

KHRYSTYNA KOSTIUSHKO

Independent Counsel and Arbitrator

+44 (0)7405 41 7969 | kostiushko@kostiushko-adr.com | London, UK

Khrystyna Kostiushko provides independent services in commercial and investor–State arbitration, acting as counsel, co-counsel, arbitrator, expert and tribunal secretary.

With over a decade of experience at leading arbitration firms in France and Ukraine, Khrystyna combines top-tier international arbitration expertise with the flexibility and personal attention of an independent practitioner. Arbitration and international law have shaped her professional life since 2011. She has acted in disputes ranging from under USD 1 million to over USD 1 billion under a range of arbitration rules, including ICSID, UNCITRAL, LCIA, ICC, SCC, LMAA, GAFTA and FOSFA.

Through her qualifications and practice, Khrystyna is familiar with both civil and common law systems. She is admitted as a solicitor in England and Wales and as an Attorney-at-Law in Ukraine. She has also passed the French Bar exam (*examen de connaissance du droit français*) and previously practised in France as a member of the Paris Bar, gaining practical experience in civil law and international arbitration.

Khrystyna holds an LL.M. in International Dispute Settlement (MIDS) from the University of Geneva and the Graduate Institute of International and Development Studies. She also earned undergraduate and postgraduate law degrees from Taras Shevchenko National University of Kyiv, focusing on Ukrainian and international law.

She teaches international arbitration as a visiting lecturer at Brunel University London and has previously taught at the Paris Bar School (*École de Formation du Barreau*). From 2026, Khrystyna will also serve as a visiting lecturer at King's College London.

She writes and speaks on arbitration topics, including a recent article in the *Cambridge International Law Journal* (December 2025) on the application of investment treaties to annexed territories.

Khrystyna was included in the inaugural 2022 edition of *Best Lawyers: Ones to Watch* for work in International Arbitration.

She has full working proficiency in English, French, Ukrainian and Russian.

PROFESSIONAL EXPERIENCE

- Independent Counsel and Arbitrator, London, UK, 2024-present
Also serves as Of Counsel to Moris Law Firm (Kyiv) on selected Ukraine-related cases.
- Arbitral Tribunal Secretary to a Paris-based Arbitrator, Paris, France, 2022-2023
- Bredin Prat, International Arbitration Department, Paris, France, Associate (2018-2022);
Trainee (2017)
- EnGarde Attorneys-at-Law, International Arbitration Associate, Kyiv, Ukraine, 2013-2016
- Eterna Law, International Arbitration Associate, Kyiv, Ukraine, 2011-2013

REPRESENTATIVE MATTERS

Investment Treaty Arbitration

Khrystyna has extensive experience in high-value investor-State arbitration cases under ICSID and UNCITRAL rules

- Represented European investors as claimants in an arbitration under ICSID rules arising from an investment in the construction of a shopping centre in Serbia.
Industry: Real estate • Region: Balkans
- Represented Dutch and BVI investors as claimants in an arbitration under ICSID rules relating to an investment in an aluminium plant in Eastern Europe.
Industry: Energy • Region: Eastern Europe
- Acted for the Arab Republic of Egypt as respondent in an arbitration under UNCITRAL rules arising from a mining project in the Aswan region of Egypt.
Industry: Mining • Region: MENA
- Represented a MENA state as respondent in an arbitration under UNCITRAL rules arising from investments in the construction and development of real estate projects.
Industry: Real estate • Region: MENA

International Commercial Arbitration

Khrystyna regularly acts in international commercial arbitrations under a range of institutional rules

- Represented a major Ukrainian supplier of mineral fertilisers in arbitration proceedings under the LMAA rules in a dispute over the supply of phosphorite.
Law: English • Seat: London • Language: English • Amount: EUR 1.5 million • Industry: Commodities / Shipping
- Represented an Abu Dhabi-based entity in an ICC arbitration against a sovereign entity in a dispute relating to the construction of an iconic government building.
Law: Iraqi • Seat: Paris • Language: English • Amount: multi-million USD • Industry: Construction / Government infrastructure
- Represented BVI and Cypriot companies as claimants in an LCIA arbitration concerning the performance of an investment agreement; led the factual investigation for an application to the English court for a worldwide freezing order under s. 44 of the Arbitration Act 1996.
Law: English • Seat: London • Language: English • Amount: approx. USD 40 million • Industry: Investment / Corporate governance
- Acted for minority shareholders of an international alcohol company in an LCIA arbitration arising out of a shareholder dispute, and advised on related proceedings in Cyprus and the BVI.
Law: English • Seat: London • Language: English • Amount: approx. USD 500 million • Industry: Corporate (shareholder dispute)
- Represented an Eastern European company in an LCIA arbitration against its Turkish counterparty.
Law: English • Seat: London • Language: English • Industry: SPA / Commodities
- Represented a Ukrainian businessman in a multi-million USD ICC arbitration concerning a corporate governance dispute in a large Ukrainian agricultural company.
Law: English • Seat: London • Language: English • Industry: Agribusiness

- Represented a major Ukrainian producer of shelf natural gas in an SCC arbitration arising out of the performance of a contract for drilling, testing and completing well sites in the territorial waters of Ukraine near the Crimean Peninsula.
Law: English • Seat: London • Language: English • Amount: approx. USD 8 million • Industry: Energy / Oil & gas
- Acted for buyers in an ICC arbitration in a post-M&A dispute arising from the acquisition of a commercial bank.
Law: German • Seat: Frankfurt • Language: English • Amount: approx. USD 400 million • Industry: Post-M&A / Banking and finance
- Represented a major Kazakh grain company in a GAFTA arbitration against an Italian processing company.
Law: English • Seat: London • Language: English • Amount: multi-million USD • Industry: International trade / Commodities
- Represented a Ukrainian agricultural company in a FOSFA arbitration concerning a dispute under a commodities supply contract.
Law: English • Seat: London • Language: English • Amount: multi-million USD • Industry: Agriculture / Commodities

Tribunal Secretary Work

Khrystyna has extensive experience supporting arbitral tribunals as tribunal secretary and assistant, from initial submissions through hearings and deliberations

- Served as tribunal secretary in an ICC arbitration arising out of the construction of a major water desalination plant in the Middle East.
Law: UAE • Seat: Dubai • Language: English • Industry: Construction / Water infrastructure
- Served as tribunal secretary in a DIAC arbitration arising from IT services and management contracts.
Law: UAE • Seat: Dubai • Language: English • Industry: IT services / Technology
- Served as tribunal secretary in a QICCA arbitration arising out of a fintech contract.
Law: Qatari • Seat: Doha • Language: English • Industry: Fintech / Financial services
- Served as tribunal secretary in an ad hoc arbitration arising out of a hospital construction project in Saudi Arabia.
Law: Saudi • Seat: Riyadh • Language: English • Industry: Healthcare / Construction

Set-Aside Proceedings

- Acted as counsel in set-aside proceedings before the French courts in relation to an ICC award.
Language: French

Recognition and Enforcement of Arbitral Awards

Khrystyna has experience in recognition and enforcement proceedings under the New York Convention

- Represented a US oil and gas company in recognition and enforcement proceedings before Ukrainian courts relating to an SCC award.
- Represented an Italian company in recognition and enforcement proceedings before Ukrainian

courts relating to an SCC award.

- Acted for a Ukrainian businessman in recognition and enforcement proceedings before Ukrainian courts relating to an LCIA award.

Investigations in Support of Court and Arbitration Proceedings

- Led the factual investigation and evidence-gathering for an application to the English court for a worldwide freezing order under s. 44 of the Arbitration Act 1996 in support of international arbitration proceedings.

ACADEMIC APPOINTMENTS

- King's College London, UK – Visiting Lecturer in EU Law, 2026 (forthcoming)
- Brunel University London, UK – Visiting Lecturer in Arbitration of Intellectual Property Disputes, 2021-present
- Paris Bar School (École de Formation du Barreau de Paris), Paris, France – Visiting Lecturer in International Commercial Arbitration, 2022-2024
- Burgundy School of Business, Dijon, France – Lecturer in European Law, 2023

SELECTED PUBLICATIONS

- “Consequences of Incorporation/Annexation of Territory for the Spatial Scope of Application of Investment Treaties”, *Cambridge International Law Journal*, December 2025.
- Commentaries on perspectives of claims relating to annexation of Crimea by the Russian Federation, *Forbes Ukraine*, August 2015.
- “*Terra Nullius*: Rules of Professional Ethics in International Commercial Arbitration”, *New Counsel Magazine*, October 2013.
- “Specificity of GAFTA and FOSFA Arbitration”, *Legal Insight*, November 2012.

EDUCATION

- Master (LL.M.) in International Dispute Settlement (MIDS)
University of Geneva and Graduate Institute of International and Development Studies (IHEID)
- Master of International Private Law (First Class Honours)
Taras Shevchenko National University of Kyiv
- Bachelor of Laws (LL.B.) (First Class Honours)
Taras Shevchenko National University of Kyiv

CERTIFICATES AND SHORT COURSES

- Financial Analysis and Valuation for Lawyers, Harvard Business School (Online), 2022
- Advocacy in International Arbitration: Questioning of Fact Witnesses in International Arbitration, Foundation for International Arbitration Advocacy, 2017

QUALIFICATIONS

- England and Wales, Solicitor
- Ukraine, Attorney-at-Law

- France – practised as *Avocate à la Cour* at the Paris Bar from 2020 to 2025; currently not practising at the Paris Bar (*omission temporaire*)

LANGUAGES

Full working proficiency in English, French, Ukrainian, Russian