

INTERNATIONAL TURKIC ARBITRATION (ITA)

ARBITRATION RULES

of the Republican Public Association

"INTERNATIONAL MEDIATION CENTER"

Republic of Kazakhstan

2026

LEGAL FRAMEWORK OF THE RULES:

Law of the Republic of Kazakhstan No. 488-V "On Arbitration" dated 8 April 2016 (as amended on 3 January 2026) — the procedural framework.

Law of the Republic of Kazakhstan No. 401-IV "On Mediation" dated 28 January 2011 (as amended on 22 January 2025) — the framework for amicable settlement procedures.

Civil Procedure Code of the Republic of Kazakhstan, Articles 252–257 — the procedure for recognition and enforcement of awards within the Republic of Kazakhstan.

1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) — enforcement of arbitral awards in foreign jurisdictions.

UNCITRAL Model Law on International Commercial Arbitration (2006) — the international standard.

References in the format [Article X] shall refer to the Law of the Republic of Kazakhstan "On Arbitration", unless otherwise specified.

PART I.

GENERAL PROVISIONS

Article 1.

Scope of Application of the Rules

- 1.1. These Rules establish the procedure for the organization and conduct of arbitral proceedings by the ITA in accordance with Article 21 of the Law of the Republic of Kazakhstan "On Arbitration", which grants the parties the right to independently determine the rules of arbitral proceedings. [Law on Arbitration, Article 5]
- 1.2. These Rules shall apply where the parties have concluded an arbitration agreement providing for the resolution of disputes by the ITA. The arbitration agreement and the commencement of court proceedings shall be governed by Article 10 of the Law of the Republic of Kazakhstan "On Arbitration." [Law on Arbitration, Article 10]
- 1.3. These Rules shall be binding upon the parties, arbitrators, and the ITA Secretariat from the date of registration of the statement of claim.

- 1.4. A party that is aware of any non-compliance with these Rules or the arbitration agreement and nevertheless continues to participate in the proceedings without raising an objection shall be deemed to have waived its right to object, in accordance with Article 6 of the Law on Arbitration. [Law on Arbitration, Article 6]

Article 2.

Types of Disputes Subject to Arbitration

2.1. The ITA shall administer disputes arising out of civil law relationships in accordance with Article 1 of the Law of the Republic of Kazakhstan "On Arbitration", including: [Law on Arbitration, Article 8]

1. contractual disputes (including sale and purchase, construction and works contracts, services, supply, investment, and franchising disputes);
2. disputes arising from mediation settlement agreements (med-arb);
3. commercial and corporate disputes involving legal entities and entrepreneurs;
4. international commercial disputes involving foreign parties;
5. intellectual property disputes where an arbitration agreement exists;
6. other civil law disputes permitted to be referred to arbitration.

2.2. The ITA shall not administer disputes falling within the exclusive jurisdiction of state courts, as well as other categories of disputes expressly prohibited from arbitration under the legislation of the Republic of Kazakhstan (Article 8(3) of the Law on Arbitration). [Law on Arbitration, Article 8]

PART II.

ARBITRATION AGREEMENT**

Article 3.

Form, Content, and Validity

3.1. Pursuant to Article 9 of the Law of the Republic of Kazakhstan "On Arbitration", an arbitration agreement shall be concluded in writing. The requirement of written form shall be deemed satisfied where the arbitration agreement is: [Law on Arbitration, Article 9]

included as an arbitration clause in a contract;

executed as a separate written agreement; or

evidenced by an exchange of letters, telegrams, electronic messages, or other documents recording the parties' intention to submit disputes to arbitration.

3.2. An arbitration agreement shall be autonomous and independent from the underlying contract. The invalidity, termination, or rescission of the contract shall not entail the invalidity of the arbitration agreement (Article 5(7) and Article 9(2) of the Law on Arbitration). [Law on Arbitration, Article 9]

3.3. When considering the issue of jurisdiction, a court before which an action concerning a matter subject to arbitration has been brought shall refer the parties to arbitration unless it determines that the arbitration agreement is invalid, has ceased to have effect, or is incapable of being performed, in accordance with Article 10 of the Law of the Republic of Kazakhstan "On Arbitration."

[Law on Arbitration, Article 10]

3.4. In interpreting an arbitration agreement, priority shall be given to the parties' intention to submit the dispute to arbitration (the principle of favor arbitrandum, Article 20(4) of the Law of the Republic of Kazakhstan "On Arbitration"). [Law on Arbitration, Article 20]

PART III.

FILING OF A CLAIM

Article 4.

Requirements for the Statement of Claim**

4.1. Pursuant to Article 23 of the Law of the Republic of Kazakhstan "On Arbitration", the statement of claim shall contain: [Law on Arbitration, Article 23]

a) the name of the ITA;

- b) information about the claimant (for legal entities: name, Business Identification Number (BIN)/registration number, and address; for individuals: full name, Individual Identification Number (IIN), and address);
- c) information about the respondent in the same scope;
- d) the text of, or reference details to, the arbitration agreement (with reference to Article 9 of the Law on Arbitration);
- e) a statement of the circumstances and factual basis of the claims;
- f) the specific relief sought by the claimant;
- g) the amount of the claim and its calculation (for monetary claims);
- h) references to applicable legal provisions and evidence;
- i) a list of attached documents;
- j) information regarding compliance with any pre-arbitration procedure, if provided for by the contract;
- k) the date and signature of the claimant or its representative.

4.2. The statement of claim shall be accompanied by:

- a copy of the arbitration agreement;
- documentary evidence supporting the claim;
- proof of payment of the registration fee; and
- a power of attorney or other document confirming the authority of the representative.

Article 5.

Registration and Commencement of Proceedings

- 5.1. The statement of claim shall be submitted to the ITA Secretariat in written or electronic form. The Secretariat shall verify compliance with the formal requirements and register the claim.
- 5.2. Pursuant to Article 26 of the Law of the Republic of Kazakhstan "On Arbitration", the arbitral proceedings shall be deemed commenced on the date when the respondent receives a notice of the referral of the dispute to the ITA for resolution. [Law on Arbitration, Article 26]

- 5.3. Where the statement of claim does not comply with the formal requirements, it shall be left without further action until the deficiencies are remedied. If the deficiencies are not corrected within the prescribed period, the claim shall be returned without consideration in accordance with Article 27 of the Law of the Republic of Kazakhstan "On Arbitration". Such return shall not prevent the claimant from submitting the claim again. [Law on Arbitration, Article 27]
- 5.4. Upon registration, the Secretariat shall forward a copy of the statement of claim to the respondent together with a notice of commencement of the arbitral proceedings.

Article 6.

Statement of Defense and Counterclaim

- 6.1. In accordance with Article 24 of the Law of the Republic of Kazakhstan "On Arbitration," the respondent shall submit a statement of defense within the time limit established by the arbitral tribunal (as a rule, within 30 days from the date of receipt of the notification).
- 6.2. A counterclaim and a set-off of counterclaims shall be permitted in accordance with Article 40 of the Law of the Republic of Kazakhstan "On Arbitration." The counterclaim shall be filed within the time limit determined by the arbitral tribunal, or at a later stage with the permission of the tribunal.

PART IV.

MANDATORY CONCILIATION STAGE — BITIMGERSHILIK

The key difference between the ITA and standard arbitration: the arbitrator (Biy) is obligated to propose conciliation PRIOR to rendering an award. This is the embodiment of the Turkic principle of Bitimgershilik, which is directly provided for by Article 46 of the Law of the Republic of Kazakhstan "On Arbitration" (settlement agreement and dispute resolution through mediation) and Article 5 of the Law "On Mediation" (the principle of voluntariness).

Article 7

Covers the Mandatory Proposal for Conciliation.

- 7.1, following the formation of the tribunal and before the hearing, the arbitrator (Biy) must propose mediation or conciliation, in accordance with Article 46 of the Law of the Republic of Kazakhstan "On Arbitration." [Закон об арбитраже, ст. 46] The provision emphasizes acting in the spirit of the specified legal article [Закон об арбитраже, ст. 46].

- 7.2. The Arbitrator (Biy) shall explain to the parties: the opportunities for an amicable settlement; the right to retain an ITA mediator included in the roster of the mediation organization; and the possibility of giving the settlement agreement the legal force of an arbitral award.
- 7.3. Participation in mediation is voluntary in accordance with Article 5 of the Law of the Republic of Kazakhstan "On Mediation" (the principle of voluntariness). A party's refusal to participate shall not entail procedural sanctions; however, the party's conduct may be taken into account when allocating costs (Article 42 of the Law on Arbitration). [Law on Mediation, Art. 5].

Article 8

Outlines the procedure for conducting mediation within the ITA framework.

- 8.1. Mediation conducted within the framework of the ITA shall be governed by the Law of the Republic of Kazakhstan "On Mediation" No. 401-IV dated January 28, 2011, and these Regulations.
- 8.2. A mediator shall comply with the requirements of Article 9 of the Law "On Mediation": being an independent, impartial, non-interested in the outcome of the case natural person, included in the roster of mediators, and who has given their consent to conduct the mediation. [Law on Mediation, Art. 9]
- 8.3. The mediator shall be appointed by agreement of the parties from the ITA roster of mediators (affiliated with the mediation organization of the "INTERNATIONAL MEDIATION CENTRE" Republican Public Association). In the absence of such agreement, the mediator shall be appointed by the Chairman of the ITA within 5 business days.
- 8.4. Upon the agreement of the parties, the arbitration proceedings shall be stayed. The maximum term for mediation conducted outside the framework of judicial proceedings is 30 calendar days (Article 23, Paragraph 1, Article 20, Paragraph 10 of the Law on Mediation). This term may be extended by agreement of the parties. [Law on Mediation, Art. 23]
- 8.5. The mediation agreement shall be concluded by the parties in writing in accordance with Article 21 of the Law of the Republic of Kazakhstan "On Mediation" and must contain: details of the parties and the mediator; the subject matter of the dispute; the language; timeframes and costs; and a confidentiality obligation.
- 8.6. The confidentiality of mediation is guaranteed by Article 8 of the Law of the Republic of Kazakhstan "On Mediation": information disclosed in the course of mediation may not be used as evidence in arbitration proceedings without the consent of the parties. [Law on Mediation, Art. 8]
- 8.7. The grounds for termination of mediation are defined by Article 26 of the Law of the Republic of Kazakhstan "On Mediation": signing of a settlement agreement; establishing

the impossibility of a settlement; written withdrawal (refusal) of a party; and expiration of the term. [Law on Mediation, Art. 26]

Article 9.

Settlement Agreement — Legal Consequences

- 9.1. Upon reaching an agreement, the parties shall sign a dispute settlement agreement in accordance with Article 27 of the Law "On Mediation." The agreement must contain: details of the parties, the subject matter of the dispute, and the mediator; the agreed terms; the methods and timeframes for performance; and the consequences of non-performance. (Law on Mediation, Art. 27).
- 9.2. Upon the motion of the parties, the arbitration tribunal shall, pursuant to Article 46 of the Law "On Arbitration," approve the settlement agreement in the form of an arbitral award on agreed terms (consent award). Such an award shall have the same legal force as an award on the merits of the case. [Law on Arbitration, Art. 46]
- 9.3. Following the approval of the settlement agreement, the arbitration proceedings shall be terminated in accordance with Article 49 of the Law "On Arbitration." [Law on Arbitration, Art. 49].

Article 10.

Dispute Resolution based on Equity — Tore (Ex aequo et bono)

- 10.1. In accordance with Paragraph 2 of Article 44 of the Law of the Republic of Kazakhstan "On Arbitration," the arbitral tribunal is entitled to resolve the dispute on the basis of the principles of equity (ex aequo et bono) or as an amiable mediator (amiable compositeur) only if there is an express agreement between the parties. [Law on Arbitration, Art. 44].
- 10.2. The ITA designates this right as "resolution by Tore." When rendering a decision based on equity, the arbitrator (Biy) shall:
 - take into account the business customs of the Turkic peoples as a recognized source of law (Article 2, Paragraph 10, Article 44, Paragraph 1 of the Law on Arbitration);
 - take into consideration the long-term business relations of the parties and their mutual expectations;
 - strive for a resolution that restores balance and preserves business relations;
 - be entitled to request a conclusion from the ITA Expert Council as an expert opinion in the manner prescribed by Article 34 of the Law. [Law on Arbitration, Art. 34].

Article 11.

Collective Expertise — The Asar Principle

- 11.1. In complex disputes involving the specific nature of Turkic business turnover, the arbitral tribunal may, with the consent of the parties, request an expert opinion from the ITA Expert Council in the manner prescribed by Article 34 of the Law "On Arbitration" (an expert appointed by the arbitral tribunal). [Law on Arbitration, Art. 34]
- 11.2. The Expert Council is not a "witness" in the procedural sense. Its conclusion shall be evaluated by the arbitral tribunal along with other evidence (Article 33 of the Law). [Law on Arbitration, Art. 33]
- 11.3. The expenses for the ITA Expert Council shall be included in the arbitration costs (Article 41 of the Law) and allocated by decision of the arbitral tribunal. [Law on Arbitration, Art. 41]

PART V.

FORMATION OF THE ARBITRAL TRIBUNAL

Article 12.

Number of Arbitrators

- 12.1. In accordance with Article 14 of the Law of the Republic of Kazakhstan "On Arbitration," the arbitral tribunal shall be formed from the number of arbitrators agreed upon by the parties. The parties are entitled to agree upon a sole arbitrator or a panel of three arbitrators. [Law on Arbitration, Art. 14]
- 12.2. In the absence of such agreement: [Law on Arbitration, Art. 14]
- where the amount in dispute is up to 1,000,000 USD (or its equivalent):
- a sole arbitrator; where the amount in dispute exceeds 1,000,000 USD:
- a panel of three arbitrators; the ITA shall be entitled to adjust the number of arbitrators taking into account the complexity of the dispute.

Article 13.

Procedure for Appointment of Arbitrators

- 13.1. Arbitrators shall be appointed from the ITA roster maintained in accordance with Article 15 of the Law "On Arbitration." The parties are entitled to propose a candidate who meets the requirements of Article 13 of the Law. [Law on Arbitration, Art. 13]

- 13.2. A sole arbitrator shall be appointed by agreement of the parties. In the event that no agreement is reached within 15 days, the sole arbitrator shall be appointed by the Chairman of the ITA. [Law on Arbitration, Art. 14]
- 13.3. In the case of a panel of three arbitrators: each party shall appoint one arbitrator within 15 days; the two appointed arbitrators shall elect the presiding arbitrator within 15 days; in the event that no agreement is reached, the Chairman of the ITA shall appoint the presiding arbitrator. [Law on Arbitration, Art. 14]

Article 14.

Challenge of an Arbitrator

- 14.1. In accordance with Article 17 of the Law of the Republic of Kazakhstan "On Arbitration," a party is entitled to challenge an arbitrator if there are justifiable doubts as to their impartiality or independence. [Law on Arbitration, Art. 17]
- 14.2. Prior to accepting the appointment, an arbitrator shall disclose any circumstances likely to give rise to such doubts. The ITA applies the IBA Guidelines on Conflicts of Interest in International Arbitration as a reference for assessment. [Law on Arbitration, Art. 17]
- 14.3. A notice of challenge shall be submitted to the ITA Secretariat within 14 days from the date the party became aware of the grounds for such challenge. In the event of disagreement by the challenged arbitrator or the other party, the matter shall be referred to the Chairman of the ITA. The procedure for termination of an arbitrator's mandate is governed by Article 18 of the Law. [Law on Arbitration, Art. 18]
- 14.4. The replacement of an arbitrator shall be carried out pursuant to Article 19 of the Law "On Arbitration" in the same manner that applied to the original appointment. [Law on Arbitration, Art. 19]

PART VI.

PROCEEDINGS OF THE CASE

Article 15.

Place and Language of Arbitration

- 15.1. The place of arbitration shall be determined by the agreement of the parties. In the absence of such agreement, the place of arbitration shall be determined by the arbitral tribunal, having regard to the circumstances of the case [Law on Arbitration, Art. 22]. The agreed place of arbitration shall be deemed the place where the award is rendered. [Law on Arbitration, Art. 22]
- 15.2. The language of the arbitration proceedings shall be determined by the agreement of the parties. In the absence of such agreement, it shall be determined by the arbitral tribunal [Law on Arbitration, Art. 28]. The working languages of the ITA are Kazakh, Russian, and

English; other languages of the Turkic group (Turkish, Azerbaijani, Uzbek, Kyrgyz) may be used upon agreement. [Law on Arbitration, Art. 28]

- 15.3. The arbitral tribunal shall be entitled to require a translation of documents into the language of the arbitration proceedings. Translation expenses shall be included in the arbitration costs [Law on Arbitration, Art. 41]. [Law on Arbitration, Art. 41]

Article 16.

Form and Timelines of Arbitration Proceedings

- 16.1. Proceedings are conducted in written, oral, or mixed form, with remote video conferencing as a standard International Technological Arbitration (ITA) option.
- 16.2. The standard case resolution period is up to 6 months, while the expedited procedure (for claims under 200,000 USD or by agreement) is up to 60 days [Law on Arbitration, Art. 35].

For expedited proceedings based on mediation agreements without a hearing—provided that the parties have included a clause in the mediation agreement or the arbitration clause specifying that the dispute shall be resolved in an expedited manner without an oral hearing and by an already selected arbitrator—the following timelines shall apply:

- a) registration of the claim and notification of the respondent — up to 10 business days;
 - b) submission by the respondent of a written statement of defense — up to 10 calendar days from the date of receipt of the notification;
- 16.3. The timeframes for the preparation and consideration of the case shall be determined by Article 35 of the Law "On Arbitration." The ITA establishes internal deadlines for arbitrators. [Law on Arbitration, Art. 35]
- 16.4. In the event of non-appearance by a party that has been duly notified, the arbitral tribunal is entitled to proceed with the arbitration and render an award based on the available materials (Article 29 of the Law). [Law on Arbitration, Art. 25] (Note: The referenced article in the text contains a typo in the statutory numbering, but the translation precisely reflects the source text structure).
- 16.5. The rights of the parties during the proceedings are enshrined in Article 31 of the Law: the right to present evidence, file motions, provide explanations, and participate in the hearing (Article 32 of the Law). [Law on Arbitration, Art. 25]

Article 17.

Receipt of Written Communications and Notifications

- 17.1. The procedure for the receipt of written communications by the parties shall be governed by Article 30 of the Law "On Arbitration." A notification shall be deemed received on the

day of its delivery to the addressee, their representative, or to their last known address.
[Law on Arbitration, Art. 25]

- 17.2. Notifications shall be sent to the address specified in the contract or the arbitration agreement, and in the absence thereof — to the place of business (residence) of the party. Electronic correspondence shall be permissible upon the agreement of the parties.

PART VII.

EVIDENCE AND EXPERT REPORTS

Article 18

Regarding the presentation and examination of evidence, outlines the burden of proof, types of evidence, the application of the Ar-namys principle, and consequences for failing to provide evidence.

- 18.1. In accordance with Article 33 of the Law "On Arbitration," each party shall have the burden of proving the circumstances upon which it relies in support of its claims and defenses. [Law on Arbitration, Art. 33]
- 18.2. The following types of evidence shall be admissible: written and electronic documents; witness testimony; expert opinions; and physical evidence. The arbitral tribunal shall independently determine their relevance, admissibility, and weight. [Law on Arbitration, Art. 33]
- 18.3. The ITA recognizes the evidentiary value of an "honorable word" and reputational testimonies in commercial contexts that align with the business customs of Turkic peoples (Article 2, Paragraph 10, Article 44, Paragraph 1 of the Law; the principles of Ar-namys and Adat), provided that they are properly justified. [Law on Arbitration, Art. 44]
- 18.4. A failure to present evidence without good cause may be evaluated by the arbitral tribunal in favor of the other party.

Article 19.

Expert Reports

- 19.1. In accordance with Article 34 of the Law "On Arbitration," the arbitral tribunal is entitled to appoint one or more experts on issues that require specialized knowledge. [Law on Arbitration, Art. 34]
- 19.2. The parties shall be entitled to: propose expert candidates; submit questions; participate in the examination of an expert; and challenge an expert report. [Law on Arbitration, Art. 34]

19.3. Upon the agreement of the parties, a conclusion from the ITA Expert Council (the Asar principle) may be requested instead of a traditional expert examination in the manner prescribed by Article 34 of the Law. [Law on Arbitration, Art. 34]

Article 20.

Court Assistance in Taking Evidence

20.1. In accordance with Article 39 of the Law "On Arbitration," the parties are entitled to apply to a competent court for assistance in taking evidence that cannot be obtained independently. The ITA shall assist the parties in exercising this right. [Law on Arbitration, Art. 39]

PART VIII.

INTERIM MEASURES

Article 21

Defines interim measures, outlining the types of measures available, requirements for counter-security, and provisions for court assistance.

21.1. In accordance with Paragraph 5 of Article 20 of the Law "On Arbitration," the arbitral tribunal is entitled, upon a party's application, to grant interim measures to secure the claim. The applicant shall establish: a threat of the future award being unenforceable; potential material harm; and the prima facie validity of the claims. [Law on Arbitration, Art. 20]

21.2. Types of interim measures include: freezing assets (attachment of property); injunctions prohibiting certain actions; suspension of the performance of the contested obligation; and other measures proportionate to the threat.

21.3. The arbitral tribunal shall be entitled to require counter-security from the applicant in the manner prescribed by Article 43 of the Law "On Arbitration." [Law on Arbitration, Art. 39] (Note: The statutory reference in the source text contains a minor contradiction, but the translation strictly preserves the document's original cross-references).

21.4. In the event that a party evades the execution of interim measures granted by the arbitral tribunal, the parties are entitled to apply to a competent court for assistance in the manner prescribed by Article 39 of the Law "On Arbitration." [Law on Arbitration, Art. 39]

PART IX.

ARBITRAL AWARD

Article 22.

Rules Applicable to the Substance of the Dispute

- 22.1. In accordance with Article 44 of the Law "On Arbitration," the arbitral tribunal shall resolve the dispute in accordance with the law chosen by the parties. In the absence of such choice, the tribunal shall determine the applicable law taking into account the conflict of laws rules. [Law on Arbitration, Art. 44]
- 22.2. The ITA shall be entitled to apply: the legislation of the Republic of Kazakhstan; foreign law; rules of private international law; international trade customs (lex mercatoria); and the business customs of the Turkic peoples (Adat). [Law on Arbitration, Art. 44]
- 22.3. Dispute resolution based on equity (Tore / ex aequo et bono) shall be permitted only upon the express agreement of the parties (Paragraph 2 of Article 44 of the Law). [Law on Arbitration, Art. 44]

Article 23.

Adoption and Form of the Arbitral Award

- 23.1. In accordance with Article 45 of the Law "On Arbitration," the award shall be rendered by a sole arbitrator or by a majority vote of the arbitrators. In the absence of a majority, the presiding arbitrator shall have the casting vote. [Law on Arbitration, Art. 45]
- 23.2. The requirements for the form and content of the award are established by Article 47 of the Law: [Law on Arbitration, Art. 47]written form and a reasoned statement of the grounds (unless the parties have agreed otherwise);signatures of all arbitrators of the tribunal (or of the majority, provided the reason for any missing signature is stated);the date and place where the award is rendered.
- 23.3. The ITA award shall contain: the name of the ITA and the composition of the tribunal; details of the parties; a brief summary of the claims and positions; the established facts; the applicable law; the reasoned part; the operative part; the allocation of costs; and the place and date.
- 23.4. By agreement of the parties, the award may be unreasoned (without stating grounds) pursuant to Paragraph 1 of Article 47 of the Law. [Law on Arbitration, Art. 47]

Article 24

Governs the correction, interpretation, and additional award of an arbitration decision.

- 24.1. In accordance with Article 50 of the Law "On Arbitration," within 30 days of receipt of the award (unless another time limit has been agreed upon by the parties), any party is entitled to request: [Law on Arbitration, Art. 50]

an interpretation of a specific point or part of the award;

the correction of arithmetic errors, clerical errors, misprints, and other technical mistakes;

the making of an additional award as to claims presented in the course of the proceedings but omitted from the award.

24.2. The arbitral tribunal shall consider the application within 30 days.

Article 25.

Review based on Newly Discovered Circumstances

25.1. The review of an arbitral award based on newly discovered circumstances shall be carried out by the arbitral tribunal in accordance with Article 51 of the Law "On Arbitration."

PART X.

ENFORCEMENT OF THE ARBITRAL AWARD

Article 26.

Binding Force and Voluntary Performance

26.1. The ITA arbitral award is final and binding upon the parties from the moment it is rendered. The parties undertake to perform it voluntarily within the established timeframe. [Law on Arbitration, Art. 54]

]26.2. The recognition and enforcement of ITA awards in the Republic of Kazakhstan shall be carried out in the manner prescribed by Article 54 of the Law "On Arbitration" and Articles 252–257 of the Civil Procedure Code of the Republic of Kazakhstan. [Civil Procedure Code of the RK, Art. 252-257]

Article 27.

Compulsory Enforcement

27.1. In the event that the award is not performed voluntarily, the claimant is entitled to apply to a competent court for the issuance of a writ of execution in the manner prescribed by Article 55 of the Law "On Arbitration." [Law on Arbitration, Art. 55]

27.2. The enforcement of ITA awards in foreign jurisdictions shall be carried out in accordance with the New York Convention of 1958 and bilateral legal assistance treaties concluded by the Republic of Kazakhstan. [New York Convention of 1958, Art. V]

27.3. The grounds for refusal of recognition and enforcement of an ITA award are limited to Article 57 of the Law and Article V of the New York Convention. When rendering an award, the arbitral tribunal shall take measures to ensure its compliance with these requirements. [Law on Arbitration, Art. 57]

27.4. The ITA shall issue duly certified copies of the award for the purpose of enforcement in foreign jurisdictions.

PART XI.

ARBITRATION FEES AND COSTS

Article 28.

Composition of Costs

28.1. In accordance with Article 41 of the Law "On Arbitration," arbitration costs shall include:
[Law on Arbitration, Art. 41]

arbitrators' fees (remuneration);

expenses for experts, specialists, and the ITA Expert Council;

expenses for interpreters and translators;

expenses for conducting hearings and administrative expenses of the ITA Secretariat;

регистрационный и арбитражный сборы МТА.

Article 29

Allocation of Costs

29.1. In accordance with Article 42 of the Law "On Arbitration," costs shall be allocated by decision of the arbitral tribunal, taking into account: the outcome of the case; the extent to which the claims are satisfied; the good faith conduct of the parties; and the principles of reasonableness and equity (Tore). [Law on Arbitration, Art. 42]

29.2. The arbitral tribunal is entitled to order the losing party to bear all or part of the costs, award reasonable costs for legal representatives, and reduce manifestly excessive amounts.
[Law on Arbitration, Art. 42]

29.3. Upon concluding a settlement agreement, the parties shall independently determine the allocation of costs, unless otherwise provided by these Regulations.

29.4. The ITA shall be entitled to order the claimant to pay an advance to cover arbitration costs in accordance with Article 43 of the Law "On Arbitration." Failure to provide the advance shall constitute grounds for staying the proceedings. [Law on Arbitration, Art. 39] (Note:

The source text textually cites Art. 43 but cross-references Art. 39 in brackets; the translation reflects this structure).

PART XII.

CONFIDENTIALITY

Article 30.

Confidentiality Regime

- 30.1. In accordance with Paragraph 6 of Article 5 of the Law of the Republic of Kazakhstan "On Arbitration," arbitrators and participants in the proceedings shall not be entitled to disclose information that became known to them in the course of the proceedings without the consent of the parties. Arbitrators may not be examined as witnesses regarding such information, except in cases provided for by the laws of the Republic of Kazakhstan. [Law on Arbitration, Art. 5]
- 30.2. The confidentiality of mediation is additionally guaranteed by Article 8 of the Law of the Republic of Kazakhstan "On Mediation": information disclosed in the course of the conciliation procedure may not be used as evidence without the consent of the parties. This constitutes absolute confidentiality. [Law on Mediation, Art. 8]
- 30.3. The ITA shall be entitled to publish anonymized summaries of awards for analytical and educational purposes.

PART XIII.

FINAL PROVISIONS

Article 31.

Amendments to the Regulations

- 31.1. These Regulations may be amended by decision of the ITA Expert Council. The amendments shall enter into force for new cases 30 days after their publication.
- 31.2. The version of the Regulations in effect on the date of the registration of the claim shall apply to the case, unless the parties have agreed otherwise (by analogy with Paragraph 4 of Article 21 of the Law on Arbitration).

Article 32.

Challenge of ITA Awards

32.1. An ITA arbitral award may be challenged by filing an application to set aside the award with a competent court of the Republic of Kazakhstan. The grounds for setting aside are exhaustively listed in Article 52 of the Law "On Arbitration" (see Article 15 of the Regulations). The court is not entitled to review the award on its merits. [Law on Arbitration, Art. 52]

32.2. An application to set aside the award shall be filed in the manner prescribed by Article 53 of the Law. [Law on Arbitration, Art. 53]

Article 33.

Entry into Force of the Regulations

These Regulations shall enter into force on the date of their approval by the ITA Expert Council.

APPENDIX B.

Indicative Schedule of ITA Fees

Amount in Dispute (USD)	Arbitration Fee
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Up to 50,000	3,000 USD (fixed)
50,001 — 200,000	3% of the amount in dispute

200,001 — 1,000,000	2% + 4,000 USD
1,000,001 — 5,000,000	1.5% + 10,000 USD

Over 5,000,000	1% + 30,000 USD
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Registration fee

500 USD (non-refundable)	Expedited procedure + 30% to the basic fee
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SMEs from Turkic countries - 20% preferential tariff

This schedule is indicative only. The allocation of fees and arbitrators' remuneration is carried out in accordance with Articles 41–43 of the Law "On Arbitration." [Law on Arbitration, Art. 41]

]International Turkic Arbitration (ITA)

Equity. Tradition. Enforceability.