

# Coronavirus pandemic and international arbitration proceedings

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Dear Clients, Colleagues and Friends,

The coronavirus pandemic shows its effects in international arbitration proceedings as well as court proceedings.

In international arbitration, in most cases, hearings are held in person, by physical participation of the parties. Attending the hearing requires a diligent organization and effort for the parties, their representatives, witnesses and experts. Especially during the coronavirus outbreak, it becomes more difficult, hazardous and sometimes even impossible to attend hearings because of travel restrictions imposed by the governments, as Turkey, in order to curb the spread of the pandemic.

In the light of recent developments, the parties have started to make new arrangements to postpone hearings or to hold them online via video conference. Arbitration institutions, as well, take the necessary precautions to prevent the possible loss of rights during this pandemic and announce the said precautions and new working methods regularly.

The precautions, by institutions, follow a similar fashion in general such as remote working schemes for secretariats, submission of petitions via e-mail, and online hearings through teleconference or video conference.

Istanbul Arbitration Centre (ISTAC) pioneered in publishing of "[Online Trial Procedures and Principles](#)". These rules published by ISTAC regulates the parties' participation in hearings online through teleconference or video conference for arbitration proceedings in accordance with the ISTAC rules.

[Istanbul Chamber of Commerce Arbitration and Mediation Centre \(ITOTAM\)](#) announced, with a the statement made on 30 March 2020, that the time periods regarding all arbitration and mediation proceedings initiated as per ITOTAM Rules, together with the time periods granted by the arbitrators, mediators and/or secretariat are suspended from 30 March 2020 till 30 April 2020.

International Chamber of Commerce (ICC) published “[ICC Guidance Note on Possible Measures Aimed at Mitigating Effects of the COVID-19 Pandemic](#)”. According to the guide, all the meetings of ICC Secretariat, Court of Arbitration and Alternative Dispute Settlement Centre will be held online and the hearings of arbitration proceedings will also be held online.

International Centre for Settlement of Investment Disputes (ICSID) announced that arbitration requests, petitions and post-judgment applications will be submitted online.

The main purpose of the arbitral institutions in taking such precautions is to safeguard the parties’ rights during this pandemic and to overcome this process without any problem.

Please do not hesitate to contact us for any further information on this briefing.



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Bu not sadece bilgilendirme amaçlı olup hukuki görüş içermemektedir. Bu bilgi notundaki konulara ilişkin bir sorunuz olması halinde lütfen bizi arayınız. Tüm hakları saklıdır.

Paksoy Ortak Avukat Bürosu, yerli ve yabancı yatırımcılara Türkiye’de hukuki danışmanlık ve avukatlık hizmeti sağlamak üzere ortak girişimler, şirket birleşme ve satın almaları, rekabet hukuku, gayrimenkul yatırımları, banka ve finans hukuku, enerji mevzuatı, alt yapı yatırımları, ticari ve idari davalar, iş davaları ve vergi uyuşmazlıkları gibi geniş bir yelpazede faaliyet gösteren yerel avukatlık firmasıdır.