



## **Court of Arbitration at the Polish Chamber of Commerce in Poland**

The Court of Arbitration at the Polish Chamber of Commerce in Warsaw (SA KIG) was established on 1 January 1950 as the Council of Arbitration at the Polish Chamber of Foreign Trade. Since 1990, it has been operating as part of the Polish Chamber of Commerce. Every year it deals with 300-600 cases, which is the largest number of cases for this part of Europe. It is an excellent alternative to common courts of law. The Court of Arbitration at the Polish Chamber of Commerce is open to all commercial entities wishing to settle disputes quickly, confidentially and efficiently.

The Court of Arbitration at the Polish Chamber of Commerce settles national and international disputes. It also conducts mediations and ad hoc arbitrations. Nearly 20% of the cases heard by the Court of Arbitration at the Polish Chamber of Commerce are international in scope. In addition to the best Polish lawyers there are a lot of foreign arbitration specialists on the List of Arbitrators. The Court handles ad hoc arbitration proceedings on the basis of the UNCITRAL Rules of Arbitration. It conducts mediation proceedings and promotes arbitration in academic and commercial circles. It has concluded many cooperation agreements with other arbitration institutions known all over the world. The Court of Arbitration at the PCC is a founder member of the International Federation of Commercial Arbitration Institutions, a member of the International Council for Commercial Arbitration, the ICC European Arbitration Group, the International Chamber of Commerce in Paris and the Special Committee of the United Nations Economic Commission for Europe in Geneva.

The Arbitration Rules of the Court of Arbitration at the Polish Chamber of Commerce adopted on 14 October 2014 entered into force on 1 January 2015. The Rules were adopted to correspond to changes in the law and practice of arbitration that have developed in Poland and in the world.

The Court has a Mediation Center dedicated to mediation proceedings. Entrepreneurs who opt for this sort of amicable procedure are offered more than just mediation. The Center offers the so called med-arb and arb-med procedures. In the former case, if the parties fail to reach a settlement in the mediation process, the case is referred to the Arbitral Tribunal. Arb-med, on the other hand, is a solution where a case examined by an Arbitral Tribunal is referred to a mediator. The important thing to note is that neither proceeding involves any extra costs for the parties as the costs are included in the fees already paid.

The parties that opt to use mediation in their dispute settlement appreciate not only the high professional standard of proceedings, but also their swiftness. The duration of cases handled by the Mediation Center is one day on average, a bit longer for more complicated cases. The likelihood of concluding a mediation proceeding with a settlement is high.

At present, the "List of Arbitrators Recommended by the Court of Arbitration at PCC" features 198 outstanding representatives of Polish and international arbitration. The list includes lawyers from: Austria, Belgium, Czech Republic, France, Spain, India, Germany, Slovakia, Switzerland, Ukraine, USA, Hungary, United Kingdom and Italy.



The “List of Mediators Recommended by the Court of Arbitration at PCC” provides the names of 89 persons from all over Poland.

The Court of Arbitration at the Polish Chamber of Commerce holds seminars and conferences on arbitration issues, featuring top class arbitration and mediation specialists, including representatives of renowned and reputable law firms and universities.

Regular seminars, which provide a forum for the continual exchange of views and experience between common court judges and the arbitrators, are an important part of SA KIG’s activities.

On April 26-27, 2012 in Warsaw the FIDIC CEE Users’ Conference took place. This was an international conference on the conditions for carrying out construction work and on disputes arising out of such matters. The conference was organized with the support of the Polish Association of Consulting Engineers and Experts in conjunction with the law firm K&L Gates.

In May, 2013 in cooperation with Parliamentary Commission for the Codification Changes and under the auspices of Speaker of the Lower House of the Polish Parliament, Mrs Ewa Kopacz, the Court organized conference “Arbitration: Law, Practice and Institutions”.

In May, 2015 in cooperation with German Institution of Arbitration (DIS) and School of German Law at the Warsaw University, the Court organized conference “Corporate dispute in arbitration practice - perspective Polish and German”.

The Court is in the middle of a great project, which is the series of academic meetings and conferences. We have already organized meetings in Cracow, Katowice, Łódź and on 18th November 2016 the forth one is going to be held in Wrocław. The meetings are dedicated as well for the academic society and students as practicing professionals.

Since 2014, the Court of Arbitration at the PCC is patronizing the students competition "ELSA Moot Court Competition - Commercial Arbitration". The Moot is intended to popularize and disseminate knowledge regarding the arbitration proceedings in the realities of the Polish law and to promote the use of commercial arbitration to resolve disputes. The Moot is an opportunity for applying this knowledge in practice. For students, it is also an occasion to appear in the role of an attorney, gain practical experience, and hone previously acquired skills. The event provides the opportunity to meet distinguished professors, other prominent practitioners, and ambitious students.

In October 18, 2016 in Wrocław took place Conference entitled “Arbitrator in the proceedings before the Arbitration Court”. The conference dealt with discussing issues concerning arbitrators, the manner in which the arbitration court constituted itself and its composition as the most characteristic feature of arbitration. Speakers, academic authorities with extensive experience in arbitration dispute resolution, have attempted to answer questions about what the parties are guided in making the choice of arbitrators, and to what extent they are aware that the arbitrator appointed by the party is independent of the arbitrator.

In November 10, 2017 in Poznań we organized Conference entitled EVIDENCE AND PROCEEDINGS IN ARBITRATION Documents - Witnesses - New technologies. Aimed at introducing the specificity of the evidence before the arbitration court. Speakers, scientific authorities with extensive



experience in the recognition of arbitration disputes discussed, among other things, aspects of how to use evidence such as documentary evidence, witness testimony or visual inspection evidence. During the meeting, they conducted an analysis that allow to answer the question, which types of proof are most often used in the practice of arbitration and how they affect the efficiency of proceedings.

The Arbitration Youth Forum is an initiative established in 2011 under the auspices of the Court of Arbitration at the Polish Chamber of Commerce. Its aim is to integrate the younger generation of the arbitration community, creating a platform to exchange experiences and obtain practical knowledge about arbitration. Since its inception, the Forum has organized a series of meetings with leading arbitration practitioners from abroad. We have organized interactive arbitration workshops for candidates interested in serving as secretaries of arbitral tribunals.

The Forum is addressed to young professionals. Some in the legal community may take the view that youth ends at 45, but we set no age limit. We invite anyone who is young or young at heart in the world of arbitration to join this venture.

In April 2016 was published the next issue of the Arbitration Bulletin - Young Arbitration - first English-language edition. The purpose of the publication was to provide a platform for young lawyers to share their views on the issue of arbitration not only with members of the national arbitration community but also with the European and international community. The first part of the Bulletin covers important aspects of the role of the secretary in arbitration, and the second section contains articles on relevant issues on arbitration. In 2017, The Court released the post-conference publication on corporate disputes in arbitration with German Institution of Arbitration.