



# A PEER ENTICE

*from a novice to the peer*



ARBITRATION & ADR COURSE | WARSAW 2016



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## I. GENERAL INFORMATION

### I. OBJECTIVE

*The aPEERentice. Arbitration & ADR* provides an introduction to the field of international arbitration and ADR. It creates a unique opportunity for the participants to engulf themselves in the exploration of this specialist discipline. Our educational initiative is designed to facilitate the participants the acquisition of knowledge and skills in order to advance their dispute resolution understanding or to embark upon a new career path.

Successful completion of this introductory course will afford the participants the opportunity to progress on to the proficient programme - the training programme which has been created to further assist the participants in acquiring the skills necessary for effective arbitration and ADR counsel - the *ICC Arbitration & ADR Training Programme* taught at the Jagiellonian University in Krakow by the world-class arbitration & ADR specialists and representatives of the Secretariat of the International Court of Arbitration of the International Chamber of Commerce (ICC) and the ICC International Centre for ADR.

## 2. WORKING METHODS & FACULTY

This course is composed in a form of five weekend-workshops (a total of 8 days) tailored to suit the needs of busy professionals.

The programme addresses the most important aspects of international arbitration and ADR.

Our teaching methods, with a distinctive practice-oriented approach, will include lectures and presentations followed by discussion and exercise sessions in a small group of participants, with a high ratio of trainers per participants.

The programme combines practical experience with cutting-edge academic research to present a highly engaging course. *The aPEERentice. Arbitration & ADR* is delivered by expert practitioners and academics in the field of international dispute resolution from Poland and abroad representing leading legal organisations and institutions.

The workshops will be taught in English, except for the topics referring specifically to the Polish law and practice on arbitration and ADR (indicated in the programme with an asterisk).

Upon completion of this course the participants will receive a certificate issued by ICC Poland.

### 3. PARTICIPANTS

*The aPEERentice. Arbitration & ADR* is designed to benefit:

- trainee lawyers,
- students (Master's and PhD),
- corporate counsel, and
- practising lawyers

who have an interest in the field of commercial law and effective resolution of business disputes.

## II. PARTNERS

The course is conducted under the auspices of ICC Poland and in partnership with its members - the leading dispute resolution law firms.

This course is generously supported by the Warsaw offices of:

- **Clifford Chance,**
- **CMS Cameron McKenna,**
- **Dentons,**
- **Greenberg Traurig, and**
- **K&L Gates.**

To learn more about our partner law firms please visit the "About" section of this brochure (p. 24-26).

### III. SCHEDULE

WORKSHOP	HOST	DATE
<b>I: INTRODUCTION ARBITRATION AGREEMENT</b>	K&L Gates	<b>24-25 September 2016</b> (Saturday & Sunday)
<b>II: ARBITRAL PROCEEDINGS</b>	Dentons	<b>15-16 October 2016</b> (Saturday & Sunday)
<b>III: ARBITRAL AWARD ARBITRAŻ W POLSCE*</b>	CMS Cameron McKenna	<b>5-6 November 2016</b> (Saturday & Sunday)
<b>IV: ADR</b>	Greenberg Traurig	<b>19 November 2016</b> (Saturday)
<b>V: ADVOCACY IN ARBITRATION AND ADR</b>	Clifford Chance	<b>16 December 2016</b> (Friday)

### IV. PROGRAMME

The course consists of the following five workshops:

**I. Introduction. Arbitration agreement**

**II. Arbitral proceedings**

**III. Arbitral award**

**IV. ADR**

**V. Advocacy in arbitration and ADR**

## I. INTRODUCTION

1. Arbitration - an overview (features, definition, ethos).
2. “Types” of arbitration (commercial, investor-state, state-to-state, sports).
3. International conventions and soft laws regulating international arbitration (New York Convention, European Convention, UNCITRAL, IBA).
4. Arbitral institutions.

### ARBITRATION AGREEMENT

5. Critical elements of the arbitration agreement.
6. Formation and validity of the arbitration agreement.
7. Interpretation of the arbitration agreement.
8. Scope of the arbitration agreement: non-signatory issues.

## II. ARBITRAL PROCEEDINGS

1. Place of arbitration.
2. Applicable procedural law.
3. Substantive law.
4. Arbitrators.
5. Procedural issues and steps.
6. Confidentiality.
7. Disclosure.
8. Evidence.
9. Conservatory and interim measures in arbitration.
10. Emergency arbitration.
11. Complex arbitrations: multiparty and multi-contract issues.
12. Professional conduct in arbitration.

### III. ARBITRAL AWARD

1. The award.
2. Challenge of the award.
3. Recognition and enforcement of the award.

#### ARBITRAŻ W POLSCE\*

4. Arbitraż w polskim systemie prawnym – wprowadzenie.
5. Postępowania przed polskimi instytucjami arbitrażowymi:
  - KIG;
  - Lewiatan.
6. Specyfika „postępowań towarzyszących” przed polskimi sądami powszechnymi.

### IV. ADR

1. Mediacja w polskim systemie prawnym - teoria i praktyka\*.
2. Introduction to ADR: an overview (types, features).
3. Dispute Boards.
4. Mediation.
5. Mediation skills for counsel.

### V. ADVOCACY IN ARBITRATION AND ADR

This is a highly practical session that aims to help develop the advocacy and tactical skills needed in international arbitration advocacy, and the confidence to try them. The session will include demonstrations, case studies, talks and individual and group work. It will cover:

1. Case analysis - how to master the material you are working with and identify your client's case:
  - issue identification and analysis;
  - case strategy and tactics.

2. Written advocacy - the preparation and presentation of written materials both before and at the hearings:
  - drafting skills and techniques;
  - pleadings, memorials and briefs;
  - witness statements and expert reports;
  - skeletons, written opening and closing submissions.
3. Oral advocacy – analysing and developing this performance skill:
  - opening and closing statements;
  - examining factual witnesses – in chief, in cross and in reply;
  - an introduction to dealing with expert evidence.
4. Ethical duties and standards – recognising and dealing with the issues that arise when working under the pressure of the cut and thrust of an international arbitration:
  - identifying the relevant duties and standards;
  - issues an advocate can expect to face.

## V. TRAINERS

### WORKSHOP 1:

#### Mary Mitsi



Mary Mitsi is a PhD Candidate in International Arbitration, a Research Fellow and a Teaching Fellow at Queen Mary University of London. She teaches International Comparative Commercial Arbitration, International Commercial Transactions and Transnational Law. She holds an LLM from Paris 1 Pantheon-Sorbonne University and another LLM obtained with distinction from the University of Athens. She holds a Bachelor's Degree from the Aristotle University of Thessaloniki, obtained with honours. She is a qualified lawyer and she has a working experience in the field of arbitration, competition law, EU law and energy law.

#### Maciej Jamka



Maciej Jamka is an advocate practicing in all areas of Polish and international law, with particular emphasis on arbitration and litigation. He is the head of the litigation and arbitration practice of the K&L Gates Warsaw office and has represented clients in some of the largest litigation cases in Poland. He has acted for the Republic of Poland in several investment arbitration proceedings (BIT) and major international companies in respect of investment disputes. He counseled clients in arbitration proceedings based on the rules of major international institutes, like ICC, SCC, VIAC and UNCITRAL. A significant portion of Mr. Jamka's practice relates to construction disputes. He authored a number of pieces regarding construction law and implementation of FIDIC conditions. He has advised clients on the acquisition of companies and assets in many industries, including on large mergers. Maciej Jamka is often appointed as an arbitrator in both local and international commercial disputes. He is the President of Polish National Committee of ICC.

## Maciej Antoniak



Maciej Antoniak is an advocate and member of the International Arbitration and Dispute Resolution team in the Warsaw office of K&L Gates. He specializes in dispute resolution before the common courts and arbitration tribunals concerning company law, commercial contracts, liability for damages, intellectual property law (including trademarks), completion matters and labour law as well as proceedings to secure claims and enforcement proceedings. He advises clients on pre-negotiations of settlements and pre-trial negotiations.

A graduate of the Faculty of Law and Administration at the University of Warsaw and Warsaw School of Economics. Moreover Maciej completed courses on the international arbitration organized by the International Chamber of Commerce Arbitration Court and the Chartered Institute of Arbitrators in London. He is also a winner of the arbitration competition organized by the Court of Arbitration Lewiatan.

## Ewelina Wętrys



Ewelina Wętrys works as an advocate and associate in the Dispute Resolution department of the Warsaw office of K&L Gates. She focuses on litigation and arbitration in diverse civil and commercial, complex, high-value disputes, including investment arbitration disputes. She advises and represents local and foreign clients from a variety of industries in domestic and international proceedings, before both the state courts and arbitral tribunals. She also provides clients with strategic advice before a dispute officially arises by managing and mitigating any contentious issues. Ewelina Wętrys focuses in particular on the oil and gas, energy, and construction sectors. A significant part of her practice is also devoted to the energy and infrastructure sector. She is a graduate from the University of Wrocław, and she has an LL.M. in International Commercial Arbitration Law from the Stockholm University.

## WORKSHOP 2:

### Daniel Huser



Arbitration and Commercial Law are Daniel Huser's main professional interests and expertise.

He holds a doctoral degree from the University of Basel, Switzerland with a thesis submitted on the topic of international sales and commercial arbitration law.

In addition, he completed LL.M. studies at Victoria University of Wellington, New Zealand with focus on international commercial arbitration.

Before setting up his own law firm with focus on arbitration and commercial law in Basel, Switzerland, Daniel Huser *inter alia* worked at the Secretariat of the ICC Court of Arbitration in Paris, France and was involved in the administration of 150 ICC arbitration cases related to a wide range of economic sectors including pharmaceuticals, telecommunications and construction. In addition, he gained working experience as lawyer in an arbitration boutique in Zurich, Switzerland, and as foreign lawyer in a major law firm in Wellington, New Zealand.

Daniel Huser acts as arbitrator under different institutional arbitration rules and represents parties as counsel in international and national arbitrations.

Daniel Huser regularly publishes and has speaking engagements in the field of international arbitration and commercial law.

### Michał Jochemczak



Michał Jochemczak heads the Warsaw office arbitration practice group.

He specializes in complex arbitration and litigation. He has represented clients in arbitrations under the leading arbitration rules (ICC, VIAC, LCIA) and in ad hoc domestic and international arbitration. Michał has been involved in numerous high profile international cases.

Michał has acted as counsel in numerous international joint-venture, M&A, real estate, construction, corporate, and financial services disputes. He advises clients on international civil law and has significant experience in the fields of jurisdiction, enforcement of judgments and conflict of laws. Michał also provides legal advice to creditors, management and shareholders in bankruptcy and insolvency proceedings. He has in-depth experience in corporate matters as well as in procedural issues of competition law.

Michał acts as an arbitrator: he received his first appointment in international arbitration under the ICC Rules at the age of 30.

Michał was one of the core members of the ad hoc committee drafting the new Rules of Arbitration of the Lewiatan Arbitration Court (second largest arbitration court in Poland).

## **Tomasz Sychowicz**



Tomasz Sychowicz is a member of the Litigation and Arbitration Team in Dentons' Warsaw office. He represents clients in civil law and commercial disputes before arbitration courts (UNCITRAL, ICC, SAKiG, SA Lewiatan) and common courts of law, and also in criminal cases.

Tomasz has mostly been involved in construction-related disputes (concerning, among other, investment projects implemented based on the FIDIC Conditions of Contract) and cases concerning protection of foreign investments referred to investment arbitration (ICSID and SCC, among others). His interests focus on commercial and investment arbitration.

## WORKSHOP 3:

### Thomas Granier



Thomas Granier is an attorney at McDermott Will & Emery in Paris and focuses his practice on international arbitration and enforcement of arbitral awards in France. He has acted as counsel in a number of investment and commercial arbitrations under the arbitration rules of the ICC, LCIA, ICSID, HKIAC and in *ad hoc* arbitrations. He has further acted as arbitrator in ICC and *ad hoc* arbitrations.

Before joining McDermott Will & Emery, Thomas Granier served as counsel for the Europe, Middle-East and Africa Team at the ICC International Court of Arbitration in Paris, after having acted as deputy counsel for the Germany, Switzerland, and Austria Team. At the ICC, he supervised more than 300 arbitrations and reviewed a number of arbitration awards.

He has authored a number of articles on subjects related to international arbitration, and regularly speaks at conferences on various topics in the field of investment and commercial arbitration.

Thomas is a visiting professor at the Jagiellonian University in Krakow and a lecturer in international arbitration law at the University *Paris Descartes*. Thomas speaks English, French and German fluently.

### Małgorzata Surdek



Małgorzata Surdek is a Polish-qualified advocate and a Fellow of the Chartered Institute of Arbitrators. She is Managing Partner of CMS in Poland and Head of the Dispute Resolution Team in Poland and in Central and Eastern Europe.

Małgorzata has many years of experience in representing companies and individuals before state courts and arbitration tribunals (both domestic and international) in disputes relating to construction projects, insurance claims, competition and consumer protection, intellectual property and unfair competition, as well as in disputes with regulators of the financial services, energy and telecommunications markets. One of

her core specialisms is class (group) action defense of financial institutions (mainly banks and insurers).

Małgorzata represents clients in international investment arbitration cases (both claimants and respondent states). As regards, commercial arbitration, she represented clients in front of ICC, SCC, UNCITRAL, LCIA, SAKIG and Lewiatan tribunals. Małgorzata is a member of the Nominating Committee at the Lewiatan Court of Arbitration and a member of Arbitral Women.

International publishing houses Legal 500 and Chambers Global/Europe recommend Małgorzata as a leading specialist in the field of dispute resolution.

## **Katarzyna Kucharczyk**



Katarzyna Kucharczyk is a Polish qualified legal adviser and a Counsel in the Dispute Resolution Department at CMS.

She represents financial institutions and clients from the construction, IT and telecommunications sectors. In her professional experience she has advised on disputes before Polish civil courts as well as Polish and international arbitration courts. She has also dealt with matters before the patent office, and business and settlement negotiations.

Katarzyna specialises in disputes concerning construction projects, infrastructure and real estate. She also represents clients on competition law and consumer protection issues but deals also with the general commercial disputes.

Katarzyna's experience in the arbitration field covers *inter alia* representing a Polish municipal company in a EUR 15 million dispute with an international general contractor of a transportation project under FIDIC contract and representing a developer in a dispute concerning the performance of an agreement for the sale of a chain of commercial centres – both cases before the Arbitration Court of the International Chamber of Commerce (ICC). She also acted for an international manufacturer of the electronic devices and provider of communication solutions in the arbitration before the Arbitration Court at the National Chamber of Commerce in Warsaw over a contract for a

delivery of the communication devices to Russia. Furthermore, Katarzyna also advises clients on the arbitrations under UNCITRAL Arbitration Rules.

International publishing house Chambers Europe recommends Katarzyna as a specialist in the field of dispute resolution. She was among the winners of the Rising Stars ranking organized by Dziennik Gazeta Prawna.

## Adam Jodkowski



Adam Jodkowski is a qualified Polish advocate and a Senior Associate in the Dispute Resolution Department at CMS Warsaw.

Adam has over 10 years' experience in advising clients in relation to civil and commercial disputes. His professional experience includes arbitration and litigation. He has represented clients with respect to a wide range of disputes including construction disputes, shareholders' disputes, insurance claims, group action, intellectual property and unfair competition claims.

Adam is a 2005 graduate of the Faculty of Law and Administration of the University of Warsaw (cum laude). In 2010 he became a qualified advocate at the Warsaw Bar Association.

Adam joined CMS Warsaw in 2008. Prior to that he was an associate in the Dispute Resolution Department of Sołtysiński Kawecki & Szlęzak.

## **WORKSHOP 4: ADR**

### Thomas Gaultier



Thomas Gaultier is a New York qualified Attorney and Counselor-at-Law, currently Of Counsel at Abreu Advogados, in Lisbon, where his focus is on structuring international commercial transactions.

He is a graduate from the University of Paris X Nanterre Law School, where he obtained a Masters in International Business Law, and has an LL.M in Alternative Dispute Resolution from the University of Texas in Austin. During his LL.M., Thomas became a certified mediator, as well as practiced

civil and commercial mediation with the University's Mediation Center. He also participated in the Graduate Portfolio Program in Alternative Dispute Resolution, presenting his research on "Cyber-Arbitration".

He has authored various articles and book chapters on the topic of mediation and ADR, including an award-winning paper entitled "Cross-Border Commercial Mediation".

He is the Vice-President and co-founder of the ICFML – *Instituto de Certificação e formação de Mediadores Lusófonos*, a non-profit organisation aimed at training and certifying Portuguese-speaking mediators.

He frequently speaks on the topic of ADR and Mediation at international conferences and events, and is a regular guest lecturer across Europe on these topics.

Thomas also teaches mediation and ADR in two of the Portugal's best law schools, both at an undergraduate level as well as at Master's level.

## Paweł Pietkiewicz



Paweł Pietkiewicz is Partner and the Head of Litigation and Arbitration Practice at Greenberg Traurig Warsaw Office.

Paweł has extensive experience across a wide range of litigation and arbitration cases. He also acts as an arbitrator and is highly valued for his procedural expertise. For the last several years, prestigious international rankings have recommended Paweł as Poland's leading litigator. The latest edition of Chambers mentions that Paweł is described by sources as "*a spectacular lawyer*" with "*an excellent grasp of the issues*" who is "*very precise and accurate*". He is ranked as Band 1 – Dispute Resolution and Band 2 – Most in Demand Arbitrators – Poland by Chambers.

He advises domestic and international clients across a wide range of litigation and arbitration cases. Paweł has a wealth of experience as an arbitrator in proceedings conducted on the basis of the rules of the Court of Arbitration at the Polish Confederation of Private Employers (Lewiatan), and the Court of Arbitration at the International Chamber of Commerce in Paris,

## Łukasz Gorek



Łukasz Gorek is Senior Associate at the Greenberg Traurig Warsaw Office with over a decade of professional experience. He focuses his practice on litigation and arbitration, as well as corporate law, with an emphasis on merger and acquisition transactions.

Łukasz has represented both domestic and international clients on matters as they relate to corporate law. He won „Forbes Professionals 2012 – Public Trust Professions” competition in the category of Advocates in Mazowieckie province and was awarded for his pro bono work.

## Karolina Jackowicz



Karolina Jackowicz is a mediator (CEDR accredited) practising commercial dispute resolution in London, chair of the mediation association (Stowarzyszenie Mediuymy) and ADR Commission of ICC Poland. Karolina runs the *ICC Arbitration and ADR Training Programme* and *Introduction to Arbitration and ADR. Theory and Practice* at the Faculty of Law and Administration of the Jagiellonian University in Krakow. She has also taught mediation in Poland and England, including providing training for attorneys and a governmental institution. Her previous experience in the field of arbitration and ADR include working for an international law firm acting as an arbitrator’s assistant and internship at the ICC International Centre for ADR.

Karolina is a graduate of the Jagiellonian University (law, international relations) and SOAS, University of London (Politics and Development Studies). Karolina’s research focuses on ADR and international commercial and environmental law.

## WORKSHOP 5: ADVOCACY

### Marion Smith QC



Marion Smith QC specialises in complex, high value commercial and construction disputes. She is a Fellow of the Chartered Institute of Arbitrators and has extensive experience in international arbitrations.

She has appeared as an advocate before a range of Tribunals, including under the rules of the ICC, KLRCA, LCIA, LMAA and the UNCITRAL Arbitration Rules in a range of jurisdictions. Marion is also a Visiting Senior Lecturer in the School of International Arbitration at Queen Mary University of London.

She has been involved in advocacy training in Europe, the Caribbean and Asia.

### Bartosz Krużewski



Bartosz Krużewski, a qualified Polish advocate, a partner heading the Warsaw Litigation & Dispute Resolution Department and co-heading the Clifford Chance Warsaw Restructuring and Insolvency Department, has extensive experience covering commercial litigation as well as local and international arbitration. Member of the International Commercial Arbitration Practice. Chairman of the Arbitration Committee at ICC Poland.

In the 2016 ranking by Rzeczpospolita (one of the most influential Polish dailies), Bartosz was named Top Litigator (for the fifth year in a row) and his team was ranked as the leading Litigation, Dispute Resolution and Arbitration practice in Poland. Chambers and Legal 500 rank Bartosz and his team in Band 1 in Poland. According to Chambers Europe 2016: "Practice head Bartosz Krużewski is widely recognised as one of the top litigators in Poland. He handles domestic and international cases, and also acts as an arbitrator."

## Adelina Prokop



Adelina Prokop, a qualified Polish advocate, is a senior associate in the Clifford Chance Warsaw Litigation & Dispute Resolution Department. She has extensive, more than five-years-long, experience, in representing clients in both litigation and arbitration disputes concerning commercial, financial and international law.

Recommended by Chambers Europe 2015 and 2016 as an "associate to watch".

She graduated from the Faculty of Law and Administration, University of Warsaw, with distinction. She is a graduate of the British Law Centre, organised by the Institute of Continuing Education, University of Cambridge, with distinction.

In 2009, she won the best speaker award in the Central and East European Moot Court.

## Monika Diehl



Monika Diehl, a qualified Polish advocate, is a senior associate in the Clifford Chance Warsaw Litigation & Dispute Resolution Department. Monika represents clients in commercial disputes, investment arbitration proceedings and advises during internal regulatory investigations.

She graduated from the Faculty of Law and Administration, Institute of International Relations and Center for American Law Studies of the University of Warsaw.

In 2012, she was awarded an honourable mention for best oralists in the Foreign Direct Investment Moot Competition. Later she coached the University of Warsaw teams in various moot competitions, including the winning team of the FDI Moot 2014.



## VI. APPLICATION PROCESS

The application process is handled online and consists of the following steps:

### **1) Submitting the application form.**

The application form for the *aPEERentice. Arbitration and ADR (2016)* is available for download on the website of ICC Poland ([www.iccpolska.pl](http://www.iccpolska.pl)) or can be found on p. 27 of this brochure.

If you are interested in taking part in this course, please fill in the application form and send to [training@iccpolska.pl](mailto:training@iccpolska.pl) indicating “Arbitration and ADR” in the email title line.

The application period will close on 10 September 2016 or – if earlier - when all available places have been filled.

Please note that the selection process is based on the “first come, first served” basis. Also, since we strictly intend to accept no more than 30 participants for this course - early application is highly recommended.

### **2) Application’s processing and registration.**

Once you have submitted your application, within 7 days you will receive an email confirming its receipt and offering a place – if available. This email will include details for completing the payment of the course fee, 2460 PLN (2000 PLN + VAT), which is mandatory within 7 days of the acceptance, in order to secure your place and be fully admitted as a course participant.

#### **ICC Poland’s bank account details:**

Polski Komitet Narodowy Międzynarodowej Izby Handlowej (ICC Polska)

76 2030 0045 1110 0000 0009 7580 (BGŻ S BNP Paribas S.A. III O/ Warszawa, filia nr 3)

## VII. ABOUT

### THE APEERENTICE

The ambition of the course is to provide a solution to the gap between the theoretical education and the needs of the working life. This course has been carefully designed by a group of young practitioners who have an opportunity to learn from the most prominent practitioners and scholars and gain experience from the renowned law firms and reputable institutions in the field of the course's subject matter.

Even if you are a complete novice in the arena of arbitration and ADR – by engaging in the hands-on training *the aPEERentice* provides you with, you will go through the “apprenticeship”, guided by the experienced trainers to take first steps towards learning the trade of alternative dispute resolution.

We hope that by completing this course and following with the further continuous professional education proposed, such as the ICC Arbitration and ADR Training Programme at the Jagiellonian University, the participants will join the path to becoming the peers within the arbitration and ADR community.

### ICC POLAND

ICC Poland – the Polish National Committee of the ICC - is an association under the Polish law established on 21 March 2000.

The mission of ICC Poland is to represent on a global forum of the ICC the interests of the Polish business community and shape the global economic environment by promoting international trade and investment through a rules-based multilateral system. Members of ICC Poland actively participate in the main areas of activity of the ICC: advocacy, rule setting and dispute resolution.

ICC Poland acts through sectoral commissions in the fields of: arbitration, ADR, banking, competition and intellectual property.

Currently ICC Poland has 24 member-organisations representing enterprises of various sectors of the economy, chambers of commerce, banks and law firms.

## ICC

The International Chamber of Commerce (ICC) was founded in Paris in 1919 and today is the world's largest business organisation with over 6.5 million members – companies and associations – and a network of 3000 experts in more than 130 countries.

ICC promotes international trade and investment, shapes responsible business conduct and a global approach to regulation through a mix of policy advocacy, standards and rules setting and the provision of world class dispute resolution services.

ICC is the voice of the international business – through its expert members who provide the stance on broad issues of trade, investment and development. These views are shared with the most important global organisations, such as the United Nations – where the ICC has a consultative status through its permanent representative at the UN headquarters in New York, the World Trade Organisation with which the ICC closely cooperates and the G20 to which the ICC acts as a primary interface between business and the governments of the most powerful economies.

All ICC's activities have been underpinned by the belief that strengthening commercial ties between nations is a powerful force for peace and prosperity. The mission of ICC today is to promote trade and investment across frontiers and help business meet the challenges and opportunities of globalisation.

ICC is widely considered the leading provider of dispute resolution services alternative to litigation under the auspices of its two main bodies:

- The ICC International Court of Arbitration; and
- The ICC International Centre for ADR.

The ICC International Court of Arbitration is the most trusted and widely chosen system of arbitration in the world. Since 2009, the Court has received new cases at a rate of more than 750 a year. The total number of cases administered by the ICC since the Court's creation in 1923 stands at over 22,000. The Court – which consist of over 100 most prominent arbitration practitioners worldwide - confirms, appoints and replaces arbitrators, and decides on challenges made against them. It also supervises the arbitral process to ensure it is efficient, with each case treated sensitively and objectively, as well as performs the scrutiny - approving draft arbitral awards, primarily to ensure their quality and enforceability.

These above features, together with the Court's extensive secretariat of over 80 highly specialised lawyers – make the ICC International Court of Arbitration a unique institution on a global scale, guaranteeing the highest quality of the dispute resolution processes and securing the ICC's position as a global leader in the field.

The ICC International Centre for ADR acts with a goal of providing a holistic system of dispute resolution – providing services complimentary to arbitration.

The Centre has developed a full range of services for international commerce based on:

- the ICC Mediation Rules – providing mediation and other forms of amicable dispute resolution with the use of neutral facilitators who help the parties reach a negotiated settlement of their dispute. The process is flexible and consensual - the parties have control over the decision to settle and the terms of any settlement agreement, which is contractually binding and widely enforceable.
- the ICC Rules for Expertise - sourcing specialist experts to provide independent opinions on various technical, financial and legal matters. Experts may act as witnesses, solve differences and help ensure contracts are properly performed. Experts can also serve as neutrals, e.g. mediators.;
- the ICC Dispute Board Rules – setting up and running dispute adjudication boards (DAB) and dispute review boards (DRB) or combined boards. Dispute boards are permanent panels established to accompany the performance of a contract and help avoid or overcome disagreements and disputes.;
- the DOCDEX Rules for the settlement of disputes arising out of the use of documentary instruments – providing decisions by an expert three-member panel on trade finance instruments, such as documentary credits or other trade finance instrument, in particular governed by ICC banking rules.

## **PARTNER LAW FIRMS**

### **CLIFFORD CHANCE**

Clifford Chance is one of the world's pre-eminent law firms, with significant depth and range of resources across five continents. As a single, fully integrated, global partnership, we pride ourselves on our approachable, collegial and team-based way of working. We always strive to exceed the expectations of our clients, which include corporates from all the commercial and industrial sectors, governments, regulators, trade bodies and not-for-profit organisations. We provide them with the highest-quality advice and legal insight, which combines the Firm's global standards with in-depth local expertise. We opened our Warsaw office in 1992 and today in Poland we have a team of over 90 lawyers, including qualified Polish advocates and legal advisers as well as Solicitors of England and Wales. Our litigation and dispute resolution practice is ranked Band 1 in Poland by all leading international and local legal directories including Chambers & Partners, Legal 500, and Rzeczpospolita. We specialise in litigation, international and local arbitration, and other forms of alternative dispute resolution.

### **CMS CAMERON MCKENNA**

CMS is an international law firm that provides comprehensive legal and tax advice to businesses, financial institutions and administrative bodies. We are one of the largest and most experienced international law firms in Poland, where we have operated for over 20 years. The CMS offices in Warsaw and Poznan employ over 140 lawyers who advise clients operating in all key sectors of the economy.

The team of lawyers in Warsaw's Dispute Resolution Department provides legal advice in the field of domestic and international arbitration proceedings. They represent clients at every stage of arbitration proceedings – from discussing the relevant arbitration clause through initiation and representation in the arbitration proceedings, to obtaining a judgment. The firm also works on behalf of clients during the implementation or overrule of a judgment. Thanks to the extensive network of offices in Europe and permanent cooperation between CMS lawyers in the International Arbitration Group, the team is able to provide services and represent clients in arbitration proceedings in most jurisdictions and legal systems in the world.

## **DENTONS**

Dentons is the world's first polycentric global law firm. A top 20 firm on the Acritas 2015 Global Elite Brand Index, the Firm is committed to challenging the status quo in delivering consistent and uncompromising quality and value in new and inventive ways. The world's largest law firm, Dentons' global team builds agile, tailored solutions to meet the local, national and global needs of private and public clients of any size in more than 125 locations serving 50-plus countries.

Dentons' Warsaw office is the largest law firm in Poland. We offer access to more than 200 lawyers, tax advisors and consultants providing legal services to entities in all key sectors of the economy. We combine international standards of services with knowledge of the local regulations and business environment. Dentons' litigation and dispute resolution practice includes arbitration, mediation and all other forms of alternative dispute resolution. We have a dedicated team focused on product and regulatory based litigation, as well as specialist teams advising on other specific types of dispute such as financial services, property, employment, IT and IP matters. Due to the uniqueness or niche expertise needed to resolve some cases, the general team is divided into several sub-teams: corporate, construction, infrastructure, white collar crimes, healthcare disputes, bankruptcy and international arbitration. This makes Dentons' Dispute Resolution practice the largest in Poland.

## **GREENBERG TRAUIG**

Greenberg Traurig is an international, full-service law firm with approximately 1900 attorneys serving clients from 38 offices in Europe, the United States, Latin America, Middle East and Asia.

Greenberg Traurig Grzesiak sp.k. is the Polish office of Greenberg Traurig and currently has a professional team of almost 90 lawyers. Our unparalleled strength and ability to deliver excellent services in the most cost-efficient manner derives from over 25 years of experience in advising on the largest and most complex transactions and disputes in Poland. According to all significant rankings of law firms our office is recognized as one of the leading law firms in Poland, and our lawyers are among Poland's top experts in a number of practice areas. Greenberg Traurig has won recently the prestigious Chambers Europe Law Firm of the Year for Client Service in Poland 2016.

The Litigation and Arbitration Team at the Warsaw office combines the experience of the firm's transaction and counseling practice, in particular in the area of M&A, privatization, corporate law, banking and finance, telecommunications, energy, real estate and taxation, with the ability of using a

strategic approach to the most complex, including cross-border, litigation cases before arbitration tribunals, common courts and other authorities.

The office represents its clients before all Polish courts, including the Supreme Court and the Supreme Administrative Court, the Constitutional Tribunal as well as arbitration courts in Poland and abroad. We represent clients in proceedings before state administration bodies, in particular the President of the Polish Office of Competition and Consumer Protection (UOKiK) and the Financial Supervision Authority and in appeals proceedings against the decisions of these offices.

The Litigation and Arbitration Team of Greenberg Traurig in Poland is an integral part of the International Arbitration and International Litigation Group in Greenberg Traurig. Cooperation between attorneys from Greenberg Traurig offices in various jurisdictions enables us to provide services related to complicated international disputes, both of a commercial nature (based on private law) and an investment nature (based on international public law). Additionally, lawyers of the Warsaw Office perform the duties of arbitrators in domestic and international disputes.

## **K&L GATES**

K&L Gates LLP is a major international law firm comprising approx. 2,000 lawyers who practice in offices located in the United States, Europe, Latin America, Asia, Australia and the Middle East. Our integrated network of offices is one of the largest of any global law firm.

K&L Gates represents a broad cross-section of clients including international banks, leading global corporations, growth and middle-market companies and capital markets participants across a multitude of industries as well as public sector entities, philanthropic organizations and individuals.

## **VIII. CONTACT**

Should you have any further questions do not hesitate to contact us at: [training@iccpolska.org](mailto:training@iccpolska.org).

## IX. APPENDICES – APPLICATION FORM



### APPLICATION FORM FOR *The aPEERentice. ARBITRATION AND ADR 2016*

#### Personal Information

Title: \_\_\_\_\_

Family Name: \_\_\_\_\_

First Name: \_\_\_\_\_

E-Mail \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Organisation: \_\_\_\_\_

Position: \_\_\_\_\_

#### Inquiry Details

Complete the form and send it to the following e-mail address: [training@iccpolska.pl](mailto:training@iccpolska.pl) indicating in the email title "Arbitration and ADR".

#### 1. WHAT IS YOUR LEVEL OF THE ENGLISH LANGUAGE PROFICIENCY? (*mark with "x"*)

intermediate [ ]

upper-intermediate [ ]

advanced [ ]

proficient [ ]

#### 2. WHAT IS YOUR LEVEL OF LEGAL ENGLISH?

Basic [ ]

advanced [ ]

proficient [ ]

#### 3. WHAT IS THE AREA OF YOUR PROFESSIONAL (AND/OR ACADEMIC) SPECIALISATION? (max. 200 words)

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**4. DO YOU HAVE ANY (WHAT) EXPERIENCE IN THE FIELD OF ARBITRATION AND ADR? (ax. 200 words)**

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**5. WHY WOULD YOU LIKE TO PARTICIPATE IN THIS TRAINING? (max. 200 words)**

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**6. HOW DID YOU HEAR ABOUT THE PROGRAMME?**

Internet *(please state a specific website)* \_\_\_\_\_

Other *(please state, e.g. word of mouth)* \_\_\_\_\_

The details provided on this form will be used solely for registration and selection purposes. In order to process the data please indicate whether you agree on the following:

I hereby give my consent for processing my personal data included in this application for the needs of the selection process.

By sending this application I commit to completing the registration process, including providing the payment of the course fee in the amount of 2000 PLN + VAT (2460 PLN) to the provided bank account of the ICC Poland.

\_\_\_\_\_  
Signature



## X. ACKNOWLEDGMENTS

We would like to thank the following partners for their generous help in spreading the knowledge of arbitration and ADR by promoting this initiative.