

CHARTER
of the
PERMANENT TRIBUNAL OF ARBITRATION
at the KOSOVA CHAMBER OF COMMERCE

Article 1

1. The Permanent Tribunal of Arbitration (hereinafter: the Permanent Tribunal) operates at the Kosova Chamber of Commerce.
2. The Permanent Tribunal is independent in its work.
3. The seat of the Permanent Tribunal is in Prishtina.
4. The Permanent Tribunal has its seal with the inscription:

“Permanent Tribunal of Arbitration at the Kosova Chamber of Commerce” and the logo of the Kosova Chamber of Commerce and the Permanent Tribunal.

Article 2

1. The bodies of the Permanent Tribunal are the Presidency, the President and the Secretary of the Permanent Tribunal.
2. The bodies of the Permanent Tribunal are also arbitral tribunals when acting in proceedings before the Permanent Tribunal or in relation to them.

Article 3

1. The Presidency of the Permanent Tribunal consists of five members: the President, Vice-president, Secretary General of the Kosova Chamber of Commerce and two members with no special function. They are appointed for a period of four years by the Assembly of the Kosova Chamber of Commerce.
2. Each person may be appointed President or Vice-President of the Permanent Tribunal only twice consecutively.
3. A person who has been appointed President or Vice-President of the Permanent Tribunal twice consecutively may be appointed to be a member of the Presidency of the Permanent Tribunal.

Article 4

1. The Permanent Tribunal has a list of arbitrators.
2. The list of arbitrators is determined for a period of four years by the Assembly of the Kosova Chamber of Commerce upon the proposal of the President of the Permanent Tribunal.

Article 5

1. The Presidency of the Permanent Tribunal maintains general supervision of the work of the Permanent Tribunal; it is responsible for the proper application of the Kosovo Arbitration Rules and other general rules of the Permanent Tribunal; it decides on the use and allocation of the financial means of the Permanent Tribunal, considers and approves the annual report of the Permanent Tribunal and the plan of work of the Permanent Tribunal for the following year, and carries out other tasks determined by these and other rules of the Permanent Tribunal.
2. When the Presidency of the Permanent Tribunal, on the basis of these Rules, decides independently on a certain matter, the President or Vice-President and two members of the Presidency must be present at the session of the Presidency in order for the decision to be valid.

Article 6

1. The President of the Permanent Tribunal represents the Permanent Tribunal and acts as its agent.
2. The President of the Permanent Tribunal shall appoint the arbitrators and chairmen of the arbitral tribunals as provided by the Kosovo Rules of Arbitration, shall be responsible for the maintenance and development of co-operation with other organizations whose activity is of interest for the work of the Permanent Tribunal and carry out other tasks envisaged by the rules of the Permanent Tribunal and decisions of the Presidency.
3. The President of the Permanent Tribunal shall submit to the Kosova Chamber of Commerce annual reports on the work of the Permanent Tribunal and the Permanent Tribunal's annual financial reports.
4. Agreements on co-operation with other arbitral institutions shall be signed by the President of the Kosova Chamber of Commerce or the President of the Permanent Tribunal, depending on reciprocity.

Article 7

1. The Presidency of the Permanent Tribunal may, upon the proposal by the President of the Permanent Tribunal, delegate responsibility for certain tasks

within the competence of the President of the Permanent Tribunal to the Vice-president or another member of the Presidency.

2. The Presidency of the Permanent Tribunal determines the Vice-president to substitute the President of the Permanent Tribunal in the coming calendar year.

Article 8

The Vice-president of the Permanent Tribunal shall substitute for the President when he/she is prevented from carrying out his/her duties.

Article 9

1. The Secretary of the Permanent Tribunal is appointed by the Assembly of the Kosova Chamber of Commerce. The Secretary shall be a law graduate and fluent in English language. The Secretary shall carry out his/her tasks on the basis of a permanent employment contract.

2. If the Assembly of the Kosova Chamber of Commerce does not appoint the Secretary of the Permanent Tribunal in accordance with the provisions of Paragraph 1 of this Article, the Secretary shall be appointed for a period of four years by the Steering Council of the Kosova Chamber of Commerce.

3. The Secretary of the Permanent Tribunal referred to in Paragraph 2 of this Article may be appointed only twice consecutively.

Article 10

1. The Secretary of the Permanent Tribunal prepares the work of the Presidency and the President of the Permanent Tribunal and carries out their decisions.

2. The Secretary of the Permanent Tribunal undertakes administrative actions for the constitution of the arbitral tribunal and prepares the examination of specific issues:

a) he/she is responsible for the proper implementation of conclusions and other decisions by arbitral tribunals,

b) manages the work of the Secretariat,

c) prepares the annual report on the work and the annual financial report and the plan of work of the Permanent Tribunal for the coming year and carries out other tasks defined by the rules of the Permanent Tribunal.

3. If the Secretary is prevented from carrying out his/ her tasks, the President of the Permanent Tribunal shall appoint a temporary substitute.

4. The President of the Permanent Tribunal is authorized to carry out all actions within the competence of the Secretary of the Permanent Tribunal.

5. The work of the Secretariat of the Permanent Tribunal shall be carried out by an appropriate number of employees of the Kosova Chamber of Commerce.

6. The Secretariat of the Permanent Tribunal shall carry out the administrative work of the Permanent Tribunal, maintain a library and records, keep the archives of the Permanent Tribunal and run the financial work of the Permanent Tribunal in accordance with the rules of the Kosova Chamber of Commerce.

Article 11

1. The President, members of the Presidency and the Secretary of the Permanent Tribunal shall:

a) Monitor the application of the general rules of the Permanent Tribunal and other decisions of the Permanent Tribunal and the arbitral tribunals and, on the basis of the approval or agreement of the Presidency of the Permanent Tribunal, prepare and propose amendments to these rules for their adjustment to new developments in legislation or arbitration practice.

b) Organize, on the basis of the approval or agreement of the Presidency of the Permanent Tribunal, seminars, conferences, professional discussions and similar activities to acquaint the general public and especially the professional public with the legal basis of the work and practice of the Permanent Tribunal;

c) Participate in academic and professional forums of interest to the work of the Permanent Tribunal;

d) Prepare and publish in academic and professional periodicals information and articles on the practice of the Permanent Tribunal and on the settlement of disputes by arbitration.

e) Carry out other tasks to advance the work of the Permanent Tribunal as determined by the Presidency of the Permanent Tribunal.

2. The performance of individual tasks from Paragraph 1 of this Article may be entrusted by the Presidency or the President of the Permanent Tribunal to persons who are not members of the bodies of the Permanent Tribunal.

3. The President of the Permanent Tribunal may authorize a Vice-president or another member of the Presidency to carry out any of the tasks from his/her competence.

Article 12

1. In accordance with the decision on the reimbursement of expenses and payment of fees for members of the bodies of the Permanent Tribunal, arbitrators and other persons involved in proceedings before the Permanent Tribunal, adopted by the Assembly of the Kosova Chamber of Commerce, the President and Secretary of the Permanent Tribunal referred to in Article 7, Paragraph 2 of this charter are entitled to remuneration of costs and a fee in connection with carrying out their functions.

2. The provisions of Paragraph 1 of this Article shall apply as appropriate to the members of the Presidency and the temporary substitute Secretary of the Permanent Tribunal.

3. Orders for payment of costs and fees to persons referred to in Paragraph 1 of this Article shall be issued by the Vice-president of the Permanent Tribunal or a member of the Presidency of the Permanent Tribunal to whom these funds are not being paid.

4. Other orders for payment from the funds of the Permanent Tribunal shall be issued by the President or Secretary of the Permanent Tribunal.

Article 13

The Kosova Chamber of Commerce shall supervise the administrative and financial work of the Permanent Tribunal and provide the funds necessary for its activities.

Article 14

1. The bodies of the Permanent Tribunal shall remain in function until the end of their mandate.

2. The provisions on the limitations of the right to consecutive re-election to certain bodies of the Permanent Tribunal shall be applied for elections and appointments which will take place after this charter has come into force.

Article 15

The charter shall come into force on 24 June 2011.