

VIAC – Questionnaire for Arbitrators

1. Name: Maciej de Abgaro Zachariasiewicz

2. Citizenship: Polish

3. Contact information:

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4. Current position:

ADP (of counsel)

Kozminski University: profesor of law

5. Education:

2019 – Habilitation, Kozminski University, Warsaw, Poland

2009 – PHD, University of Silesia, Katowice, Poland

2003 - LLM in International Business Law, Central European University, Budapest, Hungary

2002 – Master of Laws, University of Silesia, Katowice, Poland

6. Practiced experience in arbitration:

How many arbitrations have you participated in (domestic/international); under which Rules?

(39/4) UNCITRAL, Polish Chamber of Commerce, Lewiatan Court of Arbitration, Court of Arbitration at the Solicitors Office of the Republic of Poland

• How often have you acted as Chairman?

23

• How often have you acted as Sole Arbitrator?

6

• How often have you acted as Co-Arbitrator?

14

• How often have you acted as Counsel?

3

• How often have you acted in a different function (e.g. Administrative Secretary)?

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

a) Publications in English (a full list of publications including publications in Polish language can be found at: <https://orcid.org/0000-0002-2848-0216>):

Poland, (in:) O. Meyer (ed.), Public Policy and Private International Law, Edward Elgar 2022

The EU succession regulation: achievements, ambiguities, and challenges for the future, *Journal of Private International Law*, 2021

Highlights and Pitfalls of the EU Succession Regulation, *Problemy Prawa Prywatnego Międzynarodowego*, 2020

Case Management in Arbitration: A View from Poland, *Kluwer Arbitration Blog* (Nov. 5th, 2019)

Inclusion of Standard Terms in Electronic Form under the CISG, (in:) I. Schwenzer & L. Spagnolo (red.), *The Electronic CISG. 7th MAA Schlechtriem CISG Conference*, The Hague 2017

National Report: Poland, (in:) H. Sikirić, T. Jakšić, A. Bilić (red.), *35 Years of CISG – Present Experiences and Future Challenges*, Zagreb 2017

Civil Law Forfeiture as Means to Restrict the Application of the In Pari Delicto-Principle and Other Private Law Consequences of Corruption Under Polish Law, (in:) M.J., O. Meyer (red.), *The Impact of Corruption on International Commercial Contracts*, Springer 2015

Postarbitration Proceedings: Setting Aside Arbitral Awards and Recognition and Enforcement of Arbitral Awards, (in:) B. Gessel-Kalinowska vel Kalisz (ed.), *Polish Arbitration Law, Lewiatan Court of Arbitration 2014*, p. 441-627

Poland, (in:) C. Esplugues Mota (red.), *Civil and Commercial Mediation in Europe, Vol. II. Cross-Border Mediation*, Cambridge 2014

Amicus Curiae in International Investment Arbitration: Can It Enhance the Transparency of Investment Dispute Resolution?, *Journal of International Arbitration*, 2012, vol. 29, No 2

Perspectives for the European Optional Instrument Regarding Common Law of Contracts, (in:) J. Kotásek, J. Bejček, V. Kratochvíl, N. Rozehnalová, P. Mrkývka, J. Hurdík, R. Polčák, J. Šabata (eds.) *Dny práva 2011 – Days of Law 2011: Civil Law on the Cross-roads*, Brno 2012

Poland, (in:) C. Esplugues, J.L. Iglesias, G. Palao Moreno (red.), *Application of foreign law*, Munchen 2011

b) Presentations at conferences (in English):

Rebus sic stantibus in the modern world: a comparative view, conference “Hold your horses. Where does the arbitral tribunal’s power end when it comes to modification of contracts in international arbitration?”, Warsaw 2019

Different models of challenge procedures: Quest for best practices, conference “Should I stay or should I go? Challenge of an arbitrator”, Warsaw 2018

Arbitration of corporate disputes in listed companies, conference “Dispute Resolution in M&A Transactions”, Warsaw 2017

Recognition and enforcement of judgments in defamation cases across the Atlantic Ocean, conference “Personality Rights in Poland, Germany and the EU”, Münster 2017

Polish National Report, conference “35 Years of CISG - Present Experiences and Future Challenges”, Zagreb 2016

Should legal costs be awarded as damages by arbitral tribunals? conference “Damages in international arbitration”, Warsaw 2016

Mandatory Rules in International Commercial Arbitration, conference “Applicable Law in the International Arbitration”, Katowice 2015

Inclusion of standard terms in an electronic form under CISG, conference “The Annual MAA Schlechtriem CISG Conference - the Electronic CISG- The Future of the CISG in light of Technological Progress”, Vienna 2015

Vindicating public interest through application of mandatory rules in international commercial arbitration, conference “5th Journal of Private International Law 2013 Conference”, Madrid 2013

Comments regarding the challenge of the arbitral award – how many instances is enough?, conference “PSSP – VIAC Joint Warsaw Conference on International Arbitration”, Warsaw 2013

How to Steer Away from the Consumer Optics in the Common European Sales Law: An Alternative Approach to the Commission's Proposal for the Optional Instrument, conference “2nd International Conference on Comparative Law: Private Interest and Public Interest in European Legal Tradition”, Olsztyn 2012

Comments on the experience of the teams working with the DCFR with regard to its potential application in arbitration, conference “DCFR Warsaw International Arbitration Moot 2012 - panel discussion”, Warsaw 2012

Can amicus curiae enhance the transparency in international investment arbitration?, conference “Confidentiality vs. Transparency In International Arbitration”, Warsaw 2011

The perspectives of the European optional instrument for the common law of contracts, conference “Days of Law 2011”, Brno 2011

Cooling-off period in international investment arbitration, conference “Multi-step Dispute Resolution”, Warsaw 2010

c) Lecturing activities:

Private international law

Civil law: general part

International Litigation in Commercial Matters

Commercial arbitration

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

Member of the Arbitration Committee of the Lewiatan Court of Arbitration (2013-2017)

Polish Arbitration Association

The Young Arbitrators Forum (YAF) of the International Chamber of Commerce

International Center for Dispute Resolution: Young and International

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

10. In which legal systems have you trained?

Civil law

Polish law

11. What is your main jurisdiction of practice?

Poland

12. In which jurisdictions are you admitted to the bar?

Poland

13. Special expertise or specializations (please list a maximum of five):

CISG

Contract law

Private international law

14. Date of birth: 28 December 1978

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

11 February 2023