



## Maria Kostytska

### Partner

Paris  
+33.1.58.44.15.16

maria.kostytska@klgates.com

## OVERVIEW

Maria Kostytska is a partner in the firm's International Arbitration practice group. She is multilingual in English, French, Ukrainian, Russian, and Spanish. She is admitted to the bars of New York, District of Columbia, Paris, England and Wales (barrister). Maria acts as lead counsel in investor-state, state-to-state and commercial arbitrations under the ICSID, UNCITRAL, ICC, LCIA and SCC Rules. Maria also serves as a presiding, sole and co-arbitrator. Her arbitration and litigation experiences spans a variety of industrial sectors, including oil and gas, renewable energy, utilities, infrastructure, banking, aviation and manufacturing.

Maria has previously served as a court member of the ICC International Court of Arbitration in Paris for two consecutive terms. She served as a founding council member of the Georgian International Arbitration Centre (GIAC) in Tbilisi, and is listed on the panels of arbitrators of the Singapore International Arbitration Centre (SIAC), the Hong Kong International Arbitration Centre (HKIAC), and el Centro Internacional de Arbitraje de AmCham Perú.

Maria lectures on investment arbitration for the Masters in Arbitration and International Commerce (MACI) program at Versailles University.

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Maria served as head of arbitration in the Paris office of another international law firm.

## ACHIEVEMENTS

- Mentioned by *Chambers France* as leader of the Paris International Arbitration practice, 2025
- Ranked in *The Legal 500* in recent years
- Recognized by *Best Lawyers* for International Arbitration in France, 2020-2026
- Recognized by *Lawdragon 500* as a Leading Global Litigator in Paris, 2021, 2023-2025
- Recognized by *Who's Who Legal: Arbitration* for Arbitration in France

- Recommended, 2024-2026
- Future Leader (Partners), 2022-2024
- Recognized by *Lexology Index: Arbitration* in France, 2025
  - Most Highly Regarded
  - Global Elite Thought Leader
- Recognized by *GAR 100* as a leader of the Paris International Arbitration practice, most recently in 2024
- Mentioned by *Décideurs (Leaders' League)* as part of the Paris Litigation-Arbitration Department, “forte notoriété,” 2025
- Paris International Arbitration team won *Palmarès des Avocats* Gold award for International Arbitration, 2024; Bronze award, 2014–2016

## PROFESSIONAL / CIVIC ACTIVITIES

Maria is a member of the following professional associations:

- ICC Commission on Arbitration and ADR
- ICC Institute of World Business Law
- ICC France
- ICC Ukraine, Board Member and Head of the Arbitration Commission
- ICC USCIB
- Club Español de Arbitraje, Capítulo Francés y MUJERES
- Comité Français de l'Arbitrage (CFA)
- Association Française de l'Arbitrage (ABA)
- ABA International Law Section
- NYSBA International Law Section
- IBA Litigation and International Arbitration Committee
- Ukrainian Arbitration Association (UAA) Board Member
- Ukrainian Bar Association (UBA), Council Member of the International Law and Energy Committees

## SPEAKING ENGAGEMENTS

Cuestiones medioambientales en el arbitraje de inversión en el sector minero in Latinoamérica, [AmCham Perú Arbitration Forum](#) (September 2025)

- “Iron grip and soft touch: women in energy, mining and infrastructure in Latin America,” Paris Arbitration Week (April 2025)
- “Boots on the ground and a gaze on the horizon: what Ukrainian businesses expect from international arbitration,” Paris Arbitration Week (April 2025)
- “Reparations - war, frozen assets and political risks,” Asset Recovery CEE, Warsaw (April 2025)
- GAR LIVE: Women in Arbitration, “Energy disputes arising out of the war in Ukraine,” Paris (December 2024)
- “Recovery of losses caused by the war in Ukraine,” III Conference of Pravo.ua/Legal Practice, Kyiv (November 2024)
- “New investments in energy and causes of energy disputes: past and future,” Solidarity Arbitration and Mediation Days, Warsaw (October 2024)
- “The impact of military conflicts and sanctions on arbitration,” International Commercial Arbitration Court (ICAC) in Kyiv (October 2024)
- “Best practices in the gathering, marshaling and weighing of evidence in international arbitration,” ArbCEE retreat, Dubrovnik (October 2024)
- “Las tendencias en arbitraje de inversión en el sector de las energías renovables,” XV Conferencia de Arbitraje Internacional, AMCHAM Ecuador, Quito (September 2024)
- “Las últimas tendencias de valoración de los daños y perjuicios en arbitrajes de inversiones,” conferencia Women in Arbitration del Instituto Peruano de Arbitraje, Arequipa (July 2024)
- “Energy disputes arising in the current geopolitical context,” Baltic Arbitration Days, Riga (June 2024) and Moldova Arbitration Days, Chisinau (May 2024)
- “Retos y oportunidades en la representación de Estados en litigios internacionales,” Club Español e Iberoamericano de Arbitraje, Geneva (March 2024)
- “Energy trends and disputes—in the current geopolitical and energy-transition context,” Paris Arbitration Week, Paris (March 2024)
- “Ukraine - the rebuild and reparations,” Paris Arbitration Week, Paris (March 2024)
- “International energy disputes after the invasion of Ukraine: can it handle the flux capacity?” ABA/ILS conference, Houston (February 2024)
- “The impact of sanctions on international arbitration involving Russian, Belarusian and Ukrainian parties,” Solidarity Arbitration and Mediation Days, Warsaw (December 2024)
- Curso de actualización “Arbitraje de inversiones,” ARBITRI e Pontificia Universidad Católica del Peru (PUCP) (December 2023)
- “New challenges in enforcement of the arbitral awards,” GIAC Arbitration Days, Tbilisi (October 2024)

“Arbitraje, inversiones y la seguridad jurídica,” conferencia del Instituto Peruano de Arbitraje, Lima (September 2023)

“III Energy Law Conference” of the Ukrainian Bar Association, Warsaw (September 2023)

“Evolution or revolution: have we mastered international arbitration or do we need a new blueprint for the future?” Stockholm (August 2023)

“Arbitration in wartime,” Le Café des Arbitres, Paris (June 2023)

“Claims arising from the war in Ukraine: the role of the English jurisdiction,” London International Disputes Week, London (May 2023)

“The war in Ukraine: legal mechanisms for recovery of losses,” Paris Arbitration Week, Paris (March 2023)

“Due process paranoia in international arbitration,” as part of the panel on “Procedural efficiency in international arbitration,” International Commercial Arbitration Court (ICAC) in Kyiv (October 2019)

“Drafting enforceable awards,” ICC training, Kyiv (September 2019)

“Shareholder disputes in the CIS,” Paris Arbitration Week, Paris (April 2018)

“Jurisdiction over a sovereign in recognition and enforcement proceedings” and “Cross-jurisdictional cooperation between lawyers,” C5 conference on international disputes and assets recovery in the CIS, London (January 2018)

“2017 Rules: Changes Explained: Transparency,” ICC-ICC-Ukraine side event at the Kyiv Arbitration Days, Kiev (November 2017)

“Immunity from attachment and execution,” Baltic Arbitration Days, Riga (June 2017)

“How geopolitical tensions are shaping energy disputes,” ICDR oil and gas arbitration conference, Houston (April 2017)

“The U.S. and EU sanctions as a defense to non-performance of legal obligations,” CEA conference, Warsaw (May 2015)

“Legal remedies available to state-owned and private companies in connection with the situation in the Crimea and Eastern Ukraine,” Kyiv inter-ministerial seminar (December 2015)

“The Russian food import ban as a countermeasure to the U.S. and EU sanctions, and legal remedies to address it” Kyiv Arbitration Days (November 2015)

“Preparation of expert witnesses for examination: the do's and don'ts,” Swedish Arbitration Days, Stockholm (September 2014)

“How not to pay and get your money back . . . in international arbitration,” Winston client seminar, Paris (July 2013)

“Annulment and enforcement of arbitral awards in France, Switzerland and Tunisia,” Tunisian Ministry of Justice conference, Tunis (April 2013)

Nationality planning, treaty shopping and denial of benefits, ICC YAF oil and gas arbitration conference, Geneva (January 2013)

“Pathological arbitration clauses,” Winston client seminar, Paris (November 2012)

“Jurisdiction over investment and investor,” International Law Institute (ILI) seminar, Washington, D.C. (November 2012)

“Methodology of proof in international arbitration,” Ukrainian Ministry of Internal Affairs conference, Kyiv (November 2012)

“The use of valuation experts,” ABA conference, Moscow (September 2012)

“Damages in international arbitration,” ICC YAF conference and Winston client seminar, Paris (July 2012)

“Drafting of arbitration clauses and the binding effect of arbitration clauses on non-signatories,” ILI advanced arbitration seminar, Washington, D.C. (November 2011)

“Independence and impartiality of arbitrators,” ICC YAF conference, Prague (October 2011)

“Selection and appointment of arbitrators,” ICC PIDA seminar, Paris (October 2011)

“Applicable law in investment arbitration,” ILI seminar, Washington, D.C. (November 2010)

“Invoking human rights standards and precedents in investment arbitration,” ILA conference, the Hague (September 2010)

“Arbitration, litigation, and mediation of investor-State disputes,” UNCTAD and Ukrainian Ministry of Justice conference, Kiev (October 2009)

## EDUCATION

- J.D., Catholic University of America Columbus School of Law, 2005
- B.A., Smith College, 2001

## ADMISSIONS

- Bar of District of Columbia
- Bar of New York
- Bar of Paris
- Employed Barrister, England & Wales

- Appellate Division of the New York Supreme Court
- District of Columbia Court of Appeals
- Supreme Court of the United States
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Second Circuit
- United States District Court for the District of Columbia
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York

## LANGUAGES

- English
- French
- Russian
- Spanish
- Ukrainian

## THOUGHT LEADERSHIP POWERED BY HUB

- 22 January 2026, US-Ukraine Minerals Deal Discussion at New York Arbitration Week
- January 2026, Arbitration World

## OTHER PUBLICATIONS

- “Energy Disputes Arising from the Russian Invasion of Ukraine,” Transnational Dispute Management (TDM) ISSN1875-4120), April 2025
- [Cross-border enforcement of judgments against states](#), IBA Jurisdiction-By-Jurisdiction Guide, United States Chapter, 2024
- Sovereign Immunity in France, LEXOLOGY, 2023-2025
- [Enforcement of Foreign Judgments in the United Kingdom](#), LEXOLOGY, 2023-2025
- GAR Investment Treaty Arbitration Know-How, Jordan Chapter, 2015
- Book review of Gary Born's “International Arbitration: Law and Practice,” Pravo Ukrainy, 2013

- “Le contrôle post-arbitral de la sentence arbitrale internationale : Regards croisés en droit français, suisse et tunisien,” Pédone, 2013
- “Declaratory Relief in International Arbitration,” Journal of International Arbitration, Kluwer, 2012
- Fuchs v. Georgia, case digest, International Arbitration Case Law and GAR, 2011
- Ukraine dispute resolution chapter, Getting the Deal Through and Transnational Dispute Management (TDM), 2006

## NEWS & EVENTS

- 25 March 2026, In-House Counsel Ask the Questions: Infrastructure Arbitration Worldwide, Hosted by Paris Arbitration Week
- 19 November 2025, New York Arbitration Week, Hosted by American Arbitration Association
- 13 November 2025, K&L Gates Bolsters International Arbitration Practice With Partner in Paris

## AREAS OF FOCUS

- International Arbitration
- Commercial Disputes
- Construction and Infrastructure Dispute Resolution
- Investor-State Arbitration
- Mining, Minerals, and Metals
- Oil and Gas
- Power
- Rail and Roads
- Renewables

## INDUSTRIES

- Aerospace and Defense
- Aviation
- Banking
- Energy
- Energy Disputes

- Financial Services
- Manufacturing
- Power Generation and Transmission
- Transportation and Logistics

## REPRESENTATIVE EXPERIENCE

### Representative Experience as Counsel - Energy (Oil and Gas, Renewables)

- Acted as lead counsel in the first renewable energy arbitration lodged against Ukraine under the Energy Charter Treaty (ECT) for alleged modification of the green-tariff incentives regime.
- Acted as lead counsel for Ukraine in a state-to-state/investor-state arbitration lodged by a territorial unit of a state and its state organ and involving allegations of a takeover of the largest oil refinery in Ukraine.
- Acted as cross-jurisdictional counsel for Ukraine in judicial proceedings for annulment, recognition, and enforcement of an investment arbitral award rendered in favor of a Russian state-owned oil company before French, US, and English courts of all levels.
- Represented Ecuador in an investment treaty arbitration brought by multinational oil companies involving allegations of denial of justice and breaches of a BIT for undue delay and manifestly erroneous decisions by Ecuadorian courts in seven commercial cases.
- Represented a Swiss investor against an Eastern European state during the early stages of an investment treaty arbitration in the renewable energy sector arising out of a change of the incentives regime.
- Obtained a victory at the jurisdictional stage for Ecuador and its state-owned company PetroEcuador in an ICSID arbitration brought by an American energy company involving an imposition of a windfall tax on oil profits and collection proceedings.
- Successfully represented Ecuador and its state-owned company PetroEcuador in an ICSID arbitration brought by a Spanish energy company involving an imposition of a windfall tax on oil profits and collection proceedings.
- Represented an American energy company in an enforcement proceeding of a favorable ICSID award against Argentina in the United States, France, and Spain.
- Represented an Eastern European energy company in an investment treaty arbitration against an Eastern European state involving tariff fixing.
- Successfully represented a French transmission grid provider against an Italian electricity supplier in an ICC arbitration arising out of a breach of access rules.

### Representative Experience as Counsel - Infrastructure

- Represented a Ukrainian infrastructure company against a Moldovan infrastructure company in a commercial arbitration before the Court of Arbitration at the Polish Chamber of Commerce (SAKIG) for breach of contract and debt recovery.
- Successfully defended Jordan in two parallel ICSID and ICC arbitrations brought by a railway company and its Kuwaiti shareholders. This US\$1 billion win was recognized in June 2013 as one of the “Top 10 Biggest Defense Wins” in the American Lawyer’s Arbitration Scorecard.

#### Representative Experience as Counsel - Banking and Finance

- Represented a Swiss investor against an Eastern European state in an investment treaty arbitration arising out of the 2008 financial crisis.
- Represented a French national in an ICSID annulment proceeding relating to the state’s intervention into and liquidation of a bank.

#### Representative Experience as Counsel - Highly Regulated Sectors

- A team lead by Maria Kostytska obtained a resounding victory for the Republic of Ecuador in an investment arbitration brought by an American investor (Nevada holding company) for expropriation of its investment in the gaming sector due to the prohibition of gambling in the country. The tribunal dismissed the US\$214 million claim and awarded 80% of the attorneys’ fees and arbitration costs to Ecuador.
- Advised a multinational tobacco company on an investment treaty arbitration against an Asian state.

#### Representative Experience as Counsel - Public Utilities and Services

- Represented a French provider of meal vouchers against Hungary in an ICSID arbitration arising out of an alleged expropriation of a business due to a change of the tax regime.
- Represented a French utility company during the early stages of an ICSID arbitration arising out of a concession to provide waste collection and treatment services to a municipality of an Arab state.

#### Representative Experience as Counsel - Manufacturing, Transportation, Distribution, Agency

- Successfully represented an American glass manufacturer in an ICC arbitration arising out of an acquisition agreement with a Belgian glass manufacturer.
- Handled enforcement of an ICC award rendered in favor of an Iraqi construction company and against an Indian engineering and manufacturing company.
- Represented a Russian subsidiary of a French automobile manufacturer in an ICC arbitration against a Russian transporter arising out of a breach of a transportation contract.
- Advised a Spanish fruit producer in connection with a dispute with its Tunisian joint venture partner.
- Represented Tunisian companies against a multinational corporation in an ICC arbitration arising out of wrongful termination of a commercial representation agreement.

- Represented a British online content provider against its Spanish distributor in an ICC arbitration under English law with a seat in Paris.

### Representative Experience as Counsel - Sanctions

- Represented an Eastern European state in European Court of Justice (ECJ) proceedings involving imposition of EU sanctions on a former head of state.

### Representative Experience as Counsel - Antitrust

- Successfully defended Eastern European producers of fertilizers in a complex antitrust action before US district and appellate courts.

### Experience as Arbitrator

- Acted as a co-arbitrator in a Geneva-seated, Swiss law-governed ICC arbitration arising out of a solar energy project in Kazakhstan and involving Kazakh and French state entities.
- Served as a sole arbitrator in a Stockholm-seated ICC arbitration relating to an offshore gas exploration project in Turkmenistan.
- Acted as a co-arbitrator in a complex London-seated LCIA arbitration relating to an alleged takeover of the largest Russian ceramic tile business.
- Acted as a co-arbitrator in a London-seated LCIA arbitration relating to a division of assets derived from a coal mine, with Russian and Cyprus applicable law.
- Acted as a sole arbitrator in a London-seated LCIA arbitration in the aviation sector between US and UK parties.
- Acted as a co-arbitrator in a London-seated LCIA arbitration arising out of a shareholder dispute involving a regional airline.
- Served as a sole arbitrator in two parallel arbitrations arising out of credit agreements between Russian, Cyprus, and BVI parties before the LCIA, seated in London, with English applicable law.
- Acted as a sole arbitrator in a London-seated, English law-governed LCIA arbitration regarding sale of snow melting equipment involving UK and US parties.
- Served as a co-arbitrator in a London-seated LCIA arbitration relating to a credit agreement in the agricultural sector, with Cyprus and Ukrainian applicable law.
- Served as co-arbitrator in a London-seated LCIA arbitration involving Cyprus and Russian parties arising out of a charter of a marine vessel.
- Acted as a sole arbitrator in two parallel arbitrations in the mining sector between a Ukrainian state-owned supplier and a European distributor before ICAC in Kyiv.
- Acted as president in a Kyiv-seated ICAC arbitration arising out of a professional services agreement relating to the transfer of equipment and know-how from the United States to Ukraine.

- Served as a co-arbitrator in an ICAC arbitration between a major Russian chemical company and a Ukrainian state-owned chemical company regarding transit of chemicals across Ukraine.
- Served as a co-arbitrator in an ICAC arbitration concerning supply of pharmaceutical products by a Ukrainian supplier to a Brazilian state-owned buyer.
- Served as a sole arbitrator in an ad hoc UNCITRAL arbitration between American and French professional services providers, seated in Paris with French applicable law.
- Sat as a co-arbitrator in an ad hoc UNCITRAL sale of goods arbitration between a Hong Kong IT equipment manufacturer and a Ukrainian IT equipment distributor, seated in Stockholm with Hong Kong applicable law.