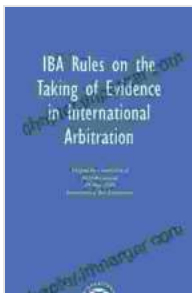


The IBA Rules On The Taking Of Evidence In International Arbitration: A Comprehensive Guide

The IBA Rules on the Taking of Evidence in International Arbitration are a set of rules that govern the taking of evidence in international arbitration proceedings. These rules were developed by the International Bar Association (IBA) and are designed to provide a fair and efficient framework for the taking of evidence in international arbitration.



The IBA Rules on the Taking of Evidence in International Arbitration: A Guide by Peter Ashford

★★★★★ 5 out of 5

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File size : 1291 KB
Text-to-Speech : Enabled
Screen Reader : Supported
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 192 pages



The IBA Rules are based on the principles of due process and fairness. They provide for the parties to have the opportunity to present their evidence and to cross-examine the other party's witnesses. The rules also provide for the taking of evidence by way of affidavit, expert testimony, and document production.

The IBA Rules are widely used in international arbitration proceedings. They have been adopted by many arbitral institutions, including the International Chamber of Commerce (ICC), the London Court of International Arbitration (LCIA), and the American Arbitration Association (AAA).

The Structure Of The IBA Rules

The IBA Rules are divided into six parts. Part I contains general provisions, including the scope of the rules, the definitions of terms, and the principles that govern the taking of evidence.

Part II deals with the taking of evidence by way of witness testimony. It sets out the procedure for calling witnesses, examining witnesses, and cross-examining witnesses.

Part III deals with the taking of evidence by way of affidavit. It sets out the procedure for submitting affidavits, the contents of affidavits, and the use of affidavits in arbitration proceedings.

Part IV deals with the taking of evidence by way of expert testimony. It sets out the procedure for appointing experts, the conduct of expert testimony, and the use of expert reports in arbitration proceedings.

Part V deals with the taking of evidence by way of document production. It sets out the procedure for requesting the production of documents, the production of documents, and the use of documents in arbitration proceedings.

Part VI contains miscellaneous provisions, including the provisions on the confidentiality of evidence, the costs of taking evidence, and the enforcement of the rules.

The Application Of The IBA Rules

The IBA Rules apply to all international arbitration proceedings that are commenced after the rules came into effect on 1 January 2019. The rules do not apply to domestic arbitration proceedings or to arbitration proceedings that are governed by a specific set of rules, such as the UNCITRAL Arbitration Rules.

The IBA Rules can be applied by agreement of the parties. The parties can agree to apply the rules in whole or in part, or they can modify the rules to suit their particular needs.

The Benefits Of Using The IBA Rules

There are many benefits to using the IBA Rules in international arbitration proceedings. These benefits include:

- The IBA Rules provide a fair and efficient framework for the taking of evidence.
- The IBA Rules are widely used in international arbitration proceedings, which provides certainty and predictability for the parties.
- The IBA Rules are based on the principles of due process and fairness, which ensures that the parties have a fair opportunity to present their evidence and to cross-examine the other party's witnesses.

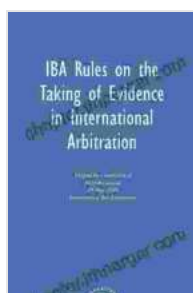
- The IBA Rules are flexible and can be modified to suit the particular needs of the parties.

The IBA Rules on the Taking of Evidence in International Arbitration are a valuable tool for practitioners who are involved in international arbitration proceedings. The rules provide a fair and efficient framework for the taking of evidence and can help to ensure that the parties have a fair opportunity to present their case.

For more information on the IBA Rules, please visit the IBA website at <https://www.ibanet.org/Document/ID/1777>.

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* ****Image 1:**** The IBA Rules On The Taking Of Evidence In International Arbitration * ****Image 2:**** The Structure Of The IBA Rules * ****Image 3:**** The Application Of The IBA Rules * ****Image 4:**** The Benefits Of Using The IBA Rules



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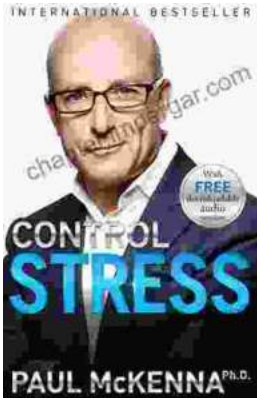
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