



The Prague Rules on the Taking of Evidence: The “Civil War” in the “Common Law” World of Arbitration?

The revised IBA Rules on the Taking of Evidence were intended to bridge the gap between different legal systems, but the civil arbitral community noticed that the common-law tradition took precedence over the IBA Rules. The procedural features of the IBA Rules are not commonly used in non-common-law jurisdictions, such as continental Europe, Latin America, the Middle East and Asia. This resulted in the proposal of an alternative set of rules—the Prague Rules, which favour the civil-law tradition of an inquisitorial approach in international arbitration—as well as an attack on the inefficiencies of the IBA Rules’ adversarial approach.

The new Prague Rules are presented by the drafters as a major development to increase efficiency in arbitration proceedings—but are they really needed? If the IBA Rules truly are uncommon for civil-law practitioners, wouldn’t the Prague Rules represent the same problem in reverse? Have the Prague Rules really narrowed the gap between different legal traditions, or are they a new “civil war” against the dominant common-law approach in international arbitration? These and other questions will be addressed by distinguished civil- and common-law arbitration practitioners.

The discussion will be moderated by **Tatiana Minaeva**, of counsel at Jones Day (*London*), and opened by **Andrey Panov**, senior associate at Norton Rose Fulbright (*Moscow*) and co-chair of the Working Group on the Prague Rules.

The following panellists will share their views:

- **Khawar Qureshi QC** of Serle Court Chambers (*London*) and McNair Chambers (*Qatar*)
- **Alexander Milner** of Fountain Court Chambers (*London*)
- **Maxim Kulkov**, Partner at Kulkov, Kolotilov & Partners (*Moscow*)
- **Tigran Ter-Martirosyan**, Director at Berkeley Research Group (UK) Ltd (*London*)
- **Artem Doudko**, Partner at Osborne Clarke (*London*)

Tuesday, 13 November 2018

Registration: 4.00pm

Discussion: 4.30pm

Bubbles and Canapés Reception: 6.00pm



The Law Society
of England and Wales

This event is being held on the occasion
of Russian Law Week 2018.

Venue:

**Jones Day, 21 Tudor Street
London EC4Y 0DJ**

To secure your place, please email
Londonevents@jonesday.com.