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Lasha Nodia on Official Launch of Prague Rules



The Managing Partner of “Nodia, Urumasvili and Partners” Lasha Nodia, together with other experts mainly from the Civil Law countries, was the member of the Working Group for drafting the “Rules on the Efficient Conduct of Proceedings in International Arbitration (Prague Rules)”.

On 14 December 2018 “Prague Rules” was adopted and launched, in cooperation with The Global Arbitration Review, in Prague, Martinický Palác. Lasha Nodia participated in the official Signing Ceremony of the Prague Rules in the capacity of a supporter and a Member of the Working Group, and as the Representative of Georgian Arbitration Association.

The Prague Rules is supported in Georgia by the arbitration institution “Dispute Resolution Center” (DRC) and Georgian Arbitration Association (GAA).

The primary aim of drafting “Prague Rules” was to make arbitration more efficient and diverse. The IBA Rules of the taking of Evidence in International Arbitration i.e. “IBA Rules” is mainly based on the Common Law. It is justified to apply IBA Rules when opposing parties are from Common Law countries or from different legal traditions. However, it is inefficient to use IBA Rules if parties or their representatives are from Civil Law traditions who are unfamiliar with the intricacies of Common Law.

The First Draft of the Rules was published at the beginning of 2018. There were intense discussions held on the project of the Rules worldwide, especially in Austria, Belarus, Great Britain, Georgia, Spain, China, Latvia, Lithuania, Poland, Portugal, Russia, USA, Ukraine, France, and Sweden. The discussions and comments played a crucial role in the finalization of the Prague Rules.

The “Prague Rules” clearly states that the rules are designed to supplement the procedure agreed upon by parties and/or applied by arbitral tribunals. The Rules empower and encourage arbitral tribunals to be more actively involved in the process of investigating the facts, evaluating the evidence of a case and its management.

Georgia is a Civil Law Country, and its neighboring countries, as well as the countries that share commercial ties with Georgia, are predominantly Civil Law countries. For this reason alone, it is crucial to have access to international arbitration mechanisms based on Civil Law traditions.

Georgia has an excellent opportunity to become a hub for regional and international commercial arbitration. The Prague Rules can serve as an important tool in assisting Georgia to achieve this goal.