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COVER STORY *WORKING FOR THE COMMON GOOD*

AMCHAM AIMS TO RECTIFY THE LEGISLATIVE PROCESS FOR THE BENEFIT OF ALL
STAKEHOLDERS IN THE POLISH ECONOMY

EXPERTS

ANDREW HARDING, AICPA & CIMA

JAROSŁAW WITEK, DENTONS

KATARZYNA ADAMSKA, NEWMARK
POLSKA; JOANNA GASEK, POMERAN-
IAN SPECIAL ECONOMIC ZONE;
AND MAGDALENA SKUROWSKA,
RÖDL & PARTNER

MARCIN SANTERA, PCS LITTLER

PAWEŁ BUKIEL AND VLADYSLAV
SEMERYNSKYI, SQUIRE PATTON
BOGGS WARSAW

COMPANY FOCUS

60 MILLION CONGRESS

AECOM

COLLIERS CEE

TREFL SA

MONTHLY MEETINGS

MARCH

APRIL

FOCUS ARTICLE: US-UKRAINE PARTNERSHIP FORUM 2024

INSIDE: PHOTOS FROM AMCHAM EVENTS

AmCham Advisory Council

The Advisory Council of the American Chamber of Commerce in Poland is engaged in shaping the AmCham advocacy for better investment, creating policies and working with key policy-makers to address important relevant issues. The crucial role of companies gathered in the Advisory Council is emphasized by the special client care AmCham provides to these premium members and the opportunity they have to cooperate at the highest level, including business-to-government dialogue, networking events as well as priority at other AmCham events.



IT'S YOUR AMCHAM



IT'S YOUR DEBATE

"A transparent process will be in place ensuring that all the stakeholders will be invited to share their opinions and recommendations with the lawmakers".

Ryszard Petru, Chairman of the Parliamentary Committee on the Economy, p 12

"Wise governments always try to hear the advice coming from business".

Andrzej Dycha, Chairman of the Board of the Polish Investment and Trade Agency PAIH, p 14

"US economic assistance to Ukraine is essential for Ukraine to prosecute the war but it also stabilizes Ukraine's balance of payment, increases its GDP, drives essential FDI into the country, and expands Ukraine's state revenue generation".

Penny Pritzker, US Special Representative for Ukraine's Economic Recovery, p 15

"We are creating all the necessary conditions by implementing reforms that create a favorable investment climate. It includes deregulation, digitization, and the creation of a legal framework for public-private partnership ventures."

Ukrainian Prime Minister Denys Shmyhal, p 16

"We work on the accession to the European Union because there is no choice for us to survive but to become an EU member".

Ukrainian Deputy Finance Minister Yuriy Draganchuk, p 17

AmCham.pl Quarterly is the official publication of the American Chamber of Commerce in Poland. It is a voice for foreign investors and the business community in Poland. The

"Thanks to a highly educated workforce, competitive production costs, and a strong entrepreneurial spirit, Poland is becoming an attractive location for outsourcing and international investments".

Zbigniew Klonowski, Chairman of the Organizational Committee of the 60 Million Congress, p 18

"We see a great potential in public funds in supporting energy transition. That is why we set up a new business line supporting investors in raising funds from EU sources such as the Next Generation EU and the Modernization Fund, which could provide as much as EUR 97 billion up to 2030".

Monika Rajska-Wolińska, CEO of Colliers in CEE, p 22

"To build the next generation of sustainable organizations, accounting and finance professionals need to be thinking much more deeply about how to integrate ESG into all their processes."

Andrew Harding, CEO Management Accounting at AICPA & CIMA, p 26

"The current draft of the directive is viewed as a big win for platform workers across the EU but for some companies that may be affected by it the proposed directive is rather a challenging news."

Marcin Sanetra, Partner in PCS Littler, p 32

magazine strives to keep our members and other readers up to date by following chamber news and reporting on the leading trends in business and policy.

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ADVOCACY

OF AMCHAM POLAND

Our top issues include:

PUBLIC PROCUREMENT CERTIFICATION

AmCham Poland is involved in the process of consulting a draft bill on the certification of public procurement contractors prepared by the Ministry of Development and Technology. The bill provides for the introduction of a certification system in public procurement procedures into Polish law. The project will directly improve the situation for all entities seeking public procurement in Poland, including foreign investors, by reducing the administrative burden and lowering the cost of participation in procurement procedures.

Currently, numerous additional obligations of a formal nature are among the most frequently cited barriers to accessing the public procurement market. The introduction of certification will allow a contractor to replace numerous documents or declarations needed to prove the ability to carry out the public contract properly with a single certificate issued by an authorized certification body after the verification process. Certification for contractors will be voluntary. Its introduction is expected to promote the professionalization and transparency of the contractor verification process through the participation of professional certifiers and reduce the cost of involvement in the proceedings. The ministry also aims to increase the efficiency of the public procurement system by standardizing the requirements set by ordering entities as part of the conditions for participation in the proceedings.

DEREGULATION BILL

The Ministry of Development and Technology invited AmCham to consultations on the draft of the Deregulation Bill. This long-awaited bill aims to simplify the laws regulating business in Poland. The bill applies to all entrepreneurs operating in Poland, but some of its provisions may be of special interest to foreign investors. In particular, the proposed act implements many of the postulates presented by AmCham in recent years, primarily in the area of standards for the rule-making process and guarantees for regulatory stability.

The bill contains many loosely related amendments to 35 statutes in economic and administrative law. Their common aim is to deregulate economic activity and simplify procedures. The most significant changes include:

- introduction of the principle of balancing administrative obligations (one in, one out) into business law, according to which the removal of an equal number of obligations should balance the imposition of new duties on entrepreneurs,
- introduction of the principle that statutes defining business rules should have a *vacatio legis* of at least six months and
- repeal of a provision of the Tax Code which allowed tax offices to extend the period for pursuing tax debts by instituting criminal tax proceedings against individuals acting in companies.

NEW ELECTRONIC COMMUNICATIONS LAW

The implementation of the European Electronic Communications Code is currently under development. On February 23, The Ministry

of Digital Affairs initiated public consultations on the draft law aimed at implementing the Directive into the Polish legal system. The bill has been accepted by the Standing Committee of the Council of Ministers and is awaiting approval by the government.

The draft act regulates the functioning of the electronic communications market in Poland. It covers issues including matters such as:

- registration in the register of telecommunications entrepreneurs and the register of local government units,
- informational obligations of entities operating in the electronic communications market, and obligations of entrepreneurs related to network and service security,
- obligations for defense and national security; and,
- fees associated with operating in the electronic communications market.

AmCham has prepared its position paper during public consultations and submitted it to the Ministry of Digital Affairs, primarily highlighting the issue related to the obligation of data retention within the territory of Poland, advocating for extending the limitation to the European Economic Area. The main arguments supporting this solution include non-compliance with EU law, lack of organizational feasibility, and challenges regarding data security.

IMPLEMENTATION OF CDSM DIRECTIVE INTO NATIONAL LAW

More than 2.5 years after the implementation deadline, Poland still must implement the provisions of the Copyright in the Digital Single Market (CDSM) Directive into Polish law. The Ministry of Culture and National Heritage launched a public consultation on 15 February around the implementation of the directive. AmCham presented its position paper raising several key points, e.g., proposal for the removal of Article 5a of the Act on Collective Management of Copyright and Related Rights from the Draft, and concerns regarding the exception for text and data mining, and comments regarding additional remuneration.

One of the main concerns was cutting generative AI from the scope of the exception. Article 4 of the CDSM Directive creates an exception regarding exploring texts and data. The first version of the Polish draft introduced this rule, however, with the additional reservation that the exception does not apply in the case of "creating generative models of artificial intelligence". Influenced by the voices expressed during the consultations, the ministry dropped this provision.

AmCham is also involved in a coalition opting to reconsider how to shape the regulation of royalties for works made available online.

AmCham Poland's position papers are available at
amcham.pl/advocacy

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DEAR AMCHAM MEMBERS AND FRIENDS,

Good news at last for Ukraine, Poland and the region. The passage of the next US assistance package for Ukraine is welcome—and long overdue. AmCham made its voice clear to the leadership of the House of Representatives and directly to Speaker Mike Johnson. Our thanks to our member companies and business leaders who also joined in this advocacy effort. The second quarter is full of events and meetings which clearly show the dynamism of the market in Poland and CEE. AmCham will be active with a range of meetings, as well as meeting members and investors at Impact24 and welcoming everyone to the AmCham Diner at the European Economic Congress (EKG) in Katowice.

AmCham is also pleased to partner with Amb. Brzezinski and the US Embassy teams on a range of ongoing sectoral roundtables as well as events throughout the country focusing on investor engagement and great initiatives around STEM inclusivity. Our message is clear—that our investors bring not only jobs and technology but a commitment to our communities and civil society.

As we move past the 2024 elections in Poland, we expect that the government will be more open to direct engagement with US investors at appropriate levels. Sending the right signal that Poland is open for business and welcoming new and expanded AmCham member investments is critical in a time of intense competition for capital. Investments decided in 2024 and 2025 will be drivers for growth and competitiveness in the coming years. We hope for and expect more engagement soon.

In this issue of AQ, you will find reports on our advocacy efforts, committee meetings, discussions on defense, AI and ongoing legislative issues. From legal updates to thought leadership in key areas, AQ works to help keep you informed in a fast-changing market. AmCham is also ensuring our views are heard through multiple engagement platforms in Brussels, Washington and the Three Seas Summit in Vilnius.

On behalf of the Board and the AmCham team, we thank you for your support of our efforts—we can't do it without you. We will continue to advocate for the best investment environment in Poland and to support Ukraine. These are core to our prosperity and security agenda.

I look forward to seeing you soon at one of our upcoming meetings.

With best regards,

A handwritten signature in dark ink, appearing to read 'Tony Housh', written in a cursive style.

TONY HOUSH
AMCHAM CHAIRMAN

AGENDA

INTELLIGENCE FROM AMCHAM COMMITTEES

HUMAN RESOURCES MANAGEMENT

The committee met in March to discuss the regulations governing the employment of foreigners, with speakers Tomasz Rogala and Marcin Sanetra—Partners at PCS Littler.

In their presentation, the speakers said that Poland is experiencing labor shortages and companies have to resort to foreign employees to continue to grow. Employing foreign nationals, however, brings certain benefits to companies by diversifying their workplace by which they can gain new experience and additional knowledge in running their business. However, employing foreigners is not free from certain challenges.

Generally, work candidates need to have a valid visa and other documents entitling them to legal stay and work in Poland.

Among the sanctions for being illegally employed are fees of up to PLN 5,000 while the person illegally breaching the law has to leave the country and face a re-entry ban for up to three years. For illegally employing a foreigner, the company may face a fine of up to PLN 30,000. In case the company commits the same offense within the next two years, it may be banned from obtaining work permits for foreigners temporarily. In addition, in case the illegally employed person does not leave Poland freely, the company will have to cover the cost of deportation. To avoid legal problems, employers should check if the people they hire have the right to stay in Poland at the start and during employment. Employers may also help foreigners they hire obtain their residence permit. Creating a multi-step checkout covering all levels of the process is valuable and highly recommended.

Employers also need to be aware that local authorities are free to interpret the regulations concerning the employment of foreigners in their own way, which means that in different parts of the country employers may face different challenges in regard to the same regulations.

SUSTAINABILITY

The committee met in February to discuss a new EU policy for chemicals used in business—the Chemicals Strategy for Sustainability. The speaker was Kamil Szydłowski, Government Affairs Associate Director for Central Eastern Europe in Zimmer Biomet. The EU Chemicals Strategy for Sustainability aims to drive a systemic shift towards a more sustainable and circular chemical industry, while ensuring the protection of human health and the environment.

It is a comprehensive policy framework developed by the European Commission to ensure the sustainable use and management of chemicals in the EU. It aims to achieve a toxic-free environment as established in the "zero pollution ambition" of the European Green Deal. It also provides an action plan to ban the most harmful chemicals in consumer products, allowing those chemicals only where their use is essential.

The strategy aims to protect human health and the environment from the adverse effects of chemicals, promote the use of safe and sustainable chemicals, and support the transition to a circular economy.

Its key objectives include the strengthening of the implementation of existing EU chemicals legislation, such as REACH (Registration, Evaluation, Authorization and Restriction of Chemicals) and CLP (Classification, Labelling and Packaging). The strategy also promotes non-toxic materials and encourages innovation in the development of safer chemicals. It also advocates for the transition to a circular economy by promoting the sustainable use and recycling of chemicals and materials and enhances international cooperation on chemicals management to address global challenges related to chemical safety.

TAX & FINANCIAL

The committee met in March to discuss the conduct of tax and customs controls and how companies can prepare for financial audits. The speakers were Oskar Wala and Marcin Górniak, Senior Managers from KPMG in Poland.

In their presentation the speakers showed some statistics depicting conducted tax and customs controls and drew conclusions from them. Firstly, companies should be always ready for a tax audit. They also need to keep their employees updated on what they are expected to do once a tax audit takes place in the company.

Both speakers underlined that taxpayers have their rights and do not have to passively wait for the results of the inspection, but instead, they can use legal tools such as appointing a representative and seeking an expert opinion.

The speakers also discussed how taxpayers can prepare for an audit, what to expect in the course of it, and how to secure sensitive spheres of activity that may be particularly vulnerable to questioning by the authorities.

TRAVEL & TOURISM

In February, the committee met to discuss how the new ESG regulations will impact the

hospitality sector. The speakers represented Cushman & Wakefield and they were Borivoj Vokrinek, Strategic Advisory & Head of Hospitality Research, EMEA; Sevda Cadir, Senior Hospitality Consultant; and Maciej Prończuk, Consultant, Hospitality CEE & SEE; and from CMS: Lukáš Hejduk, Partner, Head of CEE Real Estate and Construction practice and Head of CEE Hotels & Leisure sector group; and Michał Mieciński, Partner in the Real Estate and Construction practice.

In their presentation, the speakers referred to a report issued by CMS and Cushman & Wakefield, entitled Getting Real about ESG in Hotel Real Estate. In light of the report, 50 percent of investors in hotel assets in the CEE already address ESG in their transaction due diligence while over 50 percent of investors encountered ESG-related challenges while conducting hotel acquisitions and disposals. For approximately 35 percent of investors, this resulted in significant financial consequences.

The report also revealed that ESG has become an important standard to measure a company's long-term impact on the environment and society, as it further supports talent attraction, innovation, brand value enhancement, and opportunities for better financing. Sustainable hotels can also get better commercial terms from building owners, who will also be affected by increasing ESG EU regulations.

The speakers said that ESG is not only a moral imperative but also a key driver of value creation and resilience in the hotel industry. As the expectations of hotel guests, investors, and regulators evolve, hotel owners and operators need to adapt and innovate to meet the growing demand for sustainable and socially responsible practices. The speakers underlined that The EU is dynamically developing legislation to promote green transformation. Several legal acts have already been adopted to strengthen the effectiveness of reporting on environmental, social, and governance issues. These will have a direct impact on the financial sector as well as on the hospitality sector because stakeholders will increasingly assess the ESG performance of hotels.

However, most hotels in CEE are relatively small and in old properties, frequently historical buildings, which makes it more challenging to achieve a satisfactory certification level. The exception is Warsaw, where many hotels are branded and relatively modern.

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WORKING FOR THE COMMON GOOD

AMCHAM AIMS TO RECTIFY THE LEGISLATIVE PROCESS FOR THE BENEFIT
OF ALL THE STAKEHOLDERS IN THE POLISH ECONOMY

The October 2023 parliamentary elections have changed the political landscape in Poland. The conservative Law and Justice (PiS) party, which had held power for the last eight years, found itself on the opposition benches. The three other coalitions that made it to the parliament signed a cooperation agreement whereby they secured a parliamentary majority and formed a new coalition government.

Each new government, bound by election promises, will work hard to introduce its policies as soon as possible. They will impact key areas of society such as the economy, and social and healthcare policies. But they will also impact key

areas of business. This is why the change of the government in Poland has been met with huge interest among the international business community at large.

PAST EXPERIENCE

American investors—who comprise the largest group of foreign investors from outside of the EU—eye the policies of the new government with particular attention. For many of them, over the last eight years, the regulatory framework affecting business in Poland changed too quickly and unpredictably, leaving some of them out in the cold. A central economic reform—the so-called The New Polish Order—which

amounted to a major tax policy change, was introduced too quickly without giving the private sector enough time to adjust to the new rules. During the COVID-19 pandemic, a set of new regulations for the healthcare system—which translated to a major reshuffle of the system itself—was channeled through a speedy legislative procedure. Yet, as urgent as it was, the legislative process practically did not offer any room for the stakeholders in the private sector to present their opinions and recommendations to the lawmakers.

Today, given the experience of the last eight years, American investors are looking forward to a constructive stakeholder dialogue that



would result in the creation of predictable, clear and transparent legislation. They hope that their voice will be heard and that their experience and professional expertise, which they are ready to share with the lawmakers, will be used to the mutual benefit of all sides concerned.

AMERICAN INVOLVEMENT

Over the last decade, American investors in Poland have generated valuable professional experience in doing business in Poland, operating in various sectors such as finance, technology, manufacturing, and services. They have hugely contributed to the development of the Polish business services sector including outsourcing, shared services, and IT services. Companies such as Accenture, IBM, and Amazon, to name a few, have provided a wide range of services such as IT outsourcing, customer service, finance and accounting, human resources, and legal services. The presence of American companies in the business services sector has helped create job opportunities, drive economic growth, and contributed to the country's position as a leading destination for business services in Europe.

American companies have been central players in the financial and banking sectors. Citibank, Bank of America Merrill Lynch, and JPMorgan Chase deliver a range of financial services to both individuals and businesses in Poland, such as retail banking, corporate banking, investment banking, and asset management. The presence of these major US banks in Poland demonstrates the country's attractiveness as an important market for international banking and financial services.

US investors are also an important element of the Polish manufacturing sector. They operate in various industries, including automotive, aerospace, electronics, machinery, chemical, and others. Some well-known American companies that have manufacturing operations in Poland include Boeing, General Electric, 3M, Goodyear, and Whirlpool. While some American companies have large-scale manufacturing facilities in Poland, others have a significant presence in the country's economic value chain through partnerships and collaborations with local companies and subcontractors. The presence of American manufacturing companies in Poland contributes to the country's economy, providing jobs, technology transfer, and expertise while also benefiting from Poland's strong manufacturing sector.

CRISIS-RESISTANT

During the COVID-19 pandemic, American companies were at the forefront of dealing with the crisis. They provided support and assistance to local communities, healthcare facilities, and government efforts to combat the spread of the virus and mitigate its impact. They quickly adapted to remote work arrangements to ensure the safety and well-being of their employees while continuing to provide essential services and support to clients. At the same time, they supported their employees by providing mental health resources, flexible work arrangements, and financial assistance during the pandemic. Many of them, especially those in the IT technology sectors, developed and implemented innovative solutions to facilitate remote work, online education, telehealth services, and contact tracing. Today, many of those inventions and solutions have become new standards in business.

In the same fashion, after the full-scale invasion of Ukraine by Russia, American companies in Poland reacted with various responses aimed at supporting Ukraine, assisting refugees, and promoting peace and stability in the region. Many contributed funds, provided humanitarian aid, and donated medical supplies, food, and clothing to support Ukrainians affected by the war. Some companies also supported local organizations and initiatives working to assist refugees fleeing the conflict.

PROVEN PARTNERS

American companies demonstrated their commitment to the Polish economy during the two recent crises. They assessed the impacts on

their operations, supply chains, and business relationships, and implemented risk management strategies to mitigate potential disruptions and support business continuity.

And they kept on investing in Poland. According to data from the Polish Investment and Trade Agency (PAIH), by 2021, US companies invested an estimated USD 26 billion and created nearly 330,000 jobs.

After that came new investments. In 2022, Google purchased the Warsaw HUB through what was the largest such transaction in the real estate market in Poland and the region, showing the company's commitment to keep developing in Poland.

In 2023, US companies were the largest foreign direct investors in Poland measured by the amount of money they invested. Intel's semiconductor assembly facility near Wrocław, when delivered to the market, will be a game-changer for the global semiconductor market. Other major projects announced in 2023 included the PepsiCo Polska project in Lower Silesia—the most environmentally sustainable factory in the entire European Union; and 3M's new factory in Wrocław, Lower Silesia that would produce filtration equipment for biopharma companies.

It is worth noting that last year, the Polish government awarded the construction of three nuclear reactors to US Westinghouse and Bechtel. The pioneering project will give rise to the Polish civil nuclear sector and create new sustainable jobs to last for decades.

A LOT TO SHARE

American investors can offer more than just financial resources when investing in a business or project. They bring valuable knowledge and experience in business management, operations, marketing, and other key areas. They have invaluable experience in operational support to help the business streamline processes, improve efficiency, and optimize performance, and are experts in supply chain management, human resources, finance, and risk management.

What is equally important, American investors have access to the latest R&D innovations and technologies that can help enhance the products or services offered by the business. They provide resources and support for research and development, technology adoption, and digital transformation initiatives.

American investors can also play a significant role in stakeholder dialogue and the legislative process. By offering strategic guidance, industry insights, and best practices they can help legislators promote policies and regulations that support sustainable and responsible business practices, environmental stewardship, social impact, and good governance. They can also drive positive change in the legislative process by engaging with policymakers, regulators, and other stakeholders to develop policies and regulations that are conducive to long-term business growth and sustainable development. They can

COVER STORY

AMCHAM ADVOCACY

provide input, expertise, and data to inform the legislative process and shape decisions that impact their investments and the broader business community. In short, by actively engaging in stakeholder dialogue and the legislative process, American investors can help drive positive change, foster collaboration and innovation, and contribute to the creation of a more sustainable and inclusive business environment for all stakeholders.

NOTHING TAKEN FOR GRANTED

AmCham is working to liaise with key policy-makers in the new government, which represents a broad area of the Polish political scene. The Civic Coalition (Koalicja Obywatelska, KO), is the core of the parliamentary majority. It is composed of 122 deputies representing the liberal Civic Platform (Platforma Obywatelska) plus 26 deputies not affiliated with any political party. In addition, KO has one deputy representing the Agronomia, a political movement with a strong social twist, focusing on farmers' interests; six deputies representing the Modernity (Nowoczesna), a party with a liberal program; three deputies from the Polish Initiative (Inicjatywa Polska), a moderate left-wing party, and three representing the Green Party (Zieloni). The second largest coalition partner is the Third Way (Trzecia Droga) coalition. It is represented in parliament by 31 representatives of Poland 2050 (Polska 2050), a centrist political party, 27 deputies from the Polish People's Party (PSL) which backs the interests of farmers and small business, and three deputies from the Center for Poland (Centrum dla Polski), a party established in 2022 by a group of former PO politicians who had had a conservative faction within the party.

The third partner in the current coalition government is the Left Wing (Lewica) coalition. It has 19 deputies representing the social democratic New Left (Nowa Lewica) party, and 7 deputies from the core left wing, the Left Together (Lewica Razem).

LEGISLATION IN THE PIPELINE

Time will show how the new government will balance the interests of various stakeholders, including the private sector, civil society, labor unions, environmental groups, and others. The backlog of pending legislation that the current government has to handle is huge. It includes many laws that will impact business. Among them is the long-awaited implementation of the European Electronic Communications Code. It was not completed in 2023 as, because of many controversies over the amendments, the bills implementing the EU directive were withdrawn from the Polish Parliament. But the Ministry of Digital Affairs commenced the works in March 2024 and held public consultations on two draft laws aimed at implementing the directive into the Polish legal system, with the Electronic Communications Law, replacing the Telecommunications Law of

July 16, 2004, and a separate act containing several dozen changes to other laws.

AmCham has prepared its position paper during public consultations and submitted it to the Ministry of Digital Affairs. The chamber primarily highlighted the issues related to the implied obligation to keep digital data within the territory of Poland and advocated for extending the limitation to the European Economic Area.

Poland is also over two years behind the deadline for implementing the Digital Single Market Directive into Polish law. In February, the Ministry of Culture and National Heritage held a two-week public consultation. AmCham presented its position paper on several business-critical issues, including a recommendation regarding Generative Artificial Intelligence. Good stakeholder cooperation between the public and private sectors is also essential for a more forward-thinking approach to legislation. AmCham monitors legislative initiatives on the EU level. In January, the chamber addressed an EU legislation process aimed at combating payment delays in commercial transactions. The EU legislators proposed solutions aiming at protecting small and medium-sized enterprises (SMEs) in Europe. They aim to assist SMEs by revising existing EU regulations on payments to promote a decisive shift towards a culture of prompt payments.

More legislation work is ahead. Energy transformation, digitalization, national security, nearshoring, diversity and inclusion, workforce enhancement and transformation, SME growth ecosystem, and most importantly, a fair and level playing field, will be among the key focuses for AmCham.

The close cooperation of all stakeholders in the Polish economy is particularly vital today with the current geopolitical situation and global economic challenges. Decisions made this year by Polish and EU lawmakers will have a significant effect on AmCham member companies' operations. Thus, ensuring that the voice of US investors is heard is one of the key issues.

TRANSATLANTIC COOPERATION

It is natural for American investors in Europe to advocate for the broadening and deepening of transatlantic economic cooperation. Soon after the US and the EU began their negotiations in 2013 over a free trade agreement, dubbed the Transatlantic Trade and Investment Partnership (TTIP), AmCham launched several programs to help Polish entrepreneurs start businesses in the US. Facing difficulties, the negotiations lost momentum, and although resumed in 2018, a year later the European Commission declared them obsolete and no longer relevant.

Too bad, as according to the European Commission itself, TTIP would have boosted the EU's economy by EUR 120 billion annually, the US economy by EUR 90 billion, and the rest of the world by EUR 100 billion.

In light of these numbers published in the 21st edition of the Annual Survey of Jobs, Trade and

Investment between the United States and Europe, (compiled by the School of Advanced International Studies, Johns Hopkins University, the Transatlantic Leadership Network, AmCham Europe and the US Chamber of Commerce) the transatlantic economy is something worth advocating for and promoting.

The report states that the US and Europe (understood as Switzerland, the UK and the EU) remain each other's most important markets and geo-economic base. No two other regions in the world are as deeply integrated as the US and Europe. The USD 8.7 trillion transatlantic economy employs more than 16 million workers in mutually on-shored jobs on both sides of the Atlantic. It is the largest and wealthiest market in the world, accounting for half of total global personal consumption and close to one-third of world GDP in terms of purchasing power.

It is so because the US and Europe are each other's primary source and destination for foreign direct investment (FDI).

In addition to FDI, transatlantic ties are particularly robust in portfolio investment, banking claims, trade and affiliate sales in goods and services, digital links, energy, mutual R&D investment, patent cooperation, technology flows, and sales of knowledge-intensive services. The output of US foreign affiliates in Europe was estimated at USD 800 billion in 2022, and for European foreign affiliates in the US at USD 730 billion. The combined output of USD 1.53 trillion was larger than the total economic output of such countries as Mexico, the Netherlands, or Indonesia.

The authors of the report said that in recent decades, no place in the world has attracted more US FDI than Europe. In the past decade, Europe attracted 55.9 percent of the total US global investment, slightly less than during the previous decade, but equivalent to the first decade of this century. Measured on a historic cost basis, the total stock of US FDI in Europe was USD 4 trillion in 2022, which translated to 61.2 percent of the total US global investment position and more than four times US investment in the Asia-Pacific region.

In 2022, the US foreign assets in Europe rose 4 percent to an estimated USD 19.3 trillion and accounted for roughly 64 percent of corporate America's total foreign assets globally. The US asset base in Poland, the Czech Republic and Hungary of roughly USD 225 billion was greater than corporate America's assets in South Korea of USD 161 billion.

When it comes to transatlantic trade, in 2023 it reached an all-time high of USD 1.22 trillion, double the US-China goods trade of USD 575 billion. As many as 48 of the 50 US states, including California, export more goods to Europe than to China, in many cases by a wide margin. Texas is the top US state exporter of goods to Europe, followed by New York, Louisiana, and California. In 2022, New York exported 13 times more goods to Europe than

to China. Florida exported 9 times more, Texas 4.5 times more, and Kentucky 3 times more goods to Europe than to China. California exported twice as many goods to Europe as to China.

In energy, the US is Europe's most important supplier of liquefied natural gas (LNG), accounting for 50 percent of EU total LNG imports and around 20 percent of EU total gas imports. In turn, Europe has become the US's most important LNG export market, accounting for more than 60 percent of US LNG exports in 2023, double the US flows going to Asia.

The US has also become the EU's largest supplier of crude oil, accounting for about 18 percent of imports. US oil shipments to Europe have jumped 82 percent since Russia invaded Ukraine, and now account for 12 percent of Europe's oil supplies. Europe is the top purchaser of US crude oil. Russia's share of Europe's oil and petroleum products imports declined from nearly 45 percent in 2021 to under 4 percent in 2023.

US companies in Europe have become a driving force for Europe's green transition, accounting for more than half of the long-term renewable energy purchase agreements signed in Europe since 2007. In turn, European companies are the leading source of FDI in the US energy sector.

When it comes to the service sector, the US and Europe are the two largest service economies in the world. The US and the EU are each other's most important commercial partners and major growth markets when it comes to services trade and investment. Moreover, deep transatlantic connections in services industries, provided by mutual investment flows, are the foundation for the global competitiveness of US and European services companies. Five of the top ten export markets for US services are in Europe. Europe accounted for 43 percent of total US services exports and 42 percent of total US services imports in 2022.

Moreover, the delivery of transatlantic services by foreign affiliates has exploded on both sides of the Atlantic over the past decade and become far more important than exports.

When it comes to growth potential, the authors of the report pointed to the transatlantic digital economy. Already, transatlantic data flows are critical to enabling the USD 8.3 trillion EU-US economic relationship. They account for more than half of Europe's data flows and about half of US data flows globally. Over 90 percent of EU-based firms transfer data to and from the United States. The transatlantic data seaway is the busiest and most competitive in the world. Submarine cables in the Atlantic carry more than twice the traffic of transpacific routes and intra-Asian routes.

The report revealed that the US and Europe are each other's most important commercial partners when it comes to digitally-enabled services. Both economies are also the two largest net exporters of digitally-enabled services

to the world.

In 2022, the United States exported USD 307 billion in digitally-deliverable services to Europe, more than double what it exported to the entire Asia-Pacific region. In turn, Europe accounted for 49 percent of all US digitally-deliverable exports to the world.

In 2021, the US accounted for 25 percent of the EU's digitally-enabled services exports to non-EU countries, and 30 percent of EU digitally-enabled services imports from non-EU countries.

Yet, even more important than both direct and value-added trade in digitally-enabled services, is the delivery of digital services by US and European foreign affiliates. US services supplied by affiliates abroad reached USD 1.95 trillion in 2021, roughly 2.4 times global US services exports of USD 801.14 billion. What is more, half of all services supplied by US affiliates abroad were digitally enabled.

In 2021, Europe accounted for 67 percent of the USD 434 billion in total global information services supplied abroad by US multinational corporations through their majority-owned foreign affiliates.

When it comes to cooperation in innovation and R&D, bilateral US-EU flows are the most intense between any two international partners. In 2021, US affiliates spent USD 37.5 billion on R&D in Europe, 54 percent of total US R&D conducted globally by affiliates.

In turn, in the US, the expenditures by majority-owned foreign affiliates totaled USD 78.3 billion in 2021. In this number, European affiliates accounted for 69 percent of that total.

Those numbers are impressive indeed, but the truth remains that US companies in the EU face certain business disadvantages set by the EU's data protection philosophy, which forbids storing and keeping personal data on servers outside of the EU economic area.

It seems to be an outdated regulation. Given the reality of the digital world, data safety is best protected today by IT systems and not the physical location of the server. IT systems used by US-based companies in the US are as good as those in Europe.

Having in mind that two times more data flows via transatlantic cables than over transpacific and intra-Asian routes and that over 50 percent of digitally-enabled services between the US and the EU are used to produce export products on each side of the Atlantic, it is clear to see that if this EU regulation was abolished it would further boost the economic potential of the transatlantic digital economy something worth advocating for.

REGIONAL INTEGRATION

Along with supporting the transatlantic economy, AmCham Poland has been backing the development of the regional economy in Central and Eastern Europe. Having this in mind, in 2021, AmCham Poland, along with nine other regional AmChams in CEE, signed a declaration

supporting the future development of the Three Seas Initiative.

The Three Seas is an initiative that brings together 12 EU Member States between the Baltic, Black and Adriatic seas: Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

Apart from Austria, the countries used to belong to the Soviet Block. On entering the EU, they found themselves comparatively disconnected from one another in terms of modern infrastructure. Whereas the nations of Western Europe are linked by roads and railways, power lines, and oil and gas pipelines, countries in Central and Eastern Europe find their connection deficit particularly acute along the north-south axis.

The Three Seas Initiative addresses this issue. It aims to develop a comprehensive economic growth strategy through a smart connectivity ecosystem for a sustainable transition with infrastructure priorities for the region, such as renewables, as a driver for infrastructure advancement, and with many more points related to energy, innovation, transport, and digitization.

Although the common economic and customs space of the EU has paved the way for the stable development of the continent as a whole, countries in Central and Eastern Europe continue to stand out from their counterparts in Western Europe for their economic disparity and outdated infrastructure. Despite the EU collective policies, the gap that developed in the latter half of the 20th century has yet to be bridged. The shortfall in investments in the infrastructure, energy and digital fields is estimated to have grown over the years to as much as EUR 1.15 trillion. Eliminating this deficit would give an enormous boost to development in the region and make Europe stronger and more united as a whole.

Key infrastructure projects in the Three Seas region will be financed by the Three Seas Initiative Investment Fund. Its main objective is to invest in transport, energy and digital infrastructure on the north-south axis in the Three Seas countries and to offset the differences in the development of individual EU regions.

The role of the fund is to complement and strengthen the capital deployment of individual Three Seas countries and related EU financial instruments. The fund is a commercial and market-driven initiative that will grant a diversified investment and an attractive return to the investors.

With its involvement in supporting the Three Seas Initiative, AmCham Poland acts as an agent for American companies in Poland in bridging the gap between the US business community and the decision-makers in the public sector to ensure the necessary trust to invest in regional projects.

March

OPEN FOR BUSINESS

THE PARLIAMENTARY MAJORITY WILL WORK CLOSELY WITH THE PRIVATE SECTOR TO OPTIMIZE THE POTENTIAL OF THE POLISH ECONOMY

The AmCham Monthly Meeting in March focused on economic issues and politics, with speaker Ryszard Petru, Chairman of the Parliamentary Committee on the Economy.

In his remarks, Petru said that Poland began to receive EU funds for economic development in April and is obliged to utilize it by 2026, which, given that the amount totals EUR 137 billion, is a challenge because it is not only about "spending the money" but about "spending it wisely", the speaker said. Most of the money will have to be spent on projects already registered with the EU financial mechanism. However, the government intends to move some of the money to spend after 2026 which would lead to financing other investment projects that have not yet been registered for support.

STRATEGIES FOR CHANGE

Petru said that the Parliament is set to offer realistic deadlines for stakeholders' dialogue when working on new laws and regulations. "A transparent process will be in place ensuring that all the stakeholders will be invited to share their opinions and recommendations with the lawmakers," Petru said.

He explained that in its deregulation strategy, the government is looking at the "low-hanging fruit", believing that changing a few amendments of a major law "makes life much easier" without a need to change the entire bill. "We are not ready to make any major reform of the tax system at present, but can make some minor changes to the existing regulations that will make the tax system more transparent," the speaker said.

He also said that some deregulation can be achieved through decrees issued by government ministers rather than parliamentary bills. The positive aspect of such a solution is that a ministerial decree does not have to be okayed by Poland's president who, given his political association with the conservative opposition, may not be willing to work smoothly with the new parliament.

The government has also "soft power to act" especially when tackling problems of how harshly tax authorities deal with taxpayers. In

his view, there is huge room for improvement in this area, and the government will use its "soft power" to tackle the problem.

JUDICIAL REFORMS

The speaker said that the goal of the government is to have a transparent and independent judiciary system in the country. This, however, does not solve the problem of the system's slow processing of cases and the amount of red tape it requires. "The inefficiency of the Polish judiciary is a bottleneck of the Polish economy," Petru said.

He added that while the government is currently not working on any reforms aiming at making the system more efficient, it is not excluded that in the future the government will develop a comprehensive approach to this problem. "It is an important problem and, sooner or later, the problem has to be on the agenda of this government," Petru said.

OTHER CHALLENGES

MEET THE SPEAKER



Ryszard Petru has worked at the Ministry of Finance, the World Bank, and commercial banks. He served as an assistant to several members of parliament in the 1990s. He has worked as an economist for the World Bank, PwC and several Polish banks. Since 2011, he has been the chairman of the Association of Polish Economists. He is the author of several books, including two children's books on economics. He is the founder of Nowoczesna (Modern), a liberal political party. In 2023, Petru was elected a member of the Lower House of Parliament and serves as Chairman of the Parliamentary Committee on the Economy.

Among other challenges that the government is facing today, Petru singled out the transformation of the Polish energy sector. The future system will be based on a mix utilizing renewable energy and nuclear combined with a marginal role for coal-powered capacity.

Talking about the European Green Deal—an EU policy aimed at cutting the environmental impacts of business—Petru said that the Polish government believes that the deadlines proposed by the European Commission are too ambitious for most companies, and need to be reviewed. "This is a challenge for the whole European political system to make sure that those targets are realistic," Petru said.

INVESTOR CLIMATE

A part of the job description of the Parliamentary Committee for the Economy is to ensure that Poland offers good conditions to investors, especially in such sectors that add value to the Polish economy by creating well-paid jobs in IT and R&D. Petru said that he is open for discussions with the private sector on the areas that need improvement. He cautioned, however, that he was not a big fan of tax incentives for investors. He noted that many countries in which Polish companies invest do not offer incentives for investors yet still offer plenty of opportunities. "We should develop a format that would be attractive to all sides concerned," Petru said.

He noted that legal obstacles for investors should be eliminated. He said he was open to feedback from the American business community regarding this problem.

WORK WITHIN EU

Petru said that over the last few years, Poland has neglected its work with EU institutions, and as a result, the country has lost its role as an important player representing Central and Eastern Europe in EU institutions. Having fewer representatives manning significant posts in EU institutions than earlier, Poland's potential to tackle some problems from within the EU is limited. It will take time for the country to regain its position in the EU.

American Chamber of Commerce in Poland

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April

STRATEGIC THINKING

POLAND SEEKS BUSINESS EXPERTISE AND TECHNOLOGY INNOVATIONS FROM US INVESTORS

The speaker at the AmCham Monthly Meeting in April was Andrzej Dycha, Chairman of the Board of the Polish Investment and Trade Agency (PAIH). He met AmCham members to discuss how the agency can help American businesses in Poland maintain and expand their investments in the country so they have a long-lasting impact on the growth of the Polish economy.

In his address to AmCham Poland, Dycha said that PAIH is "investors' best friend and ally", especially investors from the US. He noted that American investors are reliable partners to the Polish government. Furthermore, given the fact that Poland has become a border country with the warzone in Ukraine, American investors in Poland are viewed now as "the best security guarantee for Poland".

EXPLOITING OPPORTUNITIES

Among the areas in which Poland is interested in utilizing American business is the transfer of knowledge and human capital from the US to Poland.

The Polish government understands that American investors are interested in improving the regulatory framework in Poland so it has "smarter" regulations that also help investors use opportunities that are offered by the European single market.

Dycha noted that with the new government, which politically belongs to one of the largest parties in the European Parliament—and is expected to remain one of the largest parties after the EU elections—Poland will have a strong impact on the selection of EU Commissaries within the European Commission.

COMPETITIVE ADVANTAGE

Dycha said that the Polish government views

American businesses as valuable partners because they are adept at thinking long-term and looking beyond short-term gains. They also are constantly adapting to changing market conditions and are not afraid to pivot their investment strategies when needed as they have a willingness to take risks and invest in new and innovative ideas. American investors are always on the lookout for new

growth opportunities.

The strategic significance of American investors in Poland is well understood by the Polish parliament, not least because AmCham Poland is the leading business association in the country whose dialogue with lawmakers brings about tangible results. "Wise governments always try to hear the advice coming from business," Dycha said. He noted that American investors, with their industry insights and experience in various European markets, offer valuable advice to the Polish lawmakers not only regarding the legislation made in Poland but also on the implementation of EU directives in the country. "It is a government strategy to seek such guidance to increase business opportunities in Poland so the country has competitive advantages in attracting foreign investors," Dycha said.

MEET THE SPEAKER



Andrzej Dycha graduated from Szczecin University in political science. From 2007 to 2010, he was Undersecretary of State at the Ministry of Agriculture and Rural Development. In 2011-2015, he served as Undersecretary of State, Government Plenipotentiary for WTO Negotiations, and National Coordinator of Poland's Cooperation with the OECD at the Ministry of Economy. Between 2015 and 2018, Dycha served as Poland's Ambassador to Nigeria. Later, he served as an advisor to the Management Board of Alior Bank, and worked as a Team Europe expert in the Representation of the European Commission and in the Team of Diplomatic Advisors of the Polish Chamber of Commerce. In 2023, on behalf of the Marshal's Office of the Lubuskie Voivodeship, he represented the region in EU's institutions. In February 2024, Dycha was appointed Chairman of the Management Board of the Polish Investment and Trade Agency. He is fluent in English and French.

THINKING USA

Dycha said that PAIH has a network of representative offices in the US and the agency has recently put the network's performance under review, and is working on a new staffing policy to attract talent.

The speaker revealed that in late spring PAIH plans a mission to the US to conduct meetings with representatives of IT, especially experts in semiconductors, and asked AmCham members for recommendations as to whom PAIH should request meeting in the US.

The speaker also said that owing to their technological innovativeness, Poland is interested in attracting investors in the defense sector and telecommunications. In this respect, the Polish Ministry of Defense, working with the Polish Defense Attache in the US, will play a pivotal role. "There is room for US defense companies in Poland," the speakers said.

LET'S WORK TOGETHER!

AMERICAN BUSINESS SETS THE TABLE FOR FULL REVITALIZATION AND RECONSTRUCTION OF UKRAINE POST-WAR

As the war in Ukraine continues, US companies have become involved in helping the country to rebuild its economy through various means such as providing investment, technology transfer, financial support, and strategic partnerships. Some of the sectors in which US companies are involved include energy, agriculture, technology, and infrastructure development. Additionally, the US government also provides aid and economic assistance to Ukraine



Secretary Penny Pritzker said that US economic assistance to Ukraine stabilizes the country's balance of payment, increases its GDP, drives essential FDI into the country, and expands Ukraine's state revenue generation.

to support its economic development efforts. Their combined effort was summarized at the second US-Ukraine Partnership Forum, in Washington D.C. in April, held jointly by the US Chamber of Commerce, the US Agency for International Development, and

the Ukrainian Embassy in the US. The speakers included Ukrainian Prime Minister Denys Shmyhal; Penny Pritzker, US Special Representative for Ukraine's Economic Recovery; Gina Raimondo, US Secretary of Commerce; Sergii Marchenko, Minister of Finance of Ukraine; and Paweł Kowal, MP, Chairman of Polish Parliamentary Committee on Foreign Relations and the Council for Cooperation with Ukraine.

The speakers from the American business sector represented big finance, energy, agriculture and infrastructure companies. The forum was held three days before the US House passed the USD 61 billion aid package for Ukraine.

COMMON EFFORT

In her opening remarks, Suzanne P. Clark summarized the goals of the US Chamber's Ukraine Business Initiative. Building on the first forum that was held in 2023, the goals are to unify and facilitate the involvement of the US business community to help Ukraine rebuild and modernize its post-war economy. The forum brings together American business, Ukrainian government officials, and high-level officials from the European Commission and the European Council, to discuss how all sides concerned can work to align their efforts to assist and revitalize Ukraine's economy. Members of the forum regularly engage with officials across the US administration and Congress to ensure US policymakers understand the opportunities and challenges for the private sector.

For AmCham members, the forum offers opportunities to share their insights and expertise in laying the foundation for Ukraine's recovery.

CRITICAL ASSISTANCE

The Ukrainian economy experienced a steep decline in the first year of the war, but in 2023 it regained robustness and generated a GDP growth of 5 percent. The country's 2024 GDP is expected to grow around 4



Suzanne P. Clark said that the Ukraine Business Initiative facilitates the involvement of the US business community to help Ukraine rebuild and modernize its post-war economy.

percent. In 2023, investments in the Ukrainian economy grew 17 percent, compared to 2022, with over 37,000 new businesses registered in the country, which was more than in 2021—the year before the full-scale invasion of Ukraine by Russia. More than half of

"US economic assistance to Ukraine is essential for Ukraine to prosecute the war but it also stabilizes Ukraine's balance of payment, increases its GDP, drives essential FDI into the country, and expands Ukraine's state revenue generation."

Penny Pritzker, US Special Representative for Ukraine's Economic Recovery

AMCHAM US-UKRAINE PARTNERSHIP FORUM

"We are creating all the necessary conditions by implementing reforms that create a favorable investment climate. It includes deregulation, digitization, and the creation of a legal framework for public-private partnership ventures."
Ukrainian Prime Minister Denys Shmyhal

those businesses were founded by women. "Many of those businesses got aid from US aid programs designed to help small and medium-sized businesses develop in rural areas and in underbanked communities," noted Penny Pritzker. She added that US aid for Ukraine plays a pivotal role in the country's existence during the war. "US economic assistance to Ukraine is essential for Ukraine to prosecute the war," Pritzker said. "It is not only helping Ukrainians to defend themselves but also stabilizes Ukraine's balance of payment, increases its GDP, drives essential FDI into the country,



Ukraine's Prime Minister **Denys Shmyhal** said that the Ukrainian government implements all the necessary reforms to create a favorable investment climate in the country.

and expands Ukraine's state revenue generation".

LEGAL INFRASTRUCTURE

The forum advocates for legislative reforms in Ukraine that are critical to building a better business environment in the country. Denys Maliuska, Ukrainian Justice Minister addressed this issue by saying that the country has been going through a major legislative overhaul. "We have a list of reforms from the International Monetary Fund, the World Bank, and recommendations from the US Government, and G7 member states," he said. In addition, the country is preparing to enter the accession process to the European Union and has been adjusting its legal system along with recommendations issued by the European Commission for the accession process. "We are working on hundreds of regulations

that need to be implemented by the end of 2024," Maliuska said. Additional reforms aim at cracking corruption in the country, with the creation of several state institutions such as the Special Anticorruption Prosecution Office, the National Corruption Prevention Agency, and the National Anticorruption Bureau. The minister said that all those agencies will have "full operational independence". In addition, the heads of those agencies are recruited from professional circles, not political ones. The country will also change legislation so full operations independence is granted to the office of the General Prosecutor and the Bureau of the Economic Security of Ukraine—an enforcement agency dealing with economic crime.

ATTRACTING INVESTORS

The World Bank estimates that the total cost of rebuilding Ukraine may reach USD 488 billion which is 2.8 times Ukraine's nominal GDP for 2023.

Among the most severely damaged sectors of the country's economy is agriculture. Its production potential was reduced by the flooding resulting from the 2023 destruction of the Kakhovka Dam on the Dnieper River in Kherson Oblast. Along with generating electricity, the dam was also a pillar of the local irrigation system.

The production potential of Ukrainian agriculture has also been reduced by the mining of vast areas of farmland. To solve this problem, Ukraine has prioritized humanitarian demining and developed it into an industry generating specialized, designed-in-Ukraine equipment, with training and support for the personnel. The country hires expertise not only from Ukraine but also from abroad.

The Kakhovka Dam was a major hydropower facility. Its loss reduced the output of the national power system by several megawatts. Unfortunately, this has not been Ukraine's only significant loss of capacity.

The reconstruction of Ukraine will be the most extensive international economic recovery project since WW2. "We are creating all the necessary conditions by implementing reforms that create a favorable investment climate," said Prime Minister Denys Shmyhal.

"This includes deregulation, digitization, and

the creation of a legal framework for public-private partnership ventures," he added. Ukraine has a large credit line for its economic recovery earmarked for the insurance of investment projects. Already, the country has mechanisms for public-private partnerships in place. According to the prime minister, with the new Rapid Investments laws, obtaining all necessary permits will take only 1.5 months. In addition, the country has created 80 industrial parks offering R&D infrastructure, engineering networks, and tax benefits. The parks are also covered by air defense systems.



According to Secretary **Gina Raimondo**, investment in Ukraine is an investment in the security of the transatlantic community and the sustainability of the rule of law globally.

INVESTMENT PRIORITIES

There are 25 priority sectors in which Ukraine plans to attract foreign investment. Defense is number one.

The country, in cooperation with the US, is working to strengthen its defense capacity. Strong military support for Ukraine is important for the necessary investment climate just as are all of its reforms and transformations. In 2023, Ukraine's defense sector contributed 1.5 percent to the country's GDP. At present, some 80 percent of Ukraine's defense market is represented by private companies.

Energy is the second priority. According to Prime Minister Shmyhal, Ukraine will not return to the post-soviet energy system it currently has, but plans to decentralize and modernize it and increase the share of renewable energy sources, so "green, blue and

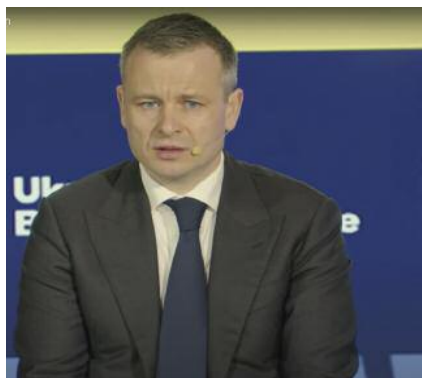
"We have a list of reforms from the International Monetary Fund, the World Bank, and recommendations from the US Government, and G7 member states. We are working on hundreds of regulations that need to be implemented by the end of 2024."
Ukrainian Justice Minister Denys Maliuska

nuclear energy will become the backbone of the Ukrainian energy system," he said.

The third top priority for reconstruction is agriculture. Before it can take off, however, Ukraine has to demine vast areas of farmland.

Priority number four is the IT sector. The share of IT in the country's exports of services is over 40 percent and generates nearly 5 percent of Ukraine's GDP. The government is working on implementing a digital infrastructure for public services. Prime Minister Shmyhal stressed that Ukraine has already built "a unique infrastructure for cyberwarfare" thanks to which, in 2023, the country repelled 4,500 cyber attacks. Another priority area for development is the construction industry. Currently, government efforts focus on the reconstruction of housing. So far, the country has lost over 250,000 residential buildings.

Ukrainian's prime minister was positive that



Ukrainian Finance Minister **Sergii Marchenko** said that thanks to international financial support, the country's budgetary situation is good.

the country is a good place for investment. "War risk insurance is one of the most important issues to be resolved," Prime Minister Shmyhal said. He added that "Secretary Pritzker was involved in bringing the world's best financial companies to the table to find a solution".

The country has a huge credit line earmarked for the insurance of investment projects thanks to the cooperation with the international financial community. "We are grateful to the World Bank and the International Monetary Fund for their financial support," the prime minister said, noting that the European Commission had earmarked EUR 50 billion for "Ukraine's budgetary needs and the realization of investment projects in Ukraine," he said.

BUDGETARY EXPENDITURES

Ukraine's Minister of Finance Sergii

Marchenko noted that thanks to international financial support, the country's budgetary situation is good. The main budgetary expense is defense. In the first quarter of 2024, its cost reached USD 4 billion and was exclusively covered by Ukraine. "We have introduced fiscal measures to improve our capacity to collect necessary revenues", said Marchenko, adding, that further analysis is underway to find out to what degree different reforms can boost Ukraine's economic growth and allow for collecting enough tax revenue to win the war.

According to Marchenko, "there have been very few huge-scale investment projects in Ukraine since the war began," and the real question for the government is how to attract big investors to the country while the war still drags on.

INTERNATIONAL TRADE

In the early months of the war, maritime access to Ukraine's Black Sea ports was blocked by the Russian navy. Later, owing to an agreement with Russia concerning food exports the ports reopened. Currently, measured in value, the volume of sea exports for Q1 2024 nearly reached the 2023 numbers, which, according to Draganchuk opens up new perspectives for international trade and cooperation.

But Ukraine has to realign its international trade routes to the west where it borders several countries: Poland, Slovakia, Hungary, Romania, and Moldova. The Western direction has paramount importance for Ukraine as it works to facilitate trade with its key partners. "We are adding border crossing points and we do joint-border crossing controls to help goods move faster," said Ukraine's Deputy Finance Minister Yuriy Draganchuk.

LEANING WEST

Ukraine's ultimate political goal is to become a member of the European Union. Such membership is viewed as the best guarantee for the country's ability to maintain a democratic system and the rule of law. "We work on it because there is no choice for us to survive but to become an EU member," Draganchuk said.

This view was echoed by Pawel Kowal, who said that as a member of the EU, Ukraine would tap into the union's cohesion and development funds, which would give its economy a boost. In addition, the country would be included in regional development schemes, such as the Three Seas Initiative, which aims to integrate the transport infrastructure of the new EU member states in Central and Eastern Europe to facilitate trade

exchange interconnectivity between people. Before that happens, however, Poland turns out to be Ukraine's largest trade partner in the EU with Polish exports to Ukraine reaching USD 11.5 billion last year. The main trade was in, financial insurance, ready-made foods, alcohol, and tobacco. According to Kowal, "trade is the pillar of stability and a crucial element of building a new order in CEE after the war in Ukraine is over."

GOOD PROSPECTS

The US government continues to be determined to work with US allies in Europe and around the world to support Ukraine in its fight for sovereignty and freedom. The cause is not important to Ukraine alone but is crucial to global security and prosperity. It is not only "the right thing to do but also the smart thing to do" for business, said Gina Raimondo, US Secretary of Commerce. "It is an investment in the security of the transatlantic



Polish MP **Pawel Kowal** said that trade is the pillar of stability and a crucial element of building a new order in CEE after the war in Ukraine is over.

community and sustainability of the rule of law globally in a world where standards of living rise, markets grow, and a free and fair competition thrives," she said.

Ukraine is a good country to do business with, said Andy Hunder, President of AmCham Ukraine, at the end of the forum. Despite the war, nearly 90 percent of AmCham Ukraine member companies have remained fully operational. "We are seeing a phenomenal resilience of member companies in Ukraine," Hunder said. "To those companies who are not yet in Ukraine, we are saying that Ukraine is open for business."

The forum was held 784 days into Russia's invasion of Ukraine, seven days before the US House of Representatives passed the USD 61 billion aid package for Ukraine, and 55 days before the Ukraine Recovery Conference in Berlin, to be held on June 11-12.

"We work on the accession to the European Union because there is no choice for us to survive but to become an EU member".

Ukrainian Deputy Finance Minister Yuriy Draganchuk

UNITED WE STAND

AmCham.pl Quarterly
Editor Tomasz Ćwiok talks
with **Zbigniew Klonowski**, Chairman of the Organizational Committee of the 60 Million Congress, a global, business-focused summit of Polonia (the global diaspora of the Polish community) about the organization's goals and ambitions.



What can you tell us about the history of the 60 Million Congress-Global Summit of Polonia?

The 60 Million Congress-Global Summit of Polonia is an initiative aimed at integrating Polish communities dispersed worldwide, estimated at around 60 million people. It serves as a platform for cooperation among Polish entrepreneurs, professionals, and activists globally. Since 2018, the project has dynamically expanded, incorporating events in various cities worldwide, and fostering discussions on economics, culture, and politics regarding Polonia and Poland. The key milestones of the project include expanding the Congress to new locations, extending our reach beyond the US and Poland to countries like Germany and the UK, and creating a global Polonia business network with high-profile guests,

speakers, and participants who have elevated the visibility and good repute of our initiative. Some key moments included Senator Timothy Kennedy agreeing to join us at the Congress, which was a significant nod of recognition. We were honored to receive proclamations from the city of Buffalo and Miami-Dade County, acknowledging our efforts to support connections with Poland – something we are proud of. Our discussions in Buffalo were especially noteworthy, as we talked about strengthening the bond between Buffalo and the Polish sister city of Rzeszów. In New York City, we were warmly welcomed into City Hall as part of the celebrations for Polish American Heritage Month, which was quite a memorable experience. Our visit to the New York Stock Exchange marked a major moment for our organization, putting our commit-

ment to business growth in the spotlight. Across the pond in the UK, a Polonia Member of Parliament graciously invited us to the Parliament of the United Kingdom. There, we engaged in a discussion about the ties between Poland and the UK, which felt like a real step forward in our diplomatic relations. There is a long list of such impactful events. Every Congress we have had so far has done more than expected, setting new standards and reaching for bigger goals. At the most recent edition in Miami, we placed even greater emphasis on building business relationships and expanded the range of participants during the business day by inviting business partners and investors from the US. Among the participants were startups and companies seeking growth capital both from Poland and those founded by Poles living in the US.

The recent summit, which took place in February in Miami, Florida, focused on the potential of the growing IT industry in Poland. How is the industry perceived by the Polonia business circles in the US?

The growing IT industry in Poland is viewed very positively by the Polonia business communities in the USA and our American partners and investors. We wanted to highlight this during the last Congress held in February in Miami. After many fruitful business discussions with our partners, we know we will continue these activities and promote Polish companies in the IT sector and other globally scalable startups during the next editions of the Congress—the upcoming 16th edition in October 2024 in Chicago and the next one in March 2025 in Miami. We will certainly dive deeper into

the complexities of Artificial Intelligence and its applications in various areas of life and business. Thanks to a highly educated workforce, competitive production costs, and a strong entrepreneurial spirit, Poland is becoming an attractive location for outsourcing and international investments. The industry's potential to attract more US investments lies in specialization in advanced technologies and IT solutions, government support for the technology sector, and continuous improvement of the business environment. As one speaker in Miami mentioned, Poland could become the Silicon Valley of Europe, attracting entrepreneurs and investors not only from the US. If we improve our startup support ecosystem, we can also become a hub—which is partly happening—for young entrepreneurs from Ukraine and other neighboring countries.

The summit also hosted representatives of Polish regions who presented their offer to investors. Do you think that Poland, is a friendly country to foreign investors?

Poland is increasingly perceived as a foreign investor-friendly country, thanks to its strategic location in Europe, EU membership, and a large, highly qualified workforce. Its advantages include a growing economy, a strong domestic market, and access to other EU markets. In cooperation with our partners from developing regions of Poland, we draw the special attention of our American partners and investors, presenting Poland's investment potential and the attractiveness of investments in its various regions. At the last edition, we particularly promoted the Kujawsko-Pomorskie Voivodeship and the city of Rzeszów. Their offers interested participants, but these are the first steps. We need to continue this to win the hearts of investors and build trust, but above all, tailor our offer to their expectations. We must understand that Poland is competing with other countries and regions from around the world, which are also fighting for these investments. This must take time.

When it comes to areas where Poland may improve as a business-friendly country, they include reducing bureaucracy, further simplifying tax systems, and strengthening legal frameworks for investment protection. We still have a lot to do in

these areas, but we are convinced that Poland has a chance to become the most important investment hub in Central Europe.

There is yet another element that needs improvement. Today, knowing English is not enough. We must learn American business culture to be a good partner for discussions on investments, joint ventures, and attracting investments, both large and small, venture capital firms and big family offices. Especially family offices seem to be very good partners as they can invest "smart money".

They can invest and at the same time allow our business to build a network with their investments in the US, which can be very effective for both sides.

What is the value that the so-called Polonia business can deliver to entrepreneurs and technology startups in Poland?

"Polonia business" currently includes highly active companies with a Polish identity. In recent years, we have expanded the scope of activity beyond the traditional construction industry. People of Polish descent are setting up service, consulting, and technology startups in the US. We had great examples of such companies at the Congress in Miami. Some of them established contacts with entrepreneurs from Poland and chose Poland as the first market for their foreign expansion. Our compatriots in the US form a broad group of international, experienced entrepreneurs, and company owners, who can offer unique networks of contacts, investment support possibilities, and mentoring for entrepreneurs and technology startups from Poland.

It is also worth mentioning that among the Polonia, we have a whole array of managers in global companies. Potential synergies include access to international markets, partnerships facilitating global expansion, and the exchange of knowledge and technology. This also involves mutual financial support and building a strong capital base. The knowledge of the American market by Polonia and invaluable contact networks can significantly support Polish companies and accelerate their global expansion.

There is a growing number of Poland-based companies that eye the US consumer and BtoB markets. In what way

the 60 Million Congress can help them enter those markets?

The 60 Million Congress aims to facilitate entry into the American market for all interested parties through organizing networking meetings, workshops, and discussion panels that offer insight into the American business environment. We connect companies from Poland with potential partners, investors, and mentors in the USA, and also provide a platform for presenting Polish products and services to a wider audience. Entering the American market is not easy, as it is a very competitive market, and every day companies from all over the world try to break through these gates. Why? Because the reward is high. Those who succeed multiply the value of their businesses geometrically. That is why it is so important that we develop the most effective way of introducing Polish brands to the American market and learn from those who have already succeeded and avoid making the same mistakes. This is one of the leading topics of conversation on the stage and in the corridors of each edition of the Congress. We see that the right network is key to being able to take advantage of the recommendation of the right law office, marketing agency, or other necessary partners for our business development.

According to experts, the transatlantic economy supports 16 million jobs on both sides of the Atlantic, and its commercial exchange was worth USD 6.9 trillion a year in recent years. A free trade agreement between the EU and the US would only unleash this potential, experts say.

What is the take of Congress on such a potential free trade agreement? Can it be reached any time soon?

Given the significant economic ties between the EU and the USA, as well as based on our long experience, a free trade agreement could indeed unleash significant economic potential with immense benefits for both sides. Such an agreement would receive support from the Congress participants, as it could ease trade barriers, stimulate investments, and strengthen economic relations. Achieving an agreement depends on political will and resolving key differences, such as regulatory standards and trade policies.

Along with entrepreneurs cooperating with Congress, we strongly support the enactment of this agreement. It would be a strong signal to European entrepreneurs and American investors that we want to build transatlantic prosperity together and accelerate not only economic exchange but also technological development and joint growth.

With the realignment of global supply chains which has come as a result of the Covid-19 pandemic and the conflict between Russia and Ukraine, geopolitics has become a crucial factor for business and the global economy. With the war in Ukraine, Poland has become a country bordering a warzone and the main hub for delivering humanitarian and military aid to Ukraine. How is this role of Poland viewed by Polonia in the US?

Covid caused disruptions in supply chains and created opportunities for companies from Europe, including Poland, to become suppliers to the American market, often replacing suppliers from Asia. This is happening, and that is why we organize the next Congresses in the US, to make the most of this momentum. The strategic and humanitarian role of Poland in the context of the conflict in Ukraine is viewed with pride by Polonia in the USA. Americans themselves refer to the entire situation with great respect and show support at every level, knowing the enormous tasks this involves. This is an opportunity for the American Polonia as well as Polish entrepreneurs and authorities to take actions aimed at highlighting Poland's special role and position and revealing the potential we possess. We should take advantage of this, as Poland has not been spoken of so warmly in the USA and on the international stage for a long time. We should also promote a deeper understanding of European security issues among American lawmakers, using all available tools. By emphasizing Poland's contribution and challenges, Polonia can help shape US policy in a way that supports stability and security in Europe. Our government should work more closely with Polonia, which is an ambassador for Polish matters in the USA, especially in the face of the upcoming US presidential elections.

SUSTAINABLE IMPACTS



Marcin Abel

Javier Camy

AmCham.pl Quarterly Editor Tomasz Ćwiok talks with **Javier Camy**, President of the Board for Poland, Managing Director for Spain and Sweden at AECOM, and **Marcin Abel**, Poland Operations Director, about the AECOM's history, projects, and its future outlook in Poland.

What can you tell us about AECOM's history in Poland?

MA: AECOM's presence in Poland spans over 30 years, with roots tracing back to legacy companies like Transprojekt Poznań, dating back to the 1970s. Since then, we have been instrumental in conducting major infrastructure projects, including the iconic Via Baltica—the biggest highway and railway investments in Poland, which completely changed the transportation landscape in the region.

Currently, our operations have evolved and expanded. We have strengthened our design and project management capabilities ex-

panding into architecture, water management and environmental consultancy.

JC: Our journey in Poland reflects an era of significant growth and transformation, from the 1990s onwards. We have navigated through dynamic economic shifts, societal changes, and legislative reforms, leaving a lasting impact on the country's development landscape and supporting its geopolitical strategic location.

What are the most active sectors for AECOM today in Poland?

JC: Our operations in Poland have evolved significantly, with a

diverse portfolio spanning civil engineering, architecture, planning, and environmental specialties. AECOM is deeply involved in shaping Poland's built environment. With almost 300 engineers, architects and scientists, we play a crucial role in supporting both Polish and US authorities in the design and development of military facilities. Also, together with the state water holding Polish Waters, we lead huge flood protection initiatives, financed by the World Bank, that will protect local communities against natural risks on the main river basins of the country.

MA: We are also active in other

sectors such as industrial development, logistics, and climate resilience. Our projects range from designing state-of-the-art industrial plants and implementing innovative flood protection measures to providing environmental consultancy services demonstrating our commitment to addressing diverse environment protection challenges.

What are the key projects the company is working on now in Poland?

JC: Our architectural and civil teams are currently working on major framework agreements with the US Government and

Polish authorities. When it comes to our ongoing projects, they include family housing buildings, dining facilities, and warehouses. We are also engaged in supervising the works for major infrastructure highway projects such as the eastern part of the A2 Motorway, and the S11 and S5 Expressways in the North.

Furthermore, AECOM has partnered with the Ukrainian government as part of our commitment to regional cooperation and reconstruction efforts. Our Polish team is also a part of international projects in Germany, the UK, the Netherlands, and the US, among others.

MA: Our expertise in climate resilience plays a crucial role in protecting communities and minimizing environmental impacts, demonstrating our dedication to sustainable infrastructure development. The work we deliver on the Odra and Vistula Flood Protection Programs highlights our dedication to mitigating natural hazards and protecting communities. This is why our environmental teams are involved in multiple projects related to remediation and due diligence services for private companies in Poland.

What can you tell us about AECOM's cross-border cooperation in and beyond the EU?

JC: As I said before, our Polish team collaborates seamlessly with colleagues across Europe, bringing their expertise to a variety of projects. AECOM's regional structure fosters knowledge sharing, collaboration and work. Whether it is architecture, engineering or design services in Germany or the Netherlands or transportation initiatives in the UK, our professionals play a crucial role in driving innovation and excellence on an international scale.

MA: Our cross-border collaboration underscores AECOM's

strength as a global organization, allowing us to leverage diverse insights and resources while maintaining a localized approach. As mentioned by Javier, Polish engineers are involved in multiple projects in Europe, but also outside of the region in the Middle East, the US and Australia. International collaboration allows all parties to develop and expand capabilities. But this type of cooperation does not only work in one direction. Due to very strong connections between regions, many engineers from other countries such as Spain, Germany, the UK and the US are also strongly involved in schemes delivered in Poland. This is a great example of offering our clients the best response possible to address their more challenging projects.

What is the company's take on environmental protection and climate change?

JC: Environmental protection and sustainability are integral to AECOM's ethos. Through our Global Sustainable Legacies strategy, we are committed to reducing our environmental footprint and promoting sustainability across all our projects. Our net zero emission target, endorsed by the Science Based Targets initiative, exemplifies our dedication to combatting climate change. Additionally, our recognition as one of the World's Most Ethical Companies by Ethisphere underscores our commitment to responsible business practices.

MA: In Poland, we adhere to stringent environmental, health and safety—HSE—regulations, and integrate sustainability principles into every aspect of our operations. All AECOM offices in Poland have implemented ISO certification requirements in the scope of Quality, HSE, and Environmental Management Systems.

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Talking about ESG, what are the company's policies re-

garding social inclusion and gender equality?

JC: AECOM has a strong Equality, Diversity and Inclusion—EDI—global strategy in place that has been also developed in detail at a country level to ensure equity, social inclusion and diversity are integral to AECOM's culture. We are proud to have a diverse and inclusive workforce, with over half of our engineers being female! Our inclusive workforce, comprising diverse talents and perspectives, drives innovation and fosters collaboration.

MA: As Javier mentioned, AECOM is active in transferring global strategies to local realities, and EDI is one of them. The team in Poland has selected a local ambassador and champions, they now work in local groups to identify the most urgent topics to address and further encourage employee involvement. Additionally, initiatives such as the Freedom to Grow program promote work flexibility and employee well-being, ensuring that our workplace values diversity and empowers individuals to thrive—whether you are a working parent, a neurodiverse person or still a student, we can always find a way to accommodate your needs and working patterns.

What are the company's plans for 2024 and beyond in Poland?

JC: Looking ahead, we are focused on sustainable growth, and the diversification of our client and service base in Poland. While expanding our presence in our key sectors, we are also committed to preserving what makes us unique, which is our local expertise and global reach. Our goal is to remain at the forefront of infrastructure development, driving innovation and creating lasting positive impact in Poland and beyond.

MA: We focus on the further development of our core sectors,

such as national defense, industry, major infrastructure schemes, project management for highways and flood protection, and environment consultancy. We will also continue expanding our scope of services. By embracing new digital tools, fostering talent, and delivering sustainable solutions, we aim to shape a brighter future for Poland and contribute to global prosperity.

As the company's top managers in Poland, what lasting impact would you like to make on the company's Polish operations—the company's team and how it operates?

JC: In AECOM, we always aim to deliver a better world and we would like to leave a legacy of excellence and innovation, nurturing a culture where diversity is celebrated, and collaboration knows no bounds. By empowering our team to drive change and embrace new opportunities, we want to lead together with our clients the way in shaping the future of Poland's infrastructure, ensuring the adoption of strict ESG criteria that leave a sustainable legacy for new generations to come.

MA: I would echo Javier's sentiments. By cultivating a culture of continuous learning and improvement, using international best practices and adapting them locally, we can ensure that AECOM remains a trusted partner for our clients and a beacon of excellence in Poland's infrastructure sector.

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HOLLISTIC ENERGY TRANSFORMATION



AmCham.pl Quarterly
Editor Tomasz Ćwiok talks
with **Monika Rajska-
Wolińska**, CEO of Colliers
in CEE, about opportunities
and challenges in the
commercial real estate
market in Poland and
Central and Eastern
Europe.

As a leading commercial real estate agency, Colliers constantly monitors market trends. What major trends are currently catching your attention in Poland and the broader region of Central and Eastern Europe?

The global economy is undergoing unprecedented shifts. We have all weathered transformative and unexpected events such as pandemics, but we are also witnessing three significant and enduring trends: energy transition, technological advancement and the rise of

flexible work environments. These trends are poised to have a strong impact not only on the real estate industry but on business in general. Remaining competitive requires companies to not only keep abreast of these trends but to proactively anticipate and incorporate them into their strategies. As professional advisors we are well positioned to address these transformative trends.

What can you offer to your clients?

Let's start with energy transition.

The greenest energy is the energy we don't use. Therefore, energy efficiency is critical. The real estate sector is one of the key contributors to climate change, alongside industry and energy sectors. 40 percent of global carbon dioxide emissions come from buildings. Of these emissions, approximately 70 percent are produced by building operations, while the remaining 30 percent comes from their construction. Considering that properties—mainly offices, warehouses and shopping centers—play an important role in how companies

function, it gives their tenants, developers, landlords and investors ample opportunity for decarbonization and reducing the impact of commercial real estate on the environment. Moreover, the EU is compelling action in this regard. Under the Corporate Social Responsibility Directive that came into force in 2024, it is expected that up to 50,000 companies in the EU will be obliged to provide non-financial reporting, detailing their efforts to implement Environmental, Social and Corporate Governance strategies—also known as

ESG.

Many companies are not ready for this and are looking for reliable advice. Colliers, with its seasoned experts, knowledge base and a range of tools and services, provides such advice. Whether decarbonizing properties, creating ESG strategies in line with business strategy or increasing energy efficiency in the buildings, we provide tailored solutions. Moreover, we are constantly expanding our offerings to respond to the increasing requirements in this area. Last year, for example, as an immediate reaction to the energy crisis, we launched our Energy Advisory service designed to provide clients with comprehensive advice on optimizing their electricity purchasing processes, selecting renewable alternatives and building energy independence using their own sources. All these services are part of the regional platform, which together with the ESG advisory line and the so-called proptech solutions, not only guide clients along their journeys but deliver long-lasting and trusted partnerships. Importantly, we place a strong emphasis on data analytics, because it is difficult to plan a change without knowing where we are. One of the sources of data for property owners is the Building Emissions Calculator, an innovative tool designed by Colliers to assist landlords in forecasting the decarbonization pathway of their facilities. It also helps in planning decarbonization measures, calculating carbon dioxide emissions associated with a property and assessing the risks associated with failing to decarbonize. Last but not least, we see a great potential in public funds in supporting energy transition. That is why we set up a new business line supporting investors in raising funds from EU sources such as the Next Generation EU and the Modernization Fund, which could provide as much as EUR 97 billion up to 2030.

What other decarbonization initiatives is Colliers a part of?

Colliers sees itself as an industry advocate and educator in decarbonization efforts. We serve as an advisor both for our clients, but also for expert organizations. We actively participate in The Responsible Business Forum and the Net-

Zero Chapter working group. We are an active member of the Polish Ecological Building Association. Last year we joined the UN Global Compact. We also publish expert reports, for example *ESG on the construction site*. We influence national energy security by providing professional advice on how to design low-emission buildings, how to operate them to reduce energy consumption and where to invest. We also promote technological solutions which help manage energy more efficiently.

How can technology be leveraged in the real estate sector?

We can look at it from two perspectives: enterprises and buildings. At the enterprise level, we have leveraged our know-how to develop digital solutions that help investors and landlords measure their carbon footprint and assess asset viability. These tools support investment strategies, helping developers and building owners analyze and plan renovations. At the building level, we assess digital connectivity and smart capabilities of buildings using the SmartScore and the WiredScore certification. These frameworks assess whether a building's infrastructure and application ecosystem are future-proof and meet occupiers' expectations. A technological certification for a building helps attract and retain the best tenants. We cooperate with start-ups from Poland and the CEE region to create technological solutions for the built environment. One of our success stories is Whirla, a Polish start-up that helps to automate office workspaces for hybrid work models. We've successfully integrated this system in Colliers and we now offer it to our clients.

Recently, Colliers has published a report on hybrid work which revealed that 92 percent of organizations implemented a hybrid work model. What challenges do companies face in transitioning to a hybrid model of work?

We have observed a tendency to underestimate the scale of change, its potential impact, and the level of organizational effort required to implement new work models. Of-

fice space has become an alternative to working from home and as such it has to offer a unique user-experience to attract employees. This poses a challenge for employers to encourage their employees to return to the office. 64 percent of companies surveyed by our experts are actively addressing this issue, but as many as 8 out of 10 are facing resistance from their teams.

Therefore, at Colliers Define—our platform for achieving a holistic approach to leverage real transformation of commercial spaces—before diving into architectural and fit-out phases, we focus on incorporating our clients' specific needs by diagnosing employees' work preferences. This should be the basis of designing an ideal work environment. This comprehensive process has proved to be a tremendous help to transition to a hybrid work model for our clients such as Roche, Lufthansa, Polpharma, Servier, and Wiener.

Access to skilled employees, lower labor costs, a good location and an expandable infrastructure are advantages that attract foreign companies from various sectors to Poland. Which sectors are the most active?

Poland's appeal as an investment destination is particularly strong for investors from the automotive industry, electromobility, modern technologies, digitalization, and the Business Process Offshoring and Shared Services Centers sector. Last year heralded spectacular investments by Google, Visa, Microsoft, and the much-discussed announcement of the construction of the Semiconductor Integration and Testing Plant by Intel in Środa Śląska near Wrocław. Poland is one of the leading countries in terms of investment attractiveness, as evidenced by numerous rankings and expert opinions, along with the level of foreign direct investment—FDI— inflows from companies from all over the world. Last year, Poland was ranked second in Europe and 13th in the world in attracting investments in modern business services, according to data from the Kearney Global Services Location Index report. According to data from the National Bank of Poland, the FDI in

2022 amounted to EUR 32.3 billion, marking a nearly 23 percent increase compared to 2021 and more than a 2.5-fold increase compared to 2019. FDI inflows in relation to GDP reached 4.5 percent. Also, foreign investors' income from investments in Poland reached a record value of EUR 29.6 billion in 2022, while reinvested profits amounted PLN 17.4 billion.

Investors appreciate Poland for its attractive labor market, strategic location and developed infrastructure that allows for excellent communication with Western Europe as well as with the Baltic countries and Eastern Europe. Being a large country in the region with a robust market adds to the allure. These advantages are also bolstered by favorable conditions for the purchase of real estate in Poland. Compared to Western Europe, Poland still has a high supply of investment land and its prices are attractive for foreign investors. Additionally, the administrative processes related to industrial investments are shorter in Poland than in other European countries, even those in the CEE region. Incentives for foreign investors such as preferential tax rates and development grants, whether stemming from investments in special economic zones or agreements with central authorities, remain pivotal factors.

How will the market develop over the next few years?

The trends we have discussed will remain with us in the coming years, especially the energy transition, which is partly due to the fact that more and more companies will be subject to non-financial reporting in the next few years, as well as the EU's ambitious zero-carbon plan—an example of which is the REPowerEU plan recently presented by the European Commission, according to which the main target for 2030 for renewable energy sources might increase from 40 percent to 45 percent. This will force companies to continue sustainable business transformation on many levels. We hope that Colliers will become a partner for many organizations that are or will be facing this challenge.

ALL ABOUT THE FAMILY



AmCham.pl Quarterly Editor Tomasz Ćwiok talks with **Jacek Behnke**, Chairman of the Board of Trefl SA, a holding company distributing media content for children and board games, puzzles and toys for children and adults to over 70 countries globally, about the company's product portfolio, market success and ambitions.

Trefl is a family-owned company. I wonder what you can tell us about the history of the enterprise?

Trefl was founded by Kazimierz Wierzbicki in 1985, and since then has developed into a leading

manufacturer of board games in Poland, and one of the largest puzzle manufacturers in Europe. Trefl is also the sole distributor of number of popular brands in Poland, such as Siku, Hape, VTech and Lalaboom.

How did it start?

The production of puzzles was not originally on the agenda of Trefl founder Kazimierz Wierzbicki. The mathematics teacher first worked successfully as a basketball coach for several

years before he saw a puzzle for the first time when traveling with his team through Western Europe in the 1980s. He decided to try to produce such a game in Poland but there was no production machinery available in Poland

at that time. So, together with his brother, he initially developed and built his constructions and produced the first puzzles in a workshop in a garage. Regular production of board games started in 1993, and two years later Trefl signed a license contract with The Walt Disney Company, which was a huge milestone in the company's development.

I wonder what you can tell us about the company's corporate value system...

It focuses on the family. It began with the logo and the name. Looking for the name and designing the Trefl logo, Wierzbicki was inspired by traditional playing cards: for him, a colorful cross, which symbolizes happiness and health, resembles puzzle pieces and was the right symbol for his company. The name comes from the French word for a colored cross: "Trèfle". While the logo has changed and evolved over the years, the name has stayed the same since its inception.

Family values are at the very core of our business and are infused in every product that we develop and create. We want families to spend time together playing the games and learning from the experience. Our puzzles, games and toys connect people. We have been successful in making this connection in Europe and now look for similar success in other continents including the US and Asia.

What are the company's policies regarding the green economy and the protection of the environment?

We manufacture over 90 percent of our products in our factory in Gdynia. With it, we have a short supply chain in Europe with a low carbon footprint. Moreover, many of Trefl's products are almost entirely biodegradable. We use recycled and natural materials, and if possible, produce them in closed circuits. Trefl focuses on environmentally friendly products and strives to ensure that all its products are made of FSC materials.

We started using environmentally friendly materials in 2022 by launching two new puzzle lines, Trefl Prime Unlimited Fit Technol-

ogy and the Wood Craft puzzle. They are plastic-free with biodegradable and FSC materials. In 2024, we launched two new eco-friendly puzzle lines, Premium Plus Quality and Wooden Puzzle 200, both manufactured in Trefl's factory in Gdynia.

What can you tell us about the company's ESG policies and programs?

Last year, we set up an ESG strategy team, and together with our experts, we are implementing solutions that will allow us to reduce our environmental impact in the coming years further. We focus on production because we have mastered our approach in other areas perfectly well. For example, corporate social responsibility is inscribed in our DNA. Since 2001, the Trefl Group has been running the Trefl Foundation. It is a CSR-oriented organization supporting children and youth's sports and cultural development and environmental education. It helps protect the environment and helps develop sporting activities in the local community. The company also runs the Trefl Pomeranian Association which covers local communities in Pomerania.

What are the challenges and opportunities in the market of toys and puzzles presently in Poland?

Currently, Trefl's biggest challenge is to adapt our offer to the demands of the post-pandemic world with a war in Ukraine which has become a global problem. Thanks to our highly specialized R&D teams and full process control, our adaptability to the macroeconomic situation and pro-environmental requirements is very high.

Developing environmentally friendly products made in the spirit of sustainable development as well as entering the mobile gaming sector are on top of the agenda nowadays. We follow that trend. For example, on April 5, the game Spy Guy Hidden Objects Deluxe premiered on PC and Nintendo Switch. The game, available in 16 languages, allows players to test their perceptiveness across 120 levels by playing a detective. The limited edition of the Spy Guy Hidden Objects

Deluxe for PC will be available exclusively on the Amazon platform and there are plans for a 2025 release on Sony Playstation and Microsoft Xbox consoles. The Spy Guy Hidden Objects Deluxe Edition is a virtual adaptation of our bestselling and award-winning board game Spy Guy, which is also available in the US. Another important area of our business is the licensing industry. The license market will be worth USD 150 billion in 2028. With this in mind, we work hard to develop our Treflix brand. It is based on animations for children, and produced in the animation studio owned by the Trefl Group. We make robust efforts to build a strong brand for kids and expand it worldwide.

How about the brands that you distribute in Poland?

We are one of the biggest licensees in Poland. Our portfolio includes Disney's Mickey Mouse, Frozen and Star Wars; Mattel's Barbie; Hasbro's Peppa Pig and Transformers; Viacom's Paw Patrol; and brands from Marvel and Lucas Film.

What can you tell us about the work of the film studio that you own?

Called KAZ studio, it greatly contributes to Trefl's strategic goal, which is to build our intellectual property based on animations with Trefliks. So far, the studio has produced 77 episodes of The Treflik Family, 156 episodes of Babies and the Bear, and a 30-minute Christmas special Treflix—Bauble Trouble. Currently, it is developing a 3D series project. All the animations are developed around the Trefliks brand. The films are broadcast in Poland and abroad including Germany, Czechia, Austria, Switzerland and China. The first episode premiered eight years ago and we still improve, develop and update our production following kids' trends. The Spy Guy—our top product brand—is also based on the Trefliks brand.

What quality and product safety standards do you comply with when it comes to board games, puzzles and toys produced by the Trefl Polish factory?

Trefl has evolved as a leader in the puzzle and game categories with a stellar reputation for innovation and quality. Passionate about sports and family entertainment, Wierzbicki still guides the company with the main values of family ties, development, and education, and always ensures that high-quality and safe products are at the forefront of everything Trefl manufactures. Devoted to maintaining the safety and quality of our products, we conduct our operations following the ISO 9001:2015 certificate. To meet consumers' and our business partners' requirements, we have also obtained the Forest Council Stewardship certification. As a member of the Sedex organization, we regularly undergo Smeta ethical trade audits. So we are very restricted regarding safety standards and certificates as well as the values and influence they bring.

What are the company's plans for 2024 and beyond?

We keep developing our traditional puzzles portfolio because consumers tend to spend more time together at home. So we have identified a perfect opportunity to introduce our puzzles, games, and toys worldwide, especially in the US, Eastern Europe, and Asian markets. For almost 40 years, we have designed our puzzles and games specifically to encourage family time, inspire creativity, and explore the world through play. Based on our original designs and proven track record in Europe, we are confident that our puzzles and games will also resonate with families worldwide.

Our strategy for the coming years is to expand exports to the American, Asian, and Western European markets, and globalize the Trefl brand. We look beyond puzzles and board games. And our R&D department constantly develops new categories, such as blocks, to expand our offer and competitiveness.

DEEP INTEGRATION



ANDREW HARDING, FCMA, CGMA, CHIEF EXECUTIVE—MANAGEMENT ACCOUNTING AT AICPA & CIMA, TOGETHER AS THE ASSOCIATION OF INTERNATIONAL CERTIFIED PROFESSIONAL ACCOUNTANTS, WRITES ABOUT EMBEDDING SUSTAINABILITY INTO “BUSINESS AS USUAL” AND THE ROLE THAT ACCOUNTING AND FINANCE PROFESSIONALS PLAY IN IT.

Sustainability information has fast become a significant lens through which organizations are being judged by investors, regulators, employees, and a multitude of other stakeholders. We are also witnessing a step change in the level of mandatory sustainability reporting. International Financial Reporting Standards (IFRS) S1 and S2 have become effective and are being adopted in jurisdictions around the world. Canada, Japan, and Singapore are consulting on the introduction of sustainability-related disclosures in their respective regulatory frameworks through the adoption or other use of the IFRS Sustainability Disclosure Standards (ISSB Standards). Further jurisdictions—such as Australia and Malaysia—have recently closed similar consultations. Jurisdictions including Brazil, Costa Rica, Sri Lanka, Nigeria, and Turkey have already announced decisions to adopt or otherwise use the ISSB Standards. China's three main stock exchanges—Beijing, Shanghai, and Shenzhen—recently unveiled new sustainability reporting guidelines that will require hundreds of large and dual-listed companies to disclose ESG-related information, including energy use, climate change, ecosystem and biodiversity protection, and supply chain security, starting in 2026. In the EU, accounting and finance professionals are already collecting data on sustainability risks, opportunities, and impacts for the first set of annual

reports due to include these in 2025 in line with the Corporate Sustainability Reporting Directive (CSRD) and European Sustainability Reporting Standards (ESRS) which came into effect on 1 January 2024. Additionally, we are seeing more companies voluntarily moving from strictly financial reporting to a more integrated approach, which includes an organization's non-financial information such as its ESG and sustainability data. The most recent study from AICPA & CIMA in partnership with the International Federation of Accountants (IFAC) found that 98 percent of companies reviewed globally report some level of sustainability information.

FINANCE'S PIVOTAL ROLE

As core members of almost every business and non-governmental organization, accounting and finance professionals have a crucial role in providing non-financial and financial management information to drive business performance, develop strategies, and influence decision-making. They own the processes, systems, data, management information, reporting, and assurance that will support their organizations' transitions to sustainable businesses.

They bring a unique set of skills and knowledge to the table and can work with stakeholders to integrate responsible and sustainable practices into their business and operating models. Without the rigor and business

acumen of finance and accounting professionals, it may prove impossible to truly embed sustainability into “business as usual”. The profession's very nature makes it a powerful force for supporting and implementing strategies and programs aligned to organizational goals and assuring this information and the systems.

SIZING THE OPPORTUNITY

Building sustainable organizations may require entire business models to be remade, with sustainability built into processes right along the value chain. That means finance professionals need to be on top of the concepts and, importantly, the processes for collecting and recording the data in a meaningful and actionable manner. It is imperative that the accounting and finance profession seizes this opportunity to position itself as an effective and value-adding business partner with an organization's ESG and sustainability function.

To build the next generation of sustainable organizations, accounting and finance professionals need to be thinking much more deeply about how to integrate ESG into all their processes. Risk management is a good example. High-performing organizations will have plans in place to mitigate ESG-related risks, and the development of these plans is likely to un-

cover opportunities for innovation, resilience building and long-term value creation. This shows how embedding ESG will become a central part of how value is identified, created, captured, and recorded.

MULTI-CAPITAL APPROACH

The accounting and finance profession has always been, and will remain, focused on adding value to organizations. What has changed is that now we understand that value incorporates more than just financial capital. The multi-capital approach takes into consideration a complex interplay between multiple capitals: financial, manufactured, natural, human, intellectual, and social. This will mean that the finance function itself will change. And for that, there are four major shifts needed, all cutting across traditional boundaries.

- Engaging with organizations' business models on a much deeper level. Beyond the important traditional areas of cost and revenue, accounting and finance professionals also need to look at other dimensions including purpose, the customer value proposition, and organizational culture. Our analysis will have a greater impact on how strategy is developed and managed in a multi-capital environment.

- Developing a greater understanding of the importance of human, natural, intellectual, social and rela-

relationship capital. There will be a continuing shift of focus from tangible to intangible assets. Capturing and managing intangible value will be a key part of our role. All the types of capital may need to be accounted for in the business model.

- Prioritizing medium- and long-term value creation over short-term financial returns. Sustainability will also require us to engage in more challenging conversations across the wider stakeholder groups, to shift focus to a longer time horizon.

- Developing further our relationships. Accounting and finance professionals have close relationships with investors and lenders. If they are to build sustainable organizations in a multi-capital world, they will also need to develop further their relationships with customers, distributors, suppliers, employees, regulators, and other stakeholders.

LEARNING RESOURCES

AICPA & CIMA have the re-

sources to prepare accounting and finance professionals for this change. We publish topical reports, such as the "Accounting for" brief series, which includes the Accounting for the Sustainable Development Goals, Accounting for Carbon, and Accounting for Nature. In July 2023, we released the latest brief Accounting for Climate Resilience.

In autumn, we launched our Sustainability & Business Toolkit which includes free resources and tools to help organizations navigate the sustainability landscape. And since then, as part of the "Sustainability and Business" series, we have added four "Sustainability frameworks and standards" summary reports.

ESG and sustainability are also core topics of our Future of Finance research program, which explores the future state of the finance profession and its broader ecosystem, defining essential skills, competencies, and knowledge. Our findings underpin the de-

velopment of our qualifications, thought leadership and learning resources. In 2023, AICPA & CIMA released emerging theme papers, including a paper on Organizational Sustainability and ESG. And all key findings from this research program are presented in our flagship report entitled Future of Finance 2.0: Re-defining Finance for a Sustainable World published on 22 April 2024 to coincide with World Earth Day.

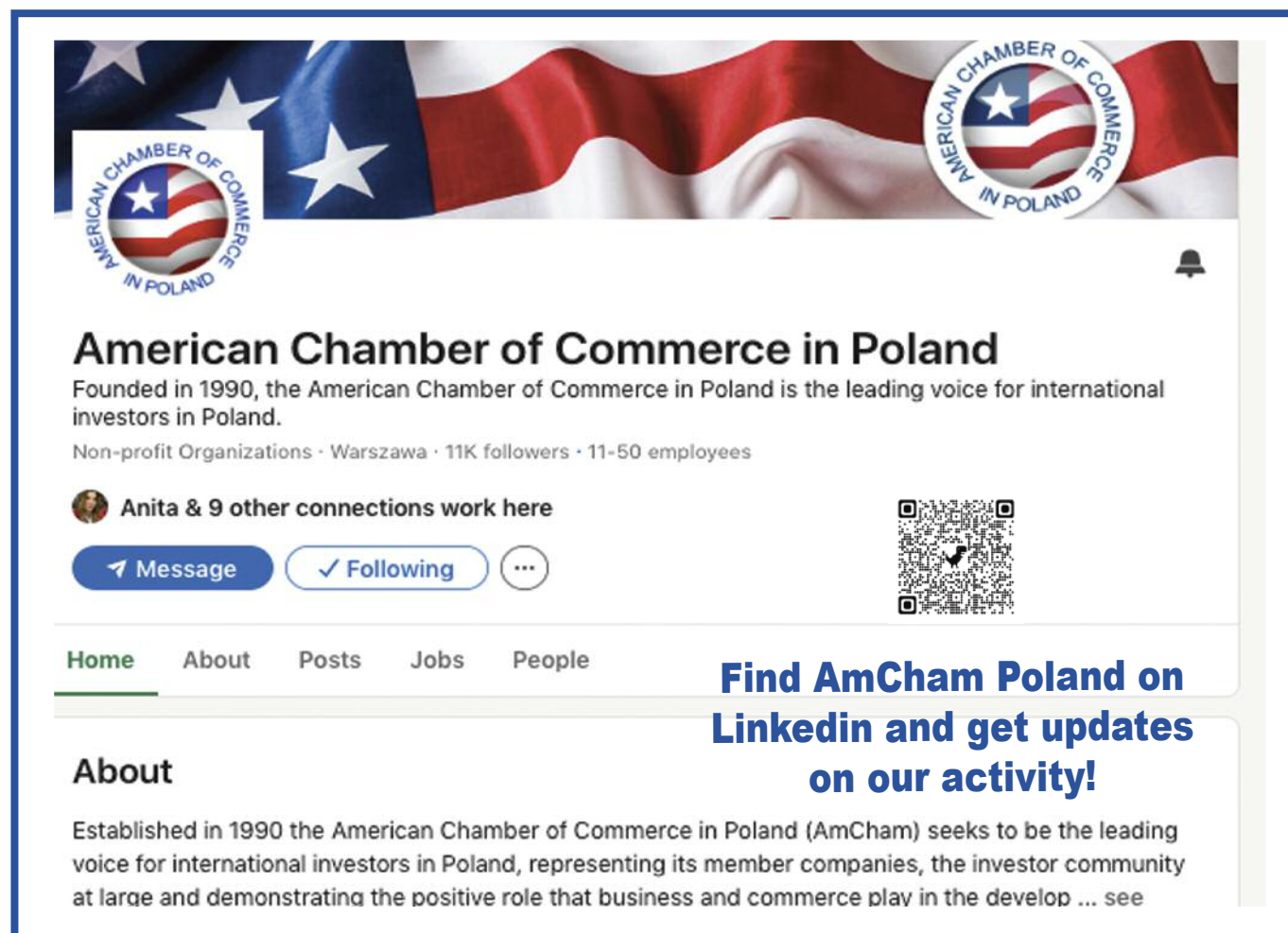
NEXT LEVEL SKILLS

Providing tools and practical courses for broad upskilling on sustainability and ESG matters is another of our highest priorities. The Fundamentals of ESG Certificate is available globally and equips one with a baseline knowledge of ESG topics. The 9-hour course offers a grounding in the fundamental concepts and developments within the ESG field. To deepen one's understanding, the online executive management certificate course in sustainability, which

we offer in partnership with the University of Oxford's Saïd Business School, is worth considering.

In partnership with IFRS, AICPA & CIMA also offer our members the opportunity to complete the IFRS Foundation's Fundamentals of Sustainability Accounting (FSA) Credential at a discounted price. The program is designed to help accounting and finance professionals understand the link between financially-material sustainability information and a company's ability to create value.

Last, but not least, we will shortly be launching new e-learning modules for the ESRS, which will help finance and accounting professionals navigate the twelve new reporting standards. We have plans for a new course with Oxford University's Saïd Business School on sustainability-related financial management, which would meet the professional needs of finance and accounting directors, senior managers, and managers.



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BRINGING DEFENSE BUSINESS HOME



JAROSŁAW WITEK, PARTNER, RESPONSIBLE FOR LEADING THE MULTIDISCIPLINARY DEFENSE AND SECURITY GROUP IN POLAND AT DENTONS, EXPLAINS THE REQUIREMENTS FOR COMPANIES INTENDING TO ENTER INTO DEFENSE OFFSET DEALS WITH THE POLISH GOVERNMENT.

Apart from granting 50 percent of the funds on technical modernization to the Polish defense industry, the new Polish government is committed to using offsets and involving more Polish companies in defense contracts made with foreign suppliers through the so-called policy of "Polonization". The willingness to make greater use of offsets and involve more domestic defense technology companies comes as a result of the Russian aggression on Ukraine. With the reevaluation of Poland's defense priorities comes an acceleration in the development of the domestic defense industry. Poland looks at a cooperation potential with Germany and France within the Weimar Triangle, including sharing the production of defense equipment. Offset deals in this area, along with "Polonization" are perceived as useful tools to strengthen the Polish defense industry and the potential of the Polish Armed Forces. With this, there are huge opportunities for foreign defense companies and technology suppliers, given they are competent in entering into offset deals.

OFFSET SCOPE

Under the Offset Act, offset commitments mainly refer to the transfer of technology to secure the required degree of independence of Poland from the foreign supplier in terms of

production and MRO capabilities. The Polish government expects solely intangible offset commitments consisting of the transfer of or licensing technology and know-how. No tangible offset commitments, including the direct purchase of goods and services, sales assistance through a marketing network, or share purchase and share capital contributions are allowed.

The value of an offset agreement is specified on a case-by-case basis. The Offset Act—designed to achieve technology transfers—does not provide for offset multipliers, and therefore, a nominal value of all offset commitments should be taken into consideration while establishing the overall offset value. In practice, the value is proposed by the foreign supplier within the scope of its sovereignty and based on a chosen evaluation methodology and agreed to with the Polish government. In case of non-performance or improper performance of the offset commitments, a foreign supplier is obliged to pay contractual penalties—which under Polish law constitute a form of liquidated damages. Under the Offset Act, the value of the contractual penalty for non-performance of an offset commitment should equal the value of the non-performed offset commitment. Similarly, in the event of improper perform-

ance of the offset commitment, the value of the contractual penalty should equal the value of the improperly performed part of the offset commitment (the so-called partial performance). Consequently, in the case of non-performance or improper performance of offset commitments, the foreign supplier is obliged to pay a contractual penalty equal to 100 percent of the value of the non-performed or improperly performed part of the offset commitment. In practice, during negotiations, it is possible to adopt certain departures or variations from the above rules. Under Polish law, contractual penalties are due irrespective of whether the Polish government incurred any loss from the non-performance or improper performance of the offset agreement.

Additionally, the foreign supplier may be obliged to pay an additional (supplementing) compensation if, as a result of non-performance or improper performance of the offset commitments, the Polish Government suffers damage exceeding the stipulated contractual penalties. However, in such a case, it is the Polish government that is obliged to prove the loss, the non-performance or improper performance of the offset agreement, and the

causal nexus between those elements.

The foreign supplier may, in place of liquidated damages, submit a proposal to perform a replacement offset project.

The offset agreement usually provides for the upper limit of a foreign supplier's liability (cap of liability) under a given offset agreement. While performing an offset agreement, the foreign supplier is liable for its subcontractors to the same degree as for its actions and omissions.

The Polish government is entitled to demand, no later than on the date of conclusion of an offset agreement, a performance bond in the amount not lower than the value of the offset agreement (100 percent) in the form of either a statement on voluntary submission to enforcement proceedings; a bank guarantee; or a blank promissory note—each to be called/collected "on the first demand" upon pre-drawing notice/cure period). Consequently, the performance bond is required before the execution of an offset agreement and always in the total amount of 100 percent of the value of the offset agreement which may significantly increase the costs of offset and should be taken into consideration before making

a binding proposal. In practice, two separate performance bonds may be submitted a cost-free one for the entire 100 percent; and an additional collateral at certain milestones and for a limited amount. If so, the Polish government would be entitled to benefit only from one performance bond to seek a given claim. In any case, both performance bonds are governed by Polish law. The Polish government is entitled to benefit from performance bonds only if a foreign supplier refuses to pay liquidated damages directly to the Polish government upon demand. Under the Offset Act, the supply contract may be signed only following the approval of an offset agreement. Consequently, an offset agreement should be considered a condition precedent of signing the supply contract. The latter may not be concluded before obtaining formal approval and signing of the offset agreement which may significantly extend the execution of the supply agreement for the period required to obtain the approval and signing of an offset agreement. The offset agreement is concluded for a maximum 10-year period and expires at the date when the Polish Government acknowledges the performance of all offset commitments by the foreign supplier or upon payment of contractual penalties resulting from the non-performance or improper performance of the offset commitments. The application for crediting the performance of the offset commitment would be submitted within 90 days from the final performance date of a given offset commitment.

Under the Offset Act, neither

party may terminate or withdraw from an offset agreement.

In addition, under the Offset Act, offset agreements should be governed by Polish law. Although the jurisdiction is not defined by law, the Polish government always insists that Polish common courts have exclusive jurisdiction over offset agreements. Offset agreements are concluded solely in their Polish language versions.

OFFSET IN FMS

Generally, in terms of the offset obligations to be imposed on foreign suppliers, the Offset Act does not distinguish between Foreign Military Sales (FMS) in which the military equipment is acquired through the US government, and the acquisition of the military equipment is commenced directly from its manufacturers. Despite certain concerns as to the literal wording of the Offset Act, the Letter of Offer and Acceptance should be considered an equivalent of a supply agreement which generates an offset obligation that can be imposed by the Polish government. As the US government cannot be involved in an offset, offset obligations should be imposed directly on US defense contractors delivering their respective components to the US government.

OLONIZATION

On top of the offset mechanism, the concept of Polonization should be addressed. Polonization, which as the name suggests, is aimed at making the product "more Polish", constitutes another way of allowing the Polish defense industry to be involved in the delivery of imported weapon systems and to make the Polish defense

industry benefit from the modernization of the Polish Armed Forces by developing domestic production and sustainment capabilities in the long term.

Polonization should be understood as the participation of Polish companies in the production and delivery of the goods being provided to the Polish Government by a particular foreign supplier. There are two key models of such participation. The main one consists of adapting the acquired systems to Polish requirements with the use of Polish components and subsystems. Consequently, Polonization entails a constant and continuous involvement of Polish entities in the production of goods being delivered to the Polish Armed Forces. As long as the foreign supplier locates a part of its production in Poland—it either purchases the components or raw materials from the Polish partners, subcontracts assembly or other services to Polish subcontractors, or uses Polish manpower for production processes, the Polonization requirement can be met. The second model involves designing by the Polish defense industry an original platform to be integrated with various key components, acquired either off-the-shelf or through licenses from abroad where the key Polish defense industry effort is focused on integrating crucial components within a novel platform, developed specifically to meet the distinct requirements of the Polish Armed Forces.

Polonization as such existed in the Polish legal system in the past as an integral part of the offset obligations. The fulfillment of the Polonization commitments was credited against the value of the offset agreement on the same terms as other offset

commitments. Recently, the Polish Government has been returning to the concept of pure Polonization within two scenarios described above, in particular in light of the offset limitations. As Polonization constitutes a separate foreign supplier's obligation and constitutes an important criterion in evaluating bids, the Polish Government is entitled to provide the Polonization requirement, at least theoretically, irrespective of whether it is necessary for the protection of the national security interests or not. Consequently, the Polish government is not obliged to specify and justify, on a case-by-case basis, the security interest that makes a particular Polonization requirement necessary and to demonstrate that it cannot achieve the same objective by less restrictive means.

The concept of Polonization has been recently widely invoked by the Polish government, among others, in its transactions with South Korea.

Polonization should be understood as the participation of Polish companies in the production and delivery of the goods being provided to the Polish government by a particular foreign supplier.

UTILIZING THE FULL POTENTIAL



KATARZYNA ADAMSKA, ADVISOR, INDUSTRIAL AND WAREHOUSE DEPARTMENT, NEWMARK POLSKA; **JOANNA GASEK**, DEPUTY DIRECTOR OF THE INVESTMENT DEPARTMENT, POMERANIAN SPECIAL ECONOMIC ZONE; AND **MAGDALENA SKUROWSKA**, NEW INVESTMENT EXPERT, RÖDL & PARTNER, EXPLAIN HOW COMPANIES WHICH LEASE PRODUCTION FACILITIES OR WAREHOUSES MAY OBTAIN INCOME TAX EXEMPTION.

You do not have to own a property to benefit from support under the Polish Investment Zone scheme. A substantial proportion of business activity conducted in leased production or warehouse facilities qualifies for tax exemptions. How come a few tenants apply for tax relief then?

Established in 2018, the Polish Investment Zone (PIZ) is designed to extend tax exemptions that were once available only in Special Economic Zones (SEZ) to the whole territory of Poland, excluding Warsaw and its suburbs. With the new solution, it is PIZ authorities that decide about granting state aid or not. This mechanism replaced the former SEZ exemption schemes and will remain valid until 2026.

INVESTOR BENEFITS

The Polish Investment Zone was introduced to attract new investors to Poland and to encourage those present in the country to reinvest. It proved at least partially successful because more than 2,500 decisions on state aid have been issued since 2018.

Investors are still unaware that they can apply for state aid, but once they are better informed, the total volume of state aid may increase

markedly, translating into more investments. Despite significant changes introduced by a 2018 regulation, the prevailing belief in business circles is that the PIZ covers only designated investment areas most of which have already been developed or require higher levels of investment spend than other sites. The truth is that investors may apply for a tax exemption anywhere in the country. Tax exemptions are granted for 12-15 years, depending on investment location. This results from an amendment to the regulation which took effect in late 2023 and extended state aid for companies in many regions for two more years.

SMALL AND LARGE

A substantial proportion of business activity conducted in leased production and warehouse facilities qualifies for tax exemptions under the PIZ scheme. Sectors ineligible for state aid include retail, hospitality, construction, and primary agricultural production. Companies applying for a CIT exemption must meet quantitative and qualitative criteria. The former concern declared capital expenditures, with thresholds varying by company size and unemployment level in an investment area. In areas with unemployment above the

national average, investors will have to commit lower expenditures.

As regards qualitative criteria, additional scores will reward investments in sustainable economic growth such as R&D activities, membership in a Key National Cluster, or having an SME status—micro, small, and medium-sized enterprises. Extra points will also be allocated to investments in social sustainability including stable employment, low environmental impact operations and collaboration with sectoral schools. Importantly, state aid conditions can be met by both small domestic companies and large corporates.

PAY NO TAX

Another big question facing companies applying for state aid from PIZ is what types of investment and reinvestment meet the proper criteria to get tax exemption.

State aid from the PIZ is available to any company undertaking investments in business development to increase and improve profitability. Such investments may include the construction of a new production plant or an extension of an existing facility, as well as

leasing production or warehouse space. Potential beneficiaries must conduct specific business as part of the planned investment. Given the business specifics of commercial buildings, most tenants certainly meet pertinent criteria.

LEASE IS COST

How does the zone work in practice? Assume that a logistics company X plans to provide warehousing services for third parties. It needs to adjust its warehouse space to its business needs and goals. It also must buy some fixed assets necessary to provide such services. By its business strategy, the company does not invest in freehold properties but leases warehouse space.

PIZ will grant X a decision on state aid once X meets the criteria. Most tenants, especially logistics providers and manufacturers, have no problem to fulfill them. It means that X may get exempted from tax on income generated from warehousing services provided in a new location.

At the same time, its managers expect to have leased space tailored to the requirements of its manufacturing

plant, which is why they will choose a long-term lease deal on the BTS building. Unlike its previous property, the new facility will be able to accommodate modern machinery and new production lines. Such an investment will sig-

qu岸 documents. It will receive a decision within 14 days from filing the complete application. Tenants of production and warehouse facilities already account for a growing proportion of investment projects reviewed by the

with a new economic activity, for instance, for setting up a new company or a significant diversification of activity of an existing one. As a result, a more detailed analysis will be necessary to establish whether they are investing

their awareness, and demonstrate meaningful benefits of leasing commercial space in the context of CIT exemptions. They should let prospective tenants understand that the entire country is a special economic zone

The entire country is a special economic zone offering state aid for leasing warehouse, logistics and production space, which may translate into substantial savings.

nificantly increase the company's manufacturing capacity, and its income will be exempt from corporate income tax.

RED TAPE ASSISTANCE

It takes little time to get state aid. However, investors can count on the full support of PIZ employees. At first, PIZ managers check whether the company and its investment qualify for relief. If they do, the company is assigned a dedicated project manager who helps fill out all the re-

Pomeranian Special Economic Zone.

In the case of reinvestments by large companies in Greater Poland, Lower Silesia, and Mazovia (excluding Warsaw) more in-depth analyses are required to determine whether they are eligible for corporate income tax exemptions under the Polish Investment Zone scheme. As of the beginning of 2022, the status of these regions changed, so large enterprises qualify for regional state aid only for initial investments connected

there in launching new business operations.

CONCLUSIONS

It has been six years since the extension of the Polish Investment Zone took place. The zone covers nearly the entire country. With this, we need more publicity to grow the volume of investments and reinvestments in PIZ.

Manufacturing and warehouse property sectors, real estate advisers, and SEZ employees should do their best to inform companies, increase

and that state aid for leasing warehouse, logistics and production space may mean substantial savings for them.

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BIG PROTECTION



MARCIN SANETRA, PARTNER IN PCS LITTLER, EXPLAINS HOW THE EU DIRECTIVE ON PLATFORM WORK WILL IMPACT EMPLOYERS AND EMPLOYEES.

The EU Directive on Platform Work aims to improve the working conditions and rights of platform workers in the European Union. It sets out rules to ensure fair treatment, transparency, and protection for workers who are digitally connected to customers through online platforms. This directive also establishes rights for workers, such as access to training, information about their working conditions, and the ability to collectively negotiate with platform operators. The directive seeks to address the challenges and opportunities that platform work presents in the modern economy.

IMPACT ON THE MARKET

Discussions on the EU level regarding the regulation of platform work pre-date the COVID-19 pandemic. The first mention of a directive comprehensively addressing this issue dates back to 2021. Formally, however, EU institutions began to discuss it in the summer of 2023. In March 2024, the European Parliament and the EU Council confirmed a long-awaited agreement on the Platform Directive. With formal approval of its content by the Parliament and Council still pending, member states are expected to then be allowed two years to implement its provisions in national law. There are nearly 30 million platform workers currently identified across the EU. Their

number is expected to grow to nearly 45 million by the end of 2025. A new law offering protection to them under employment rules is certainly going to change the market. Employers have to prepare for it.

PRESUMPTION OF EMPLOYMENT

The platform directive revolves around three core ideas. It identifies platform workers and defines their legal status; identifies platforms and ensures transparency in their operation; and sets regulations on the use of artificial intelligence at work. Importantly, the draft directive introduces the so-called presumption of employment for platform workers. For this to happen, an individual must meet at least two of the five statutory criteria determining this presumption:

- salary limits imposed by the platform;
- supervision (including electronic) of performance of duties;
- assignment of or control of tasks by the platform;
- control of work conditions, or restricting the freedom to freely determine work hours;
- restricting freedom to organize one's work, or imposing rules on the appearance or activities of workers.

DEFINING PLATFORMS

The definition of a platform is broad and open to interpretations. The draft directive dis-

cusses (i) a service provided, at least in part, at a distance by electronic means, such as a website or mobile application, (ii) at the request of the recipient of the service, (iii) which includes, as an essential element, the organization of work performed by individuals in exchange for remuneration (whether the work is performed online or at a specific location), (iv) and which includes the use of automated monitoring or decision-making systems.

Central to the platform's definition is the element of control over the person performing the service, such as a cab driver or delivery worker. At its core, the regulation and the definition it uses target popular apps used to deliver food and groceries, and for transporting people. EU lawmakers decided to take on a form of self-employment that is questionable from the perspective of the letter of the law. It is estimated that currently at least 5.5 million people across the EU performing work through online platforms can be misclassified as self-employed persons, and wrongfully deprived of labor rights and social protection. Such individuals, engaged as service providers, are officially independent, free to engage or disengage from their tasks and enjoy limited or no supervision over them.

In practice, however, the relationships between those individuals and the platform often have distinct features of an employment relationship. As a result, many platform workers are not guaranteed basic labor rights, such as the right to paid vacation, limits on working hours, the right to rest, insurance, and others. The draft regulations look very favorable to them. Importantly, a large number of employers that currently do not identify themselves with platform work do not realize that they could be covered by the new regulation too.

EXECUTING CONTROL

The changes in the law are also expected to include provisions on the use of algorithmic systems in managing and supervising platform work. According to the wording of the new regulations, workers will have to be informed about the use of automated monitoring and decision-making systems. This is intended to bring greater transparency and accountability to algorithmic management—which, in turn, is expected to increase awareness and allow the workers to more easily challenge decisions that affect their working conditions. What is more, new regulations will also require human oversight of automated deci-

sion-making systems, and digital platforms' ability to process certain categories of personal data will be restricted.

DIVERSE IMPLEMENTATIONS

The practical impact of the directive, pronounced in particular for multinational companies, is the potential diversity in the scope and depth of national regulations created by EU member states in the directive's implementation process. The rules currently in

tion and rulemaking. For example, in Poland, where similar, criterion-based regulations are not yet in force, further deepening the presumption of an employment relationship may, on the one hand, be risky from the perspective of the principle of freedom of contract or freedom of economic activity, or, on the other hand, continue to fail to offer viable, practical solutions for the market. Regardless of the manner of implementation, however, it can be expected that basing the presumption

on the directive progresses, the onus is now on them to determine the status of their workers and re-evaluate their business models accordingly. An employee hired by a company comes at a much higher—financial and organizational—cost than an independent contractor. Any changes in the law are expected to have a huge impact on the price of platform services, and consumers will feel it as well. Many companies may fail, or withdraw from a particular area of business. Em-

in the future.

The current draft of the directive is viewed as a big win for platform workers across the EU. For some companies that may be affected by it, it is a rather challenging news, and may mark a possible end to an era of prosperity for the industry. It is estimated that in the last five years, incomes from platform services have increased by about 500 percent.

The current draft of the directive is viewed as a big win for platform workers across the EU but for some companies that may be affected by it the proposed directive is rather a challenging news, and may mark a possible end to an era of prosperity for the industry.

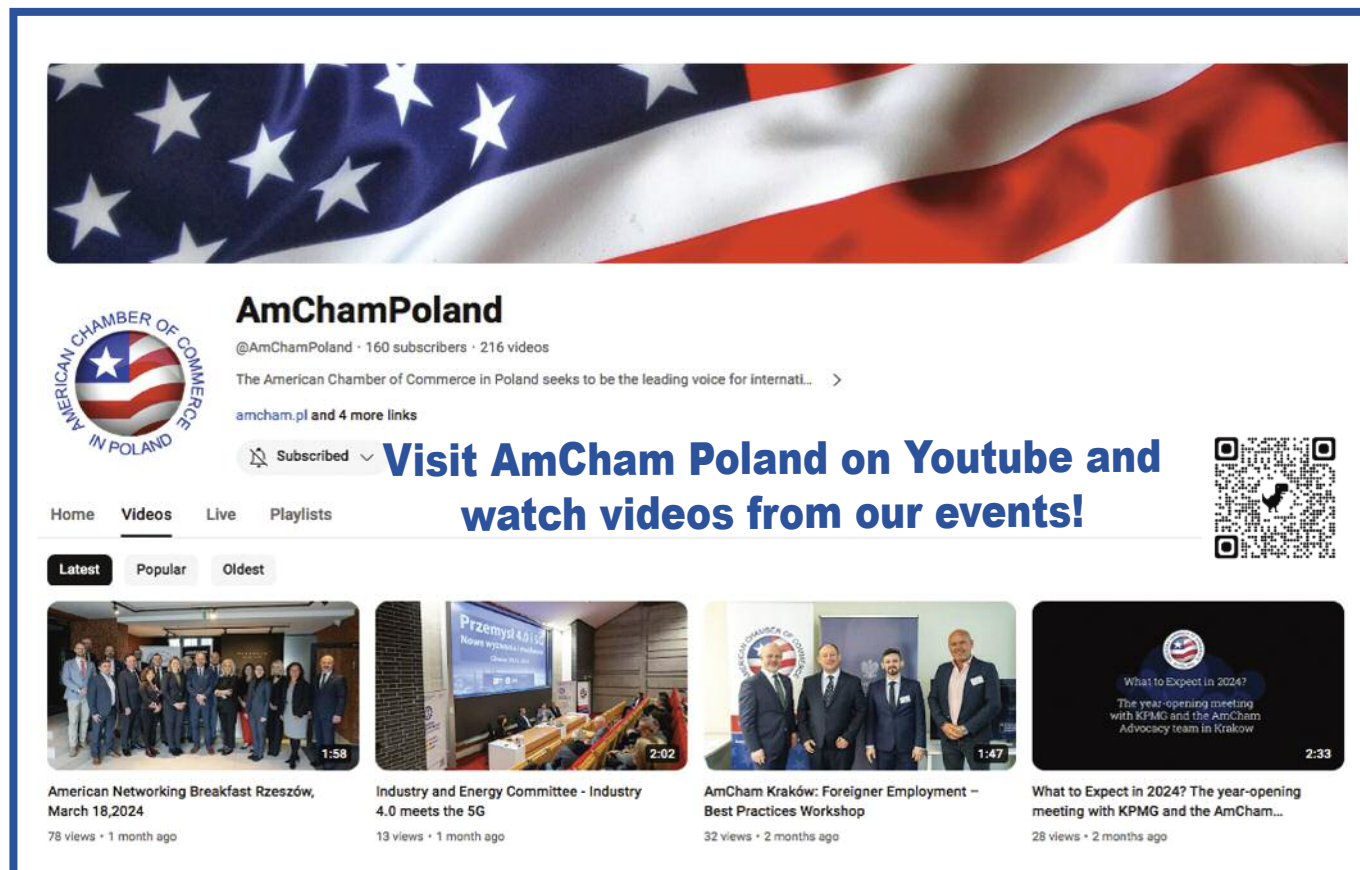
place in each EU country as to the definition of work differ, differ quite significantly, and they will likely remain so despite the adoption of the 'presumed employment' criteria proposed by the directive. In this regard, however, local legislators will have to be very careful in their implementa-

tion of employment on a specific statutory list of criteria will affect the market more strongly and broadly than it might seem to an untrained eye.

IMPLIED THREATS

The effects for large, international corporations are quite clear. As the legislative work

players should prepare for the implementation of this directive by analyzing the status of their business, assessing whether they're covered by its scope, and honestly reviewing the model under which their workers and employees are engaged—so as not to encounter unpleasant surprises



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A GAME-CHANGER FROM THE SUPREME COURT



PAWEŁ BUKIEL AND VLADYSLAV SEMERYNSKYI FROM SQUIRE PATTON BOGGS WARSAW WRITE ABOUT WHAT LIES IN STORE FOR ARBITRATION CLAUSE UNENFORCEABILITY.

Recently, the Polish Supreme Court has issued a precedence-setting ruling. The court rendered the arbitration clause void if the claimant cannot pay the arbitration fees. The ruling has caused a massive uproar amid the Polish arbitration circles. It may have far-reaching consequences for the future of Polish arbitration, as it puts in doubt the fundamental principle of the parties' liberty to choose the dispute resolution method.

In its January 19, 2024 ruling in II CSKP 897/22, the Supreme Court undermined the hitherto pervasive assumptions, arguing that an objective inability to pay the arbitration fees should render the arbitration clause void. Such an interpretation jeopardizes the cornerstone of arbitration, that is the parties' sole discretion to choose the forum to resolve their disputes. However, given the novel nature of the ruling, it remains unclear how, and whether at all, the courts will apply the guidelines set by the Supreme Court in its ruling.

NO MONEY, NO RULING

In the matter that gave rise to the January 19, 2024 ruling, the Supreme Court probed the Warsaw Appeals Court ruling on dismissing the action, following the claimant alleging the arbitration clause. In the cassation request, the claimant alleged that the Warsaw Appeals Court, among other things, had breached Article 1165(2) of the Polish Civil Procedure Code, read with Article 45(1)

of the Polish Constitution and Article 6(1) of the European Convention on Human Rights. In principle, if the claimant alleges the existence of the arbitration clause, the court must dismiss the action. However, under Article 1165(2) of the Polish Civil Procedure Code, the action will not be dismissed if the arbitration clause is rendered void. Article 45(1) of the Polish Constitution and Article 6(1) of the European Convention on Human Rights, in turn, set the foundations for the right to have one's matter fairly and openly resolved by a competent, independent and impartial court. During the proceedings, the claimant argued that it could not afford the arbitration fees, which precluded it from commencing the proceedings. It emphasized that had the matter gone to trial, it could have sought a court fee relief. Therefore, according to the claimant, dismissing its action and referring the matter to arbitration would have breached its Constitutional right to a fair trial.

In its January 19, 2024 ruling in II CSKP 897/22, the Supreme Court repealed the challenged Warsaw Appeals Court ruling. The Supreme Court agreed that: "an objective inability to pay the fees necessary to commence and complete the proceedings before the arbitration court may render the arbitration clause void as provided for in Article 1165(2) of the Polish Civil Procedure Code".

INTO THE VOID

The arbitration clause is rendered

void if the arbitration court is unable to hear the matter. In its ruling dated 5 February 2014, case file no.: V.CSK 231/14, the Supreme Court ruled that the arbitration clause is void if "it transpires that the arbitration court is unable to hear the matter, as per the arbitration clause, either because it is impossible to appoint the arbiters or circumstances are precluding the arbitration court, referred to in the arbitration clause, from hearing the matter, or if both these prerequisites exist jointly and the agreement in place between the parties does not provide otherwise". The arbitration clause is also void if it is vague or contradictory to the extent the dispute may not be resolved by drawing on it. An example of such vagueness is an inability to determine the arbitration court of the parties' choosing. Also void is the arbitration clause where the parties have indicated a nonexistent arbitration court or if any other specific laws stand in the way of applying it. When assessing whether or not the arbitration clause is effective, one should draw primarily on reviewing its very language and the circumstances under which it is applied—that is, for instance, whether the arbitration court of the parties' choosing exists.

PARTIES' AUTONOMY

Arbitration owes its very existence to the parties' intentions.

The arbitration clause, as the "centerpiece" of arbitration, is also a testament to the parties' autonomous intentions in deciding to refer their dispute to arbitration.

The arbitration clause is a trial agreement. Thereunder, the parties waive the common courts' jurisdiction over certain matters. As the Supreme Court rightfully indicated in its November 16, 2016 ruling in I CSK 780/15: "When including certain provisions in the arbitration agreement, the parties must be aware of their meaning and consequences". A natural consequence including the arbitration clause is waiving certain institutions associated with the common courts in favor of others—available only in arbitration. By way of an example, when including the arbitration clause, the parties willingly waive the court fee relief.

The arbitration clause does not infringe on the constitutional right to have one's matter fairly and openly resolved by a competent, independent and impartial court, as provided for in Article 45(1) of the Constitution and Article 6(1) of the European Convention on Human Rights. This is because the parties may still refer their dispute to arbitration. Besides, third-party funding or other dispute resolution funding mechanisms, which have been also gaining popularity in Poland, have been currently compen-

sating for no court fee relief in arbitration.

INTERNATIONAL CASES

Courts of many jurisdictions have pondered arbitration clause unenforceability due to no funds for commencing and completing the arbitration proceedings. The rulings issued in various countries differ significantly. In its resolution dated 12 July 2017 in N 307-3C17-640, A56-13914/2016, the Russian Supreme Court said that the party's (a commercial company) distress may not, in and of itself, render the arbitration clause

earlier by the Russian Circuit Court for the Northwestern Circuit, dated July 8, 2016, in A5650929/2015.

The German Bundesgerichtshof has adopted an entirely contradictory and unique view. In its ruling dated September 12, 2000, in III ZR 33/2000, Bundesgerichtshof said that the claimant's lack of funds may render the arbitration clause void. In the court's opinion, such a solution will enable the party that does not have the funds at its disposal to refer the matter to the common court.

The third concept, found in

directly linked to the breach in dispute. This approach is somewhat of a compromise between the above rather extreme concepts, though it seems to be leaning towards the former. However, it allows a specific exception to the rule.

SUMMARY

In the January 19, 2024 ruling in II CSKP 897/22, the Supreme Court reframed the notion of arbitration clause unenforceability due to lack of funding, and it has spurred the arbitration circles to debate and reflect on the future shape of Polish arbitra-

However, it should not significantly deviate from the fundamental principles and well-established practices underlying the system. In this context, if the courts choose to apply the Supreme Court's most recent guidelines, they should exercise great caution and do so only under exceptional circumstances. The Supreme Court has yet to publish the grounds for its ruling. It is essential for such grounds to set the precise boundaries and conditions for applying the proposed concept, which will be instrumental in ensuring clarity, integrity and pre-

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void. According to the Supreme Court, no funds for commencing the arbitration proceedings does not oblige the common court to hear the matter as to its substance if the parties had included a valid and enforceable arbitration clause in their agreement. An identical ruling was issued

British jurisprudence, is reflected in the ruling in Paczy vs.

Haendler & Natermann G.m.b.H. Thereby, insufficient funds to commence and complete the arbitration proceedings may constitute reasonable grounds for rendering the arbitration clause void only if such lack of funds is

tion. The ruling has changed the orthodox practices and may have far-reaching ramifications for the parties' autonomy in choosing the dispute resolution method and the arbitration system's general stability.

An innovative and equitable approach to the law is desired.

dictability of the arbitration practice.

AMCHAM EVENTS

IN JANUARY, AMCHAM HELD THE CARNIVAL BUSINESS MIXER WITH DELICIOUS FOOD AND DRINKS, AND A BRASILIAN SAMBA DANCE SHOW, FOLLOWED BY A ROBUST NETWORKING. THE CO-ORGANIZER OF THE EVENT WAS THE MARRIOTT WARSAW HOTEL. IN PICTURES: 1. BRASILIAN SAMBA DANCERS. 2. TONY HOUSH, AMCHAM CHAIRMAN; DARIUSZ OLEKSIK, GENERAL MANAGER OF THE WARSAW MARRIOTT HOTEL. 3. BOGDAN MALISZEWSKI, UL INTERNATIONAL; MARZENA DRELA, AMCHAM EXECUTIVE AND OPERATIONS DIRECTOR; IGA NIEWIADOMSKA, DENTONS; KRZYSZTOF SZUBERT, PKO TFI.



AMCHAM EVENTS

IN FEBRUARY, THE AMCHAM DEFENSE & SECURITY COMMITTEE MET AT THE JLL'S WARSAW OFFICE TO DISCUSS THE OVERVIEW OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR 2024. THE MEETING, HELD OFFLINE AND ONLINE, ATTRACTED OVER 100 PARTICIPANTS. THE PANELISTS WERE RON FARKAS, POLAND-U.S. OPERATIONS; PIOTR MARCZUK, HONEYWELL; TOMASZ ZAKRZEWSKI AND PAULINA EPLER, MBA, RAYTHEON TECHNOLOGIES (RTX). THE DISCUSSION WAS MODERATED BY TONY HOUSH, AMCHAM CHAIRMAN. IN PICTURE: TOMASZ ZAKRZEWSKI, RTX; PAULINA EPLER, RTX; TONY HOUSH; RON FARKAS, POLAND-US OPERATIONS; PIOTR MARCZUK, HONEYWELL.



IN FEBRUARY, AMCHAM KRAKÓW AND KATOWICE, TOGETHER WITH THE AMCHAM INDUSTRY AND ENERGY COMMITTEE AND THE DIGITALIZATION AND INDUSTRY 4.0 COMMITTEE OF THE POLISH-GERMAN CHAMBER OF INDUSTRY AND COMMERCE (AHK) DISCUSSED THE CHALLENGES AND OPPORTUNITIES STEAMING FROM THE MERGE OF INDUSTRY 4.0 AND THE 5G NETWORK TECHNOLOGIES. THE MEETING WAS HELD AT THE INDUSTRY 4.0 CENTER OF THE SILESIA UNIVERSITY OF TECHNOLOGY IN GLIWICE. THE SPEAKERS WERE ANDRZEJ SOLDATY, SILESIA UNIVERSITY OF

TECHNOLOGY, MAREK DREWNIĄK, AIUT, RADOŚŁAW ŁOŚ, APA, MIROŚŁAW KULIGOWSKI, SIEMENS AND MIKOS-ROMANOWICZ, AMCHAM INDUSTRY & ENERGY COMMITTEE CO-CHAIR, SIEMENS. IN PICTURES: 1. ELŻBIETA DURAJ, AHK; EWA MIKOS; MATEUSZ JURCZYK, AMCHAM KRAKÓW AND KATOWICE DIRECTOR; AGNIESZKA OZUBKO; AGNIESZKA ADAMIEC, MANPOWER; PRZEMYSŁAW SULICH, AHK. 2. THE MEETING IN PROGRESS.



IN FEBRUARY, AMCHAM ORGANIZED THE SCREENING OF THE CRITICALLY ACCLAIMED MOVIE CHŁOPI (THE PEASANTS). THE EVENT TOOK PLACE AT THE KINOGRAM CINEMA IN FABRYKA NORBLINA. IN PICTURES: 2. DOROTA DĄBROWSKI-WINTERCHEID (AMCHAM BOARD MEMBER) IN CONVERSATION WITH ROBERT GULACZYK, THE CHŁOPI LEAD ACTOR. 3. MATEUSZ JURCZYK, KAROL WITASZEK, AMCHAM; ANDRZEJ DZIUKAŁA, VERTEX PHARMACEUTICALS (POLAND); MARTA PAWLAK, AMCHAM; MARIUSZ WAWER, 3M.

IN FEBRUARY, AMCHAM KRAKÓW AND KATOWICE HELD A MEETING WITH REPRESENTATIVES OF THE MAŁOPOLSKA PROVINCIAL OFFICE WHO DISCUSSED BEST PRACTICES IN EMPLOYING FOREIGN WORKERS. THE MEETING TOOK PLACE AT THE OFFICE OF MOVE ONE IN KRAKÓW. ADAM SPYRA FROM THE DEPARTMENT FOR FOREIGNERS OF THE MAŁOPOLSKA PROVINCIAL OFFICE OPENED THE DISCUSSION. AMONG THE GUESTS WERE KRZYSZTOF JAN

KŁĘCZAR, VOIVODE OF THE MAŁOPOLSKA REGION. IN PICTURES: 1. MATEUSZ JURCZYK, AMCHAM KRAKÓW & KATOWICE DIRECTOR; KRZYSZTOF JAN KŁĘCZAR, VOIVODE OF THE MAŁOPOLSKA REGION; DAWID TAMBOR, PIOTR PIEKAROWICZ, MOVE ONE. 2. THE MEETING IN PROGRESS.





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AMCHAM EVENTS

IN MARCH, AMCHAM KRAKÓW AND KATOWICE HELD THE AMERICAN NETWORKING BREAKFAST IN RZESZÓW. THE EVENT ATTRACTED THE REPRESENTATIVES OF TOP US INVESTORS IN THE PODKARPACIE REGION INCLUDING ADMARADO LLC, AMERIPOL STAFFING, BOEING AND BOEING DISTRIBUTION; SERVICES INC., BORGWARNER, CWT, PRATT & WHITNEY RZESZÓW (RTX), SHERWIN-WILLIAMS, TW METALS; AND WSK RZESZÓW. AMONG THE GUESTS WERE ERIN NICKERSON, US CONSUL GENERAL TO KRAKÓW; KONRAD FIJOLEK, MAYOR OF RZESZÓW, AND MARZENA DRELA, AMCHAM EXECUTIVE & OPERATIONS DIRECTOR. THE VENUE

WAS THE AMARADO BUILDING IN RZESZÓW. IN PICTURES: 1. ALL THE MEETING PARTICIPANTS TOGETHER. 2. ERIN NICKERSON. 3. KONRAD FIJOLEK. 4. MARZENA DRELA. 5 – RAFAŁ KUT, ADAMARO. 6. WITOLD GRELA, BOEING. 7. ANDRZEJ CZARNECKI, ALICJA KALETA; PRATT & WHITNEY RZESZÓW. 8. WITOLD GRELA, EDYTA WIELGOSZ, BOEING; MATEUSZ JURCZYK, AMCHAM KRAKÓW & KATOWICE DIRECTOR. 9. MATEUSZ JURCZYK, MARZENA DRELA, KONRAD FIJOLEK. 10. MATEUSZ JURCZYK; MARIA LEW, ADAMARO; MARZENA DRELA; ERIN NICKERSON; RAFAŁ KUT. 11. THE MEETING IN PROGRESS.



THE SPEAKER AT THE AMCHAM MARCH MONTHLY MEETING WAS RYSZARD PETRU, CHAIRMAN OF THE PARLIAMENTARY COMMITTEE FOR THE ECONOMY AND DEVELOPMENT. TONY HOUSH, AMCHAM CHAIRMAN, MODERATED THE DISCUSSION. THE VENUE WAS THE WARSAW MARRIOTT HOTEL. IN PICTURES:

1. RYSZARD PETRU. 2. TONY HOUSH. 3. MARZENA DRELA, AMCHAM OPERATIONS AND EXECUTIVE DIRECTOR; RYSZARD PETRU.



IN MARCH, AMCHAM, TOGETHER WITH THE BRITISH POLISH CHAMBER OF COMMERCE, THE IRISH POLISH CHAMBER OF COMMERCE, THE POLISH CANADIAN CHAMBER OF COMMERCE, AND ENTERPRISE IRELAND, ORGANISED THE SAINT PATRICK'S DAY MIXER. IN THE OFFING WERE DELICIOUS FOODS, CAPTIVATING IRISH DANCERS, GUINNESS BEER AND IRISH WHISKEY, AND NETWORKING OPPORTUNITIES AT THE RADISSON COLLECTION HOTEL, WARSAW. IN PICTURES: 1. THE IRISH DANCERS' SHOW. 2. PATRICK HAUGHEY, AMBASSADOR OF IRELAND TO POLAND; TONY HOUSH, AMCHAM CHAIRMAN. 3. MARZENA DRELA, AMCHAM EXECUTIVE & OPERATIONS DIRECTOR; DOROTA DABROWSKI- WINTERSCHIED, AMCHAM BOARD MEMBER (CEC GROUP); ELŻBIETA CZETWERTYŃSKA, AMCHAM BOARD MEMBER, CITI COUNTRY OFFICER POLAND.



IN MARCH, THE PARTICIPANTS OF THE 9TH EDITION OF THE AMCHAM 30 UNDER 30 MENTORING PROGRAM ORGANIZED THE BOARD GAMES CHALLENGES—A CHARITABLE EVENT TO SUPPORT THE RONALD McDONALD HOUSE CHARITIES POLAND. THE VENUE WAS THE WAR-

SAW MARRIOTT HOTEL. IN PICTURES: 1. THE CHARITY RAFFLE IN PROGRESS. 2. THE PARTICIPANTS WITH MATEUSZ JURCZYK, AMCHAM KRAKÓW AND KATOWICE DIRECTOR (CENTER,) WHO COORDINATES THE 30 UNDER 30 PROGRAM.



IN MARCH, BARBARA STEPNOWSKA, AMCHAM GDAŃSK DIRECTOR, MODERATED A PANEL DISCUSSION FOR THE GLOBAL IMMERSION PROGRAM (GIP) FROM THE WHARTON MBA PROGRAM, UNIVERSITY OF PENNSYLVANIA, WITH SPEAKERS HONORATA HENCEL, MANAGING DIRECTOR OF BOEING POLAND & UKRAINE, AND BARTEK CIEPLUCH, VICE PRESIDENT

OF INTEL DATACENTER GROUP. THE VENUE WAS THE EUROPEAN CENTER FOR SOLIDARITY IN GDAŃSK. IN PICTURES: 1. DR. BARBARA STEPNOWSKA; JAKUB WALIGÓRSKI, MBA WHARTON; DR. KATARZYNA STANKIEWICZ, GDAŃSK UNIVERSITY OF TECHNOLOGY. 2. FAMILY PICTURE OF THE GIP PROGRAM PARTICIPANTS.



AMCHAM EVENTS

THE SPEAKER AT THE APRIL MONTHLY MEETING WAS ANDRZEJ DYCHA, CHAIRMAN OF THE POLISH TRADE & INVESTMENT AGENCY—PAIH. AMCHAM CHAIRMAN TONY HOUSH MODERATED THE Q&A SESSION. THE VENUE WAS THE WARSAW MARRIOTT HOTEL. IN PICTURES: 1. AN-

DRZEJ DYCHA. 2. 2. ELŻBIETA JAWORSKA, AMCHAM BOARD MEMBER (IBM); TONY HOUSH; ELŻBIETA CZETWERTYŃSKA, AMCHAM BOARD MEMBER (CITI HANDLOWY). 3. THE MEETING IN PROGRESS.



IN APRIL, AMCHAM WROCŁAW HELD A BUSINESS MEETING TO DISCUSS THE LEGAL REQUIREMENTS AND MARKET REALITIES OF LAYOFFS THAT ARE NOT RELATED TO EMPLOYEES DIRECTLY. THE SPEAKER WAS MICHAŁ CHODKOWSKI, WHO HEADS THE LABOR LAW PRACTICE

AT ŁASZCZUK & PARTNERS. THE DOUBLETREE BY HILTON WROCŁAW HOTEL. IN PICTURES: 1. MICHAŁ CHODKOWSKI. 2. THE PARTICIPANTS.



IN APRIL, AMAZON DEVELOPMENT CENTER POLAND CONCLUDED ANOTHER EDITION OF THE GIRLS DO ENGINEERING PROGRAM, UNDER THE PATRONAGE OF THE AMCHAM EMPOWERHER PROGRAM FROM THE US EMBASSY IN POLAND WHICH SUPPORTS YOUNG WOMEN IN DEVELOPING ENGINEERING SKILLS. AMONG THE GUESTS WERE GDAŃSK MAYOR ALEKSANDRA DULKIEWICZ AND US AMBASSADOR TO POLAND MARK BRZEZINSKI. THE VENUE WAS THE OLIVIA STAR CONVENTION CENTER IN GDAŃSK. IN PICTURES: 1. FIRST ROW: DR. BARBARA STEPNOWSKA, AMCHAM GDAŃSK DIRECTOR; LUCYNA CHWASTOWSKA, AMAZON;

AMBASSADOR BRZEZINSKI; MARIUSZ MIELCZAREK, AMAZON. SECOND ROW: ROMAN PAŁAC, GEMINI; HONORATA HENCEL, BOEING; TONY HOUSH, AMCHAM CHAIRMAN; DOMINIKA WINOGRAD, MANPOWERGROUP. THIRD ROW: SŁAWOMIR ZYGOWSKI, GE POWER; PAULINA NAUEMKO, INTEL; JAROSŁAW SZPONARSKI, CBRE; JUSTYNA GDOWSKA, TREFL; STANISŁAW MOTYLSKI, FLEX; MIESZKO DROPIŃSKI, INTEL. TOP ROW: MIACH BĄK, EATON; MICHAŁ BOJKO, DYNATRACE. 2. FAMILY PICTURE OF THE THE AMAZON GIRLS DO ENGINEERING PROGRAM PARTICIPANTS.



IN APRIL, AMCHAM GDAŃSK AND THE INTERNATIONAL CHAMBERS OF COMMERCE HELD A 3CITY INTERNATIONAL SPEED BUSINESS MIXER. THE GUEST SPEAKER WAS STANISŁAW

MOTYLSKI, MANAGING DIRECTOR, FLEX POLAND. THE VENUE WAS THE RADISSON HOTEL & SUITES IN GDAŃSK. IN PICTURES: 1. THE MIXER IN PROGRESS. 2. STANISŁAW MOTYLSKI.





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