

REGULATION
OF THE INTERNATIONAL COURT OF ARBITRATION
IN AFFILIATION WITH
THE CHAMBER OF COMMERCE AND INDUSTRY
OF THE KYRGYZ REPUBLIC

APPROVED BY

Resolution of the Supervisory Board of the International Court of Arbitration in affiliation with the Chamber of Commerce and Industry of the Kyrgyz Republic dated of January 16, 2003

1. The International Court of Arbitration in affiliation with the Chamber of Commerce and Industry of the Kyrgyz Republic (hereinafter referred to as - ICA CCI) is a permanent court of arbitration established as a non-profit organization in a legal form of a Public Fund, registered as a legal entity by the Ministry of Justice of the Kyrgyz Republic on September 26, 2002.
2. The ICA CCI shall act under the Law of the Kyrgyz Republic “On the Courts of Arbitration in Kyrgyz Republic” and “On mediation”, other Laws of the Kyrgyz Republic, its own Charter, Applicable Rules and other local acts of the ICA CCI.
3. The Supervisory Board is the supreme administration body of the ICA CCI, which consists of the representatives of donor organizations financing the activities of the ICA CCI, unions of businessmen, professional associations of lawyers and other persons.
4. The Supervisory Board shall approve the Rules of the ICA CCI, the order of calculation of arbitration and meditative fees, rates of arbitrator and mediator fees and other expenses of the court of arbitration, the Mediation Rules of ICA, other applicable laws of the ICA CCI as well as shall perform supervision and control over the ICA CCI’s activities.
5. The main task of the ICA CCI is to render assistance to the legal entities and physical persons in the out-of-court resolution of disputes, arising between them, which are resulted from civil relationships, provided that there is an arbitration agreement (arbitration clause), mediation clause or agreement on the application of mediation, granting ICA CCI the respective competence.
6. The ICA CCI itself does not resolve any disputes. All disputes submitted to the ICA CCI shall be resolved either by arbitrator or a panel of arbitrators of the court of arbitration or by mediator or a panel of mediators according to the Rules chosen by the parties. The task of the International Court of Arbitration is to provide application by arbitrators and mediators of the Rules chosen by the parties as well as creation of conditions for the arbitrators and the mediators to execute arbitration and mediation.

7. In cases and in the order, provided by the Rules of Arbitration, the Chairman of the ICA CCI or in the absence of the Chairman or under his instructions – the Deputy Chairman, shall be authorized to perform certain actions and make decisions relating to the arbitration and mediation proceedings.

8. Arbitrators of the ICA CCI shall be approved by the Supervisory Board of the ICA CCI. Detailed curriculum vitae of the candidate arbitrator shall be introduced for consideration before the Supervisory Board. The candidate arbitrator shall also present to the Supervisory Board of the ICA CCI recommendations from associations, unions of businessmen, professional lawyers associations, arbitration institutions, donor organizations financing activities of the ICA CCI, or from two acting arbitrators of the ICA CCI. The same rule applies to candidates for the ICA CCI mediators who can submit a recommendation from two acting mediators of the ICA CCI in addition to the above. The Supervisory Board is authorized to reject the suggested candidature of arbitrator, mediator.

9. Pursuant to the parties agreement, the following may be referred to the ICA CCI: disputes arising from contractual and other civil relationships, including those in the course of foreign trade and other forms of international economic affairs, including investment disputes subordinated to the competent court, as well as disputes, in which one or both parties shall be the citizens, excluding disputes:

- on claims against regulations and other actions (inactivity, refusal to undertake actions) of the officer of the court;
- on fact-finding having the juridical significance (juridical facts);
- on rehabilitation of the rights on the lost financial securities;
- on bankruptcy (insolvency);
- on compensation of a damage caused to life or health of the citizen;
- on protection of dignity, virtue and business reputation;
- arising from heritable legal relations;
- related to the order and terms of getting married and termination of marriage;
- related to personal and non-property relations arising in a family between the marital partners, between the parents and children, between other members of the family;
- arising in connection with adoption, guardianship and tutelage, acceptance of children for upbringing;
- arising from the registration of civil status acts;
- disputes with regard to which the law sets impossible their transmission for consideration by the Court of Arbitration.

10. Civil-legal relationships, disputes resulting from which may be passed for consideration by the ICA CCI, shall include: the relationships arising from purchase and sale (delivery) of goods, contracts of service and labor, exchange of goods and (or) services, transportation of goods and passengers, commercial representation and mediation, rent (leasing), scientific and technical exchange, exchange of other results of creative activities, construction of industrial and other objects, license operations, investments, credit and accounting operations, insurance, joint business and other forms of business activities and other civic-legal relationships.

11. The ICA CCI shall also accept to its consideration disputes subject to its jurisdictions by virtue of the international treaties of the Kyrgyz Republic as well as of the Law "On Foreign Investments in the Kyrgyz Republic".

12. The award rendered by the ICA CCI shall be executed by the parties voluntarily within the fixed deadline. If no period of execution is indicated in the award, the latter shall be carried out immediately. Awards not performed voluntarily within the specified period will be enforced according to the law and international agreements.

13. Mediable disputes related to the use of mediation arising from civil, family and labor relations may be transferred to the ICA CCI by agreement of the parties.

14. In the International Court of Arbitration in affiliation with the Chamber of Commerce and Industry of the Kyrgyz Republic mediation is not applied if the dispute affects the interests of persons not participating in mediation, or persons recognized by the court as incapacitated, except in cases when these persons or legal representatives of incapacitated persons enter the process as a party to mediation.