

VIAC – Questionnaire for Arbitrators

1. Name: MACIEJ JAMKA

2. Citizenship: POLISH

3. Contact information:

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4. Current position:

- Administrative Partner at K&L Gates Jamka Sp.k. (www.klgates.com)
- President of the ICC Poland (www.iccpolska.pl)

5. Education:

M.A., Jagiellonian University (1985)

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
52 arbitration cases under the Rules of: ICC, VIAC, SCC, UNCITRAL, ICSiD (Additional Facility), SA KiG, LEWIATAN
- How often have you acted as Chairman?
3
- How often have you acted as Sole Arbitrator?
1
- How often have you acted as Co-Arbitrator?
11
- How often have you acted as Counsel?
37
- How often have you acted in a different function (e.g. Administrative Secretary)?
n/a

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

Presentations/lectures given at the conferences and seminars:

- *“Current challenges to arbitration - The Response of the ICC”* presentation at the Arbitration Center conference Legal Forum Academy (Moscow, March 20, 2017)

- *“What’s new in the international arbitration”*, presentation at the meeting of Arbitration Commission at ICC Poland (Warsaw, October 26, 2016)
- *“Witness preparation”* lecture at the Arbitration Course at the Jagiellonian University, co-organized by the ICC Poland (Kraków, May 16, 2016)
- *“Polish Arbitration and Mediation Landscape”* presentation at the Istanbul Arbitration Centre (ISTAC) Panel (Istanbul, March 19, 2016)
- *“The Map of Arbitration”* lecture at the *“Polish Arbitration Forum”* organized by the European Centre of Arbitration (ECA) (Warsaw, May 15, 2015)
- *“Evidence comprising an expert opinion in arbitration proceedings”* lecture at the arbitration conference organized by University of Łódź and the Court of Arbitration at the Polish Chamber of Commerce in Warsaw (SAKIG) (November 6, 2014)
- *“Can Poland become a European arbitration center?”* lecture at the *“Polish Arbitration Forum: The arbitration as a legal institution, a social phenomenon and a business service”* organized by the European Centre of Arbitration (ECA) (Warsaw, April 11, 2014)
- *“The scope of liability of the state for the actions of its authorities and other entities (attribution) in arbitration practice”* lecture at the *“Arbitration Academy”* organized by the European Centre of Arbitration (ECA) (Warsaw, March 25, 2014)
- *“International arbitration and investment protection issues in the infrastructure and energy sector”* lecture at the Kyrgyzstan Municipal and Infrastructure Investment Conference organized by the Euroconvention Global (Bishkek, Kirgizstan, September 26, 2013)
- *“Bankruptcy in International Arbitration”* presentation at the *“Dispute Resolution in M&A Transactions: Tactics, Challenges, 2nd edition: Defences”* organized by the Court of Arbitration at the Confederation of Lewiatan (Warsaw, June 6-7, 2013)
- *“Awarding costs in international arbitration”* presentation at the *“KIEV ARBITRATION DAYS 2011: Think Big!”* hosted by the Ukrainian Bar Association (Kiev, November 17-18, 2011)
- *“Limits of parties’ autonomy in drafting arbitration agreements”* presentation at the *“Party Autonomy versus Autonomy of Arbitrators”* conference organized by ICC International Chamber of Commerce in Czech Republic (Prague, October 25, 2011)
- *“Can Poland become a European arbitration center?”* lecture at the *“Commercial Arbitration in the 21st Century in Poland and Europe”* Debate organized by the Court of Arbitration at the Confederation of Lewiatan (Warsaw, April 15, 2011)
- *“Umbrella clause”* presentation during the *“International Investment Arbitration – The Need for Regulatory Changes”* conference organized by the Court of Arbitration at the Confederation of Lewiatan and General Attorney of the Treasury of Poland (Warsaw, October 26, 2010)
- *“Key Considerations When Arbitrating in Central and Eastern Europe - The Polish Example”* lecture during the K&L Gates International Arbitration Webinar Series (Warsaw, June 22, 2010)
- *“Claims for damages in construction matters”* lecture at the *“Claims for damages in construction matters in arbitration practice”* conference organized by the Court of Arbitration at the Polish Chamber of Commerce in Warsaw (SAKIG) (Warsaw, April 26, 2010)

Publications:

- *“Evidence comprising an expert opinion in the arbitration proceedings”*, Arbitration Bulletin, No. 23/2015
- Commentary in *“End of chain stores”* in Bloomberg Businessweek Polska (April 28, 2014)
- *“Polish activities in The ICC”* - interview at TV Rzeczpospolita (December 22, 2016)

- *"Courts in new constitution"* - Rzeczpospolita (May 12, 2015)
- *"Exclusion of a proxy - a few remarks on the development of international arbitration based on IBA Guidelines regarding Representation of the Parties in International Arbitration"*, Arbitration Bulletin, No. 21/2014
- Commentary in Arbitration Bulletin published by lex.pl *"We encourage disputes in the construction industry"* (February 17, 2013)
- Jamka Maciej, *"What has happened to our construction industry?"*, Rzeczpospolita (October 11, 2013)
- Jamka Maciej, Wojciechowska Agnieszka – Article for *"The European & Middle Eastern Arbitration Review 2012"* about arbitration on Poland (2012)
- Jamka Maciej, Barczewski Artur, *"Arbitration in Construction Matters – Selected Practice Issues"* [in:] *"Arbitration in Poland"* edited by B. Gessel vel Kalisz (2011)
- *"Evidence in the Form of Witness Testimony in Domestic and International Arbitration Practice"*, Memorial Publication for 60th anniversary of the Court of Arbitration of the Polish Chamber of Commerce (2011)
- *"Fiddling Around with Construction Contracts"*, Rzeczpospolita (November 13-14, 2010)
- *"Construction Contracts – Main Causes of Disputes"*, Arbitration Bulletin, No. 10/2009
- *"Does public procurement law facilitate the occurrence of disputes in contracts concluded pursuant to FIDIC terms and conditions?"* Konsultant Bulletin, Nr 19/2010
- Jamka Maciej, Orzechowski Karol *"Investor's Consent to Conclude a General Constructor Agreement with a Subcontractor"*, Monitor Prawniczy Biweekly Magazine 2009 no. 17 (2009)
- *"I do not want to arrange a marriage"*, Rzeczpospolita (September 13, 2010)
- *"Pole Position"*, The Lawyer (June 26, 2008)
- *"Arbitration is a Gentleman's Court"*, Rzeczpospolita (June 24, 2008)
- *"Comparison Between The Old and The New Legal Order"*, Workshop *"The New Construction Law 2007 – What Has Changed? What are the Consequences?"* (November 2007)
- *"Course of the Arbitration Proceedings in the International Commercial Arbitration"* (April 2007)
- *"Neighbors' Rights to Interfere in Construction. First Come, First Served"*, Rzeczpospolita 2007 no. 297 (2007)
- *"Predetermination of Contracts for Construction Works"*, Monitor Prawniczy Biweekly Magazine 2007 no. 16 (2007)
- Jamka Maciej, Oles Wieslaw, *"Regarding the New Project of the Securities Act"*, Sam. Ter. 1995 no. 3 (1995)
- *"The EU about Securities"* [Re: Standpoint of the Polish Metropolis Union concerning the Securities Act Project], Wieslaw Oles, Aleksander Galos, Maciej Jamka, Wspolnota 1995 no. 8 (1995)
- Bednarek Malgorzata, Jamka Maciej, Kordasiewicz Bogudar, *"Mortgage"*, Warsaw 1991, General News Agency (1991)
- Gloss to resolution of the Supreme Court dated August 30, 1988, ref. III CZP 68/88. [Re: *legal situation of tenant's households*], PiP 1990 no. 1 (1990)
- *"Legal London"*, PiŻ 1990 no. 51/52 (1990)
- *"Cosmetic Surgery or Real Change? Criminal Law Reform"*, Lad 1989 nr 11 (1989)

Additionally, since May 2012, I am one of the authors of the Dispute Resolution in Poland blog that covers Polish arbitration, international disputes and litigation: <http://www.disputeresolutionpoland.com/>.

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

- Bar Association in Warsaw
- Polish Arbitration Association
- Arbitrator at The Polish Lewiatan Court of Arbitration
- President of the Board of the Polish National Committee of the ICC
- Member of the ICC Institute of World Business Law
- Member of the Russian Arbitration Association

9. Languages

Mother tongue: **POLISH**

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): **ENGLISH, RUSSIAN**

10. In which legal system have you trained?

POLAND

11. What is your main jurisdiction of practice?

POLAND

12. Special expertise or specializations (please list a maximum of three):

COMMERCIAL DISPUTES

CONSTRUCTION AND ENGINEERING (FIDIC)

INVESTMENT DISPUTES (BIT)

13. Date of birth:

June 19, 1959

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

March 24, 2017

Maciej Jamka