pp. 89 - 108

## **Oberstes Wirtschaftsgericht der Russischen Föderation – Urteil vom 19 Juni 2012 – Gültigkeit von einseitigen optionalen Schiedsklauseln**

Leonid Shmatenko, 2013

Wirtschaft und Recht Osteuropas (WiRO) 2013, pp. 60 - 62

## **Verfassungsmäßigkeit von Einheitsverpackungen bei Zigaretten**

Leonid Shmatenko, 2013

Juristische Ausbildung (JURA) 2013, pp. 74 – 81

## **Wirtschaftsgerichtsbarkeit und Schiedsgerichtsbarkeit in der Ukraine**

Leonid Shmatenko, 2012

In: Friedrich-Christian Schroeder / Martin Fincke / Dieter Pfaff (Eds.), *Jahrbuch für Ostrecht*, C.H. Beck Verlag, Vol. 53, 2012, pp. 207 - 233

## **Plain Packaging on its way to Europe – Competence Issues and Compatibility with European Fundamental Rights**

Leonid Shmatenko, Peter K. Henning, 2012

TDM 5 (2012), [www.transnational-dispute-management.com](http://www.transnational-dispute-management.com)

**Verfassungsgericht der Russischen Föderation – Urteil vom 2 November 2011 – Zur Vollstreckungsfrist bei ausländischen Schiedssprüchen**

Leonid Shmatenko, 2012

Eastlex 2012, pp. 194 – 196

**Die Reform des ukrainischen öffentlichen Baurechts**

Leonid Shmatenko, 2012

Eastlex 2012, pp. 107 – 110

**Oberstes Gericht der Republik Polen – Urteil vom 13 Juli 2011 – Erstreckung von Schiedsvereinbarungen auf Dritte**

Leonid Shmatenko, Martin M. Blüm, 2012

Wirtschaft und Recht Osteuropas (WiRO) 2012, pp. 124 – 126

**Die Voraussetzungen für den Abschluss eines Internationalen (Kauf-)Vertrages in der Ukraine**

Leonid Shmatenko, 2012

Wirtschaft und Recht Osteuropas (WiRO) 2012, pp. 108 - 113

**Verfassungsgericht der Republik Belarus – Urteil vom 7 Juli 2011 – Verfassungsmäßigkeit des Gesetzes „Über die Schiedsgerichte“**

Leonid Shmatenko, 2012

Osteuropa Recht (OER) 2/2012, pp. 80 - 83

**“Piercing the Corporate Veil“ is relative**

Leonid Shmatenko, 2012

4 Young Arbitration Review 25 - 29 (2012)

**Die Arbeitsgerichtsbarkeit in der Ukraine**

Leonid Shmatenko, Martin M. Blüm, 2011

Osteuropa Recht (OER) 2011, pp. 397 - 402

**Verfassungsgericht der Russischen Föderation – Urteil vom 26 Mai 2011 – Verfassungsgericht stärkt Kompetenz der Schiedsgerichte**

Leonid Shmatenko, 2011

Osteuropa Recht (OER) 2011, pp. 335 - 338

**Das ukrainische Individualarbeitsrecht**

Leonid Shmatenko, Martin M. Blüm, 2011

Osteuropa Recht (OER) 2011, pp. 188 – 198

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## CONFERENCES

**VI. Ukrainian Arbitration School**

Kyiv, 28 April 2018

Speaker: Initiation of arbitration. Request for arbitration. Answer to Request. Appointment of arbitrator. Independence and impartiality of arbitrators. Challenging and replacing arbitrators.

**Russian Arbitration Day 2018**

Specific Types of International Arbitration

Moscow, 30 March 2018

Speaker: Corruption in Investor-State Arbitration – A Two-Way Street

**German-Russian Lawyers' Association (DRJV) in co-operation with DIS, VIAC and DIS40**

Streitbeilegung im Geschäftsverkehr mit Russland und den GUS-Staaten

Frankfurt am Main, 3 March 2017

Speaker: Anerkennung und Vollstreckung ausländischer Urteile und Schiedssprüche in der Ukraine

**National Technical University of Ukraine "Igor Sikorsky Kyiv Polytechnic Institute"**

Economic and Legal Aspects of Foreign Direct Investment

Kyiv, 19 December 2016

Speaker: "Lena Goldfields" – Stalin's Yukos

**City, University of London & HEC Paris**

The New Intellectual Property of Health-Related Goods

London, 11 May 2015

Speaker: Packaging-related Measures for Alcohol and Unhealthy Food and their Impact on Trademarks

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## ACADEMIC POSITIONS

**Visiting lecturer**

National Law University "Yaroslav Mudryi" (Kharkiv, Ukraine)

International Investment Law and Arbitration

2018 –

**Visiting lecturer**

National Technical University of Ukraine "Igor Sikorsky Kyiv Polytechnic Institute"

International Investment Law and Arbitration

2016 – 2018