

**Boxing Independent Integrity Unit
of the International Boxing Association**



**Boxing Independent Integrity Unit
Procedural Rules
(BIIU-PR)**

TABLE OF CONTENT

TABLE OF CONTENT	2
TITLE 1 – FORMAL ASPECTS	3
Section A – Abbreviations, persons, gender and headings	3
Section B – Scope, genuine lacunae and liability.....	3
TITLE 2 – COMMON PROVISIONS	4
Section A – In general	4
Section B – Notifications and time limits	5
Section C – Withdrawal, challenge and replacement.....	6
Section D – Administration of evidence	7
Section E – Decision	8
Section F – Legal remedies, reconsideration, interpretation and rectification	8
TITLE 3 – ETHICS AND DISCIPLINARY PROCEEDINGS AND DISPUTES	9
Chapter 1 – Ethics and disciplinary proceedings	9
Section A – Triage	9
Section B – General issues	11
Section C – Prosecution by IPO.....	12
Section D – Proceedings.....	13
Section E – Specifications on the administration of evidence	14
Section F – Specifications on the decision	16
Section G – Costs	16
Chapter 2 – Disputes	17
Section A – General issues	17
Section B – Proceedings	18
Section C – Specifications on the administration of evidence.....	20
Section D – Specifications on the decision	21
Section E – Costs.....	22
TITLE 4 – NOMINATION PROCEEDINGS	22
Section A – General issues	22
Section B – Proceedings	23
Section C – Specifications on the decision	24
Section D – Costs.....	24
TITLE 5 – FINAL PROVISIONS	24

TITLE 1 – FORMAL ASPECTS

Section A – Abbreviations, persons, gender and headings

1. Abbreviations

Art.	Article
BIIU:	Boxing Independent Integrity Unit
BIIU-PR:	BIIU Procedural Rules
BIIU-R:	BIIU Rules
IBA's Board:	Board of Directors of the International Boxing Association
CAS:	Court of Arbitration for Sport
CE(S)T:	Central European (Summer) Time
IBA's Constitution:	Constitution of the International Boxing Association
IBA-DEC:	Disciplinary and Ethics Code of the International Boxing Association
IBA:	International Boxing Association
IPO:	Investigation and Prosecution Officer
DEDU:	Disputes, Ethics and Disciplinary Unit
MB:	Managing Board
MD:	Managing Director
Regulations:	Regulations adopted by IBA

2. Persons and gender

- 2.1 Unless otherwise specified, references to a person include any individual as well as any group of persons by public or private state law, whether such group having or not legal personality.
- 2.2 These BIIU-PR operate by the generic masculine, which shall include any gender.

3. Headings

Headings are for ease of reference only, thus not for these BIIU-PR's interpretation.

Section B – Scope, genuine lacunae and liability

4. Scope

- 4.1 These BIIU-PR establish the procedures to be followed in relation with dispute resolution as well as with ethics, disciplinary and nomination matters.
- 4.2 The DEDU is the judicial body responsible for dispute resolution as well as for the handling of ethics and disciplinary matters.

4.3 The Nomination Division is the administrative body responsible for eligibility checks as well as for assessment of appointments and elections.

5. Genuine lacunae

When dealing with procedural questions identified as not being regulated by these BIIU-PR by omission, the concerned entity primarily and *mutatis mutandis* applies related provisions of these BIIU-PR, subsidiarily Swiss Law (without reference to conflict of laws principles).

6. Liability

Within the scope of their mission, neither the members of the DEDU nor those of the Nomination Division nor the rest of BIIU's and IBA's staff and contractors shall be liable for any action or omission in connection with these BIIU-PR, unless such actions or omissions are proven to constitute intentional wrongdoings or gross negligence by Swiss Law (without reference to conflict of laws principles).

TITLE 2 – COMMON PROVISIONS

Section A – In general

7. Confidentiality

7.1 Proceedings are confidential, unless their disclosure is required by mandatory state law.

7.2 The eventual publication of decisions is specified in the BIIU-R.

7.3 Documentation relating to proceedings will be stored by BIIU for a period of ten years, starting with the entering into legal force of the final decision. Such documentation is not open to the public.

8. Language of proceedings

8.1 BIIU's language of proceedings is English.

8.2 At any stage of the proceedings, unless otherwise decided by the MD, the IPO, the DEDU or the Nomination Division *ex officio* or upon duly motivated request by a party, the parties, at their own costs, are responsible for qualified translation of the evidence they submit and for qualified interpreting services during hearings for themselves as well as for the witnesses and the experts they have requested. The said decision is duly motivated.

9. Fundamental rights

9.1 All Participants to the proceedings are free to be legally represented at their own cost, provided their representatives provide a duly signed power of representation.

- 9.2 The Parties' fundamental procedural rights namely include the right on equal treatment as well as the right to be heard, the latter namely including the right to access the case file, the right to present evidence, as well as the right to obtain a reasoned decision.
- 9.3 If the protection of a preponderant interest requires so, the DEDU and the Nomination Division will accept that evidence be presented in the absence of other Parties. If the DEDU or the Nomination Division intends to use such evidence, it will indicate the mere nature of the evidence and provide the concerned Parties with the opportunity to respond as well as to present counterevidence.

10. Obligation of cooperation

- 10.1 Anybody concerned by proceedings shall act in good faith. In particular, they shall tell the truth. Furthermore, upon request, the Parties, other Participants to the proceedings and IBA shall assist the MD, the IPO, the DEDU and the Nomination Division in accomplishing their duties under these BIIU-PR, unless there are legitimate and preponderant reasons for not doing so.
- 10.2 Any non-compliance with the obligation to cooperate or any obstruction to a procedural measure carried out by the MD, the IPO or the DEDU and the Nomination Division, including concealing, tampering with or destroying any documentation, or unduly delaying the production of information and/or documentation shall be considered as a violation of these BIIU-PR as well as of the IBA-DEC.
- 10.3 The Parties are obliged to personally appear to hearings, unless they are dispensed from doing so by the DEDU or the Nomination Division. Any other Participant to the proceedings is only obliged to personally appear when ordered to do so by the DEDU or the Nomination Division. Unless explicitly ordered otherwise by the DEDU or the Nomination Division when fixing the hearing, presence by video conferencing is considered as personal appearance.

11. Suspension of proceedings

The Head of Panel, respectively the DEDU's or the Nomination Division's Chairperson if the Panel has not yet been constituted, may by summarily reasoning, at his own initiative or upon request by a Party, suspend the proceedings at any point.

Section B – Notifications and time limits

12. Notifications

- 12.1 All communications under these BIIU-PR are to be made by email, which is thus considered as a valid means for notifications, including the establishing of time limits and of compliance with them. The use and the admission of other means of communication falls within the sole discretion of BIIU's concerned entity.
- 12.2 All Participants to the proceedings are obliged to continuously inform the DEDU and the Nomination Division of their current postal and email address. Failing that, the DEDU and the Nomination Division are authorized to validly send any notification and communication to the Participant's last known address, or to the

address of the Continental or National Federation considered as most concerned by the proceedings.

- 12.3 If a Participant to the proceedings is represented by more than one counsel, such Participant must inform the DEDU or the Nomination Division of the first counsel's address. This address will be used for any notification and communication. If the concerned Participant fails to comply, notifications will be valid when made to any of the said counsels.
- 12.4 The Parties and the other Participants to the proceedings are notified of any act of procedure and decisions, as well as provided with any other communication deemed appropriate. Such information may also be provided to any other person having a legitimate interest in being informed.
- 12.5 Notifications as per this Article are irrefutably presumed to have been duly transmitted.

13. Time limits

- 13.1 When being set as a specific day and eventually a specific hour, time limits are to be understood as reflecting CE(S)T. Otherwise, they begin to run on the day following their notification.
- 13.2 Any public holiday anywhere is irrelevant for the calculation of time limits. However, such limits may not be less than seven days, unless, under summary reasoning, there is a situation considered as urgent.
- 13.3 Time limits set by these BIUU-PR may not be extended. Otherwise, one extension may be granted upon summarily reasoned request.
- 13.4 Subject to Art. 13.1, a time limit is complied with when the concerned submission is sent before midnight CE(S)T the day on which such limit expires.
- 13.5 If a time limit is not observed, the person in default will lose the procedural right in question.

Section C – Withdrawal, challenge and replacement

14. Disclosure of conflicts of interests

The DEDU's members, the DEDU's Secretary and the Nomination Division's members shall spontaneously disclose any circumstance which might potentially constitute a conflict of interests at any stage of the proceedings. The nationality alone is no such circumstance.

15. Withdrawal from proceedings

- 15.1 Any member of the DEDU, its Secretary and any member of the Nomination Division will spontaneously withdraw from the proceedings at any stage if he:
- has a personal interest in the outcome of the case;
 - has previously taken part in the same case in a different role;

- c) is in any of the situations described by the International Bar Association's Red or Orange List in the Association's *Guidelines on Conflicts of Interest in International Arbitration*;
- d) does not consider himself able to reach a decision in a totally independent and impartial manner due to other circumstances.

15.2 The withdrawing person is replaced by the DEDU's or the Nomination Division's Chairperson. If the Chairperson withdraws, he will be replaced by a joint decision of the Panel's two other members. If the Chairperson acts as a single Arbitrator, he will be replaced by a decision of the MD.

16. Challenge

16.1 A Party may request by fully substantiated challenge that a member of the DEDU or of the Nomination Division assigned to a case be recused if any serious reason casts reasonable doubt on the concerned person's independence or impartiality as per Art. 15.1.

16.2 The Party that wishes to challenge a Judge, an Arbitrator, the DEDU's Secretary or a member of the Nomination Division shall do so in writing to the MB within seven days from the discovery of the challenge's grounds, otherwise the right to challenge is forfeited.

16.3 If a challenge is upheld, the new person will be appointed according to Art. 15.2.

17. Consequences of withdrawal and successful challenge

17.1 Any act of procedure involving a Judge, an Arbitrator, the DEDU's Secretary or a member of the Nomination Division who has withdrawn or who has successfully been challenged will be void and must be repeated if the said person has actively participated to and influenced on such act.

17.2 If the grounds of challenge are only discovered after the case has been decided, a fully substantiated request for reconsideration of the decision by the concerned Party will be admissible.

18. Replacement

In the event of replacement of a Judge, an Arbitrator, the DEDU's Secretary or a member of the Nomination Division for reasons other than the ones listed above in this Section, notably in the case of resignation or death, such person is replaced in accordance with the provisions applicable to his appointment. Unless otherwise decided by the DEDU or the Nomination Unit, the proceedings continue without repetition of any aspect thereof.

Section D – Administration of evidence

19. Evidence, burden, standard and evaluation

19.1 Any type of evidence may be used during investigations and proceedings, provided that human dignity is not violated.

19.2 Any Party relying on an alleged fact shall carry the burden of proof for such fact.

19.3 The standard of proof to be applied to all Parties is the comfortable satisfaction of the Panel. Subject to that standard, the Panel shall determine the admissibility, relevance, materiality and weight of evidence at its full discretion.

Section E – Decision

20. Deliberations

20.1 Deliberations are mandatory before a Panel issues its decision. They may be held in form of personal meetings, teleconference, videoconference, by email or any other appropriate method.

20.2 Nobody except for the members of the Panel and the DEDU's Secretary may be present during the deliberations.

21. Decision making

Decisions are taken by a majority vote of the Panel's members. The outcome of the vote is not part of the decision, and there are no dissenting opinions.

22. Enforceability

Decisions become enforceable as soon as their notification occurs, subject to the CAS granting suspensive effect to an appeal.

Section F – Legal remedies, reconsideration, interpretation and rectification

23. Legal remedies

23.1 Final decisions passed by the DEDU and the Nomination Division may be appealed in front of CAS by the Parties and (if not Party itself) by IBA. CAS will resolve the dispute in accordance with its procedural rules. Subject to the latter ones, the time limit to appeal is 21 days after the notification of the reasoned decision, and subject to the same ones, the appeal has no suspensive effect.

23.2 Unless otherwise provided for by these BIU-PR, there are no immediate legal remedies against decisions which are not putting an end to the proceedings.

24. Reconsideration

24.1 The Panel shall reconsider its decision upon fully reasoned request of a Party when new relevant facts have come to light or new relevant evidence has been discovered, and when such facts or evidence are likely to change the outcome of the initial decision, unless such facts or evidence could reasonably have been presented during the initial proceedings.

24.2 A request for reconsideration must be filed within 21 days of the discovery of the new facts or evidence.

24.3 The Head of Panel may proceed on the request for reconsideration in an expedited manner and issue appropriate directions thereof. Subject to this

reservation, the rules set out under the relevant provisions shall be applied mutatis mutandis to the reconsideration proceedings.

24.4 The decision not to reconsider the initial decision and the reconsidered decision can be appealed according to Art. 23.

25. Interpretation and rectification

25.1 If a decision is ambiguous or contradictory, or if it contains editing mistakes or errors of calculation, the Panel will interpret or rectify it on its own initiative at any moment, or upon request submitted by a Party within 21 days following the decision's notification.

25.2 The Interpretation or the rectification of a decision is not subject to any legal remedy.

TITLE 3 – ETHICS AND DISCIPLINARY PROCEEDINGS AND DISPUTES

Chapter 1 – Ethics and disciplinary proceedings

Section A – Triage

26. Competence

The MD is responsible for carrying out the triage of all complaints which potentially justify the opening of ethics or disciplinary proceedings before the DEDU in accordance with the terms and conditions set out in this Section. For this purpose, all complaints received within BIUU and/or IBA shall be forwarded to the MD.

27. Further information

As part of the triage process, the MD may require further information relating to the complaint from anybody he deems appropriate.

28. Non-disclosure of identity

At any stage of the proceedings, upon request and/or if the circumstances so require, the Complainant shall have the right for his identity not to be disclosed to the Parties and to the other Participants to the Proceedings. The MD, the IPO and the DEDU shall consider the sensitive nature of such cases when deciding on the appropriateness of not disclosing the identity of the persons concerned.

29. Closure

During the triage process, the MD may close a case if the Complainant

- a) withdraws the complaint, or
- b) does not provide the information ordered according to Art. 27.

The MD informs the Complainant thereof. Such closure is not subject to any legal remedy.

30. Decisions

30.1 At the end of the triage processus, the MD may issue a decision:

- a) of inadmissibility if the complaint turns out to be obviously unsuitable or obviously outside the scope of IBA's Constitution or the Regulations, or obviously outside the DEDU's jurisdiction;
- b) to open investigations by an IPO if, *prima facie*, the complaint does not fall under lit. a, but requires further investigation, in order to state by decision whether it must be forwarded to the DEDU or be closed as part of a decision of inadmissibility; and/or
- c) of transmission to the DEDU in other circumstances, in which case the MD simultaneously nominates an IPO for the purpose of prosecuting before the DEDU any potential breach of IBA's Constitution or the Regulations.

30.2 Decisions of inadmissibility may be issued by the MD, at his own discretion, without stating reasons. In this case, the Complainant must be informed that he may request the summary of the reasons, including information on the right to object against the decision before the MB as set out in Art. 33.

30.3 Decisions of transmission are summarily reasoned.

31. Investigations

31.1 After prior approbation by the MD, the IPO may investigate any matter related to IBA-boxing *ex officio*.

31.2 Before presenting to the MD his fully motivated written submission including his eventual requests for relief before the DEDU, the IPO shall conduct the necessary investigations, including the collection of evidence.

31.3 The IPO is namely entitled to use so-called artificial intelligence tools, to summon experts, to examine witnesses, to contact anyone he deems appropriate, as well as to order the extraction of data from electronic devices without prior notice.

31.4 Any person bound by IBA's Constitution shall fully cooperate with the IPO, including by promptly providing all information, documents and accesses requested for the purposes of the investigation, unless such cooperation is prevented by mandatory state law. Unjustified refusal or obstruction constitutes a separate breach of IBA's Constitution and the Regulations, to be prosecuted accordingly by the IPO before the DEDU.

32. Notifications

32.1 If the email address of either the Complainant or the Accused Party is unknown, the relevant decision will be notified to such undisclosed person by publication on www.biiu.sport.

32.2 Decisions of inadmissibility according to Art. 30.1 lit. a) are notified to the Complainant.

32.3 Decisions to open preliminary investigations and decisions of inadmissibility according to Art. 30.1 lit. b) are notified to the Complainant and to the Accused Party. Decisions of transmission according to the same provision are transmitted to the DEDU with copy to the Complainant and to the Accused Party.

32.4 Decisions according to Art. 30.1 lit. c) are transmitted to the DEDU with copy to the Complainant and to the Accused Party.

32.5 The MD will refrain from any notification if notifying may jeopardise the proceedings.

33. Objection with the Managing Board

The Complainant may file a fully reasoned objection against a decision of inadmissibility with the MB within 14 days upon its notification. The MB takes a duly reasoned decision. The objection has no suspensive effect, and there is no legal remedy against the MB's decision.

Section B – General issues

34. Commencement of proceedings

34.1 Proceedings are opened by the DEDU's Chairperson based on a decision of transmission by the MD as set out in Art. 30.1 lit. c.

34.2 The Parties to the proceedings are the IPO as Accusing Party and the Accused Party. The latter is a person bound by IBA's Constitution and/or the Regulations who has allegedly breached these rules.

34.3 The DEDU, at its own discretion and at any stage of the proceedings, may decide to admit other Participants to the proceedings, e.g., the Complainant(s). Participants only benefit from the procedural rights which are explicitly conferred to them by these BIIU-PR.

35. Constitution of the Panel

35.1 At the opening of proceedings, the DEDU's Chairperson decides on the composition of the Panel of three in charge of the case.

35.2 The DEDU's Chairperson may decide at his own discretion to be or not to be part of the Panel. If the Chairperson decides to be part of the Panel, he will sit as its Head. If the Chairperson decides not to be part of the Panel, he will appoint the Head of Panel among the appointed Judges.

36. Jurisdiction

36.1 The Panel is not bound by the MD's decision of transmission. Thus, at the stage of proceedings it deems appropriate, the Panel, by appropriately considering the MD's reasoning, decides whether it is competent to hear the case in. Any agreement between the Parties has no effect on the Panel's competence.

36.2 If the Panel considers that it is not competent to hear the case, it will pronounce a decision of inadmissibility.

37. Applicable Law

The Panel applies IBA's Constitution and the Regulations on the merits, as well as subsidiarily Swiss Law (without reference to conflict of laws principles).

38. Provisional Measures

38.1 Upon duly motivated request of a Party or ex officio, the Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, by summarily reasoning, orders provisional measures, including suspensions or bans from taking part in boxing related activities, upon the initiation of proceedings,

- in case it is likely that an infringement has been committed, but
- a decision on the merits cannot be taken sufficiently quickly, and
- such measure is considered as necessary to protect the Complainant, the applying Party or a third person from irreparable harm.

38.2 Should a request for provisional measures be filed, the Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, invites the other Parties to express a position within at the most ten days. In cases of utmost urgency, the Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, issues a summarily reasoned order upon mere presentation of the request, provided that the concerned Party be subsequently heard, and that a new, summarily reasoned order be issued afterwards.

38.3 If the DEDU acts *ex officio*, Art. 38.2 will apply analogously.

38.4 Provisional measures are immediately enforceable, they must be limited in time until the final decision at the latest, and they are credited to the relevant final sanction if any.

38.5 Upon fully motivated request of the concerned Party, provisional measures may be reconsidered by the Panel at any stage of the proceedings. Such reconsideration is summarily reasoned.

Section C – Prosecution by IPO

39. Appointment, replacement, powers and prosecution

39.1 For every case transmitted to the DEDU, the MD appoints an IPO from a list of eligible IPOs approved by the MB. The appointed IPO shall remain in charge of the case until its conclusion. The MD may however replace the IPO on objectively justified grounds, such as conflict of interests. Such replacement shall be briefly reasoned in writing and notified to the DEDU.

39.2 The IPO has full and independent power to prosecute any potential breach of IBA's Constitution and/or the Regulations before the DEDU. In this regard, he takes all necessary and reasonable action. By doing so, the IPO presents to the DEDU both incriminating and exculpatory elements known to him.

39.3 The IPO may request to narrow or to abandon a case at any stage of the proceedings if there is no longer a reasonable prospect of establishing a violation to the required standard of proof.

Section D – Proceedings

40. Powers of the Chairperson and the Head of Panel

40.1 The Head of Panel, respectively the DEDU's Chairperson if the Panel has not been yet constituted, conducts the proceedings and takes any action required under these BIU-PR by acting alone, except with respect to the conducting of the eventual hearing, the Panel's deliberations and the decision.

40.2 The Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, ensures the smooth running of the proceedings and is empowered to call the Parties and the other Participants to the proceedings to order.

41. Exchange of submissions

41.1 Upon receipt of the IPO's submission, the Head of Panel issues directions in connection with the submissions of the other Parties. As a general rule, there shall be one written submission of the IPO and one written submission of the Accused Party. At any point in the proceedings, the Panel is free to require a clarification of standpoints or an additional exchange of submissions on one or a number of issues.

41.2 In their submissions, the Parties shall describe the facts pertinent to the case and indicate, for each alleged fact, the means of evidence relied upon. They shall further indicate the provisions of IBA's Constitution and/or the Regulations potentially breached and their conclusions. Each submission shall be dated and signed.

41.3 Together with their submissions, the Parties shall produce all evidence upon which they intend to rely by clearly identifying it. Documents shall be submitted in PDF format. After the exchange of submissions, the Parties shall not be authorized to produce further evidence, except if the Panel so permits, on the basis of exceptional circumstances.

41.4 In their submissions, the Parties shall list any witnesses whom they intend to call, including a summary of their expected testimony, as well as any experts whom they intend to call, stating their area of expertise including a summary of their expected declarations, and they shall state any other evidentiary measure which they request.

41.5 If a submission does not meet the formal requirements, the Head of Panel will fix a short deadline to correct it while indicating that, failing to do so, the submission may not be taken into consideration.

42. Hearing

42.1 The decision on whether a hearing is to be held lies with the Panel, which may, if it considers itself sufficiently informed on the basis of the submissions and the evidence produced, decide not to hold a hearing.

- 42.2 If a hearing is to be held, the Head of Panel will issue directions with respect to the hearing and set the date, during which the Panel hears the Parties, any witnesses and any experts, as well as the Parties' oral arguments, for which the Accused Party is heard last.
- 42.3 The Head of Panel shall conduct the hearing and ensure that the statements made are concise and limited to the subject of the submissions, to the extent that these submissions are relevant.
- 42.4 Unless the Parties agree otherwise, the hearing is not public. It may be recorded.
- 42.5 In principle, hearings are held in person. However, the Head of Panel may decide to conduct a hearing by videoconference, or to hear some Parties, witnesses and experts via teleconference or videoconference. He may also exempt a witness or an expert from appearing at the hearing if the witness or expert has previously filed a written statement.
- 42.6 Before hearing any witness, expert or interpreter, the Panel shall solemnly invite such person to tell the truth, subject to the sanctions of perjury.
- 42.7 As a general rule, the Parties are allowed to make two rounds of their presentations, which include an opening statement and a closing statement. In their opening statements, the Parties shall briefly present the case to the Panel, including the main relevant facts of the case according to the relevant Party. Following the continuing and the closing of the evidentiary proceedings, each Party shall present its closing statement, where a legal position and the final conclusions shall be presented to the Panel.
- 42.8 Once the hearing is closed, the Parties shall not be authorized to produce any further written pleadings nor any evidence, unless the Panel so orders.

43. Default

If a Party fails to present its submission and/or fails to appear at the hearing, the Panel may nevertheless continue the proceedings and issue a decision.

Section E – Specifications on the administration of evidence

44. Competition Officials' reports

Facts contained in Competition Officials' reports and any additional information relating to the concerned reports submitted by Competition Officials are presumed to be accurate, unless proven otherwise by a Party.

45. Witnesses

- 45.1 The witnesses are examined at the hearing on the facts which they know.
- 45.2 Any written witness statement shall be filed in its original language with the Parties' submissions, together with an English translation, if necessary, unless the Panel decides otherwise.

- 45.3 The Panel is entitled to exclude from the case file any written testimonies made by a witness who is not present at the hearing or does not answer the questions of the Panel and the Parties.
- 45.4 The Parties may only call witnesses they have specified in their submissions. Each Party is responsible for the availability of the witnesses it has called, subject to the costs of witnesses called by the IPO, which shall be borne by BIUU.
- 45.5 Witnesses must tell the truth and answer the questions put to them to the best of their knowledge and judgment.
- 45.6 The Panel may limit or disallow the appearance of any witness or any part of their testimony on the grounds of irrelevance.

46. Anonymised witnesses

- 46.1 If a person's testimony is likely to result in threats against him, or to put him or any person particularly close to him in danger, the Panel may order, inter alia, that:
- the person be identified in the absence of the Parties;
 - the person not appear at the hearing;
 - the person's voice be distorted;
 - the person be questioned outside the hearing room;
 - the person be questioned in writing; and/or
 - the information that could be used to identify the person be included in a separate, confidential case file.
- 46.2 If no other evidence is available to corroborate the testimony provided by anonymised witnesses, such testimony will only be used in the context of imposing sanctions if:
- the Parties have had the opportunity to ask questions to the person concerned; and
 - the members of the Panel have had the opportunity to interview the person concerned directly and in full awareness of his identity.
- 46.3 Sanctions in accordance with the IBA-DEC shall be imposed by the Head of Panel on anyone who reveals the identity of any witness granted anonymity or any information that could be used to identify such person.
- 46.4 Witnesses granted anonymisation shall be identified in the absence of the Parties. This identification shall be conducted alone by the Head of Panel, and it shall be recorded in minutes containing the relevant person's personal details. These minutes are not communicated to the Parties.
- 46.5 The Parties shall receive a brief notice which confirms that the witness has been formally identified.

47. Experts

- 47.1 Where special knowledge is required, the Parties or the Panel may summon an expert.

- 47.2 The Panel is entitled to exclude from the case file any expert's written opinion, if this expert is not present at the hearing or does not answer the questions of the Panel and the Parties.
- 47.3 The Parties may only call experts they have specified in their submissions. Each Party is responsible for the availability and the costs of the experts it has called, subject to the costs of experts called by the IPO, which shall be borne by BIJU.
- 47.4 Experts must tell the truth and answer the questions put to them to the best of their knowledge and judgment.
- 47.5 The Panel may limit or disallow the appearance of any expert or any part of their opinion, on the grounds of irrelevance.

48. Requisitioning of evidence

A Party may request the Panel to order another Party or any other person to produce any documents or other physical records under their control. The Party seeking such production shall demonstrate that such documents or physical records are likely to exist, accessible under reasonable burden and relevant.

Section F – Specifications on the decision

49. Content

- 49.1 Decisions are issued in written form. They shall be dated and signed by the Head of Panel or two members of the Panel.
- 49.2 Any final decision shall contain:
- the names of the members of the Panel;
 - the names of the Parties;
 - the decision on jurisdiction;
 - the provisions on which the decision is based;
 - a notice indicating the right to request within 21 days the grounds of the decision.
- 49.3 If the grounds are requested, the reasoned decision will furthermore contain:
- an account of the procedure followed;
 - the relevant facts;
 - the reasoning on which the decision is based;
 - a notice indicating the possibility to file an appeal before the CAS and the general time limit of 21 days.

Section G – Costs

50. Costs of Proceedings

As a general rule, no procedural costs are imposed on the Parties. The IPO's costs are considered as procedural costs. The Panel may depart from the general rule by fully reasoning such departure in accordance with Art. 49.3.

51. Party costs

As a general rule, no costs, including attorneys' fees, are awarded to the Parties. The Panel may depart from the general rule by fully reasoning such departure in accordance with Art. 49.3.

Chapter 2 – Disputes

Section A – General issues

52. Commencement of proceedings

52.1 Proceedings are opened by the DEDU's Chairperson after receiving the Dispute Resolution Request from the Claimant. Such Request shall indicate the name and address of the Claimant and the Respondent, and it shall include a summary of the facts as well as the Claimant's conclusions. Failure to comply with these requirements will result in the Request not being considered.

52.2 The Parties to the proceedings before the DEDU in a dispute are the Claimant(s) and the Respondent(s).

52.3 The DEDU, at its own discretion and at any stage of the proceedings, may decide to admit other Participants to the proceedings. Participants only benefit from the procedural rights which are explicitly conferred to them by these BIU-PR.

53. Constitution of the Panel

53.1 At the opening of proceedings, the DEDU's Chairperson decides on the composition of the Panel of three in charge of the case.

53.2 The DEDU's Chairperson may decide at his own discretion to be or not to be part of the Panel. If the Chairperson decides to be part of the Panel, he will sit as its Head. If the Chairperson decides not to be part of the Panel, he will appoint the Head of Panel among the appointed Arbitrators.

53.3 With the agreement of the Parties, the DEDU's Chairperson may sit alone or appoint a Single Arbitrator. The provisions related to Head of Panels and those related to Panels apply to such person *mutatis mutandis*.

54. Jurisdiction

54.1 At the stage of proceedings it deems appropriate, the Panel decides whether it is competent to hear the case.

54.2 If the Panel considers that it is not competent to hear the case, it will pronounce a decision of inadmissibility.

55. Applicable law

The Panel applies IBA's Constitution and the Regulations on the merits, or the law chosen by the Parties, as well as subsidiarily Swiss law (without reference to conflict of laws principles).

56. Provisional Measures

- 56.1 Upon duly motivated request of a Party, the Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, by summarily reasoning, orders provisional measures upon the initiation of proceedings,
- if a decision on the merits cannot be taken sufficiently quickly, and
 - such measure is considered as necessary to protect the applying Party from irreparable harm.
- 56.2 Should a request for provisional measures be filed, the Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, invites the other Parties to express a position within at the most ten days. In cases of utmost urgency, the Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, issues a summarily reasoned order upon mere presentation of the request, provided that the concerned Party be subsequently heard, and that a new, summarily reasoned order be issued afterwards.
- 56.3 Provisional measures are immediately enforceable, and they must be limited in time until the final decision at the latest.
- 56.4 Upon fully motivated request of the concerned Party, provisional measures may be reconsidered by the Panel at any stage of the proceedings. Such reconsideration is summarily reasoned.

Section B – Proceedings

57. Powers of the Chairperson and the Head of Panel

- 57.1 The Head of Panel, respectively the DEDU's Chairperson if the Panel has not been yet constituted, conducts the proceedings and takes any action required under these BIU-PR by acting alone, except with respect to the conducting of the eventual hearing, the Panel's deliberations and the decision.
- 57.2 The Head of Panel, respectively the DEDU's Chairperson if the Panel has not yet been constituted, ensures the smooth running of the proceedings and is empowered to call the Parties and the other Participants to the proceedings to order.

58. Exchange of submissions

- 58.1 The Head of Panel issues directions in connection with the submissions of the Parties. As a general rule, there shall be one written submission of the Claimant and, subsequently, one written submission of the Respondent, to be filed within the deadlines set by the Panel. If the circumstances so require, the Panel may order a second round of written submission between all the Parties. At any point in the proceedings, the Panel is free to require a clarification of standpoints or an additional exchange of submission on one or a number of issues.
- 58.2 In their submissions, the Parties shall describe the facts pertinent to the case and indicate, for each alleged fact, the means of evidence relied upon. They shall further indicate the applicable provisions of IBA's Constitution and/or the

Regulations as well as their conclusions. Any counterclaim shall be included in the Respondent's submission. Each submission shall be dated and signed.

58.3 Together with their submissions, the Parties shall produce all evidence upon which they intend to rely by clearly identifying it. Documents shall be submitted in PDF format. After the exchange of submissions, the Parties shall not be authorized to produce further evidence, except if the Panel so permits, on the basis of exceptional circumstances.

58.4 In their submissions, the Parties shall list any witnesses whom they intend to call, including a summary of their expected testimony, as well as any experts whom they intend to call, stating their area of expertise including a summary of their expected declarations, and they shall state any other evidentiary measure which they request.

58.5 If a submission does not meet the formal requirements, the Head of Panel will fix a short deadline to correct it while indicating that, failing to do so, the submission will not be taken into consideration.

59. Joinder

If a Respondent intends to cause a third party to participate in the proceedings, it shall so state in its written submission, together with the reasons therefore. The Head of Panel shall fix a time limit for the person whose participation is requested to state its position on its participation. The Head of Panel shall also fix a time limit for the Claimant to express its position on the participation of the third party.

60. Intervention

If a third party wishes to participate as a Party to the proceedings, it shall file an application to this effect, together with the reasons therefor within ten days after the proceedings has become known to the Intervenor, provided that such application is filed prior to the hearing, or prior to the closing of the evidentiary proceedings if no hearing is held. The Head of Panel shall fix a time limit for the Parties to express their position on the participation of the third party.

61. Decision on Joinder and Intervention

Upon expiration of the time limit set in Art. 59 and 60, the Head of Panel shall decide on the participation of the third party to the proceedings. If the Head of Panel accepts the participation of the third party, he will issue procedural directions, taking into account the rules set out in Article 58.

62. Hearing

62.1 As a general rule, the decision on whether a hearing is to be held lies with the Panel, which may, if it considers itself sufficiently informed on the basis of the submissions and the evidence produced, decide not to hold a hearing. A hearing must however be held if all Parties request so.

- 62.2 If a hearing is to be held, the Head of Panel will issue directions with respect to the hearing and set the date, during which the Panel hears the Parties, any witnesses and any experts, as well as the Parties' oral arguments, for which the Respondent is heard last.
- 62.3 The Head of Panel shall conduct the hearing and ensure that the statements made are concise and limited to the subject of the submissions, to the extent that these submissions are relevant.
- 62.4 Unless the Parties agree otherwise, the hearing is not public. It may be recorded.
- 62.5 In principle, hearings are held in person. However, the Head of Panel may decide to conduct a hearing by videoconference, or to hear some Parties, witnesses and experts via teleconference or videoconference. He may also exempt a witness or an expert from appearing at the hearing if the witness or expert has previously filed a written statement.
- 62.6 Before hearing any witness, expert or interpreter, the Panel shall solemnly invite such person to tell the truth, subject to the sanctions of perjury.
- 62.7 As a general rule, the Parties are allowed to make two rounds of their presentations, which include an opening statement and a closing statement. In their opening statements, the Parties shall briefly present the case to the Panel, including the main relevant facts of the case according to the relevant Party. Following the continuing and the closing of the evidentiary proceedings, each Party shall present its closing statement, where a legal position and the final conclusions shall be presented to the Panel.
- 62.8 Once the hearing is closed, the Parties shall not be authorised to produce any further written pleadings nor any evidence, unless the Panel so orders.

63. Default

If the Claimant fails to present its submission and/or fails to appear at the hearing, the claim will be declared inadmissible, and the file will be archived. If the Respondent fails to present its submission and/or fails to appear at the hearing, the Panel may nevertheless continue the proceedings and issue a decision.

Section C – Specifications on the administration of evidence

64. Witnesses

- 64.1 The witnesses are examined at the hearing on the facts which they know.
- 64.2 Any written witness statement shall be filed in its original language with the Parties' submissions, together with an English translation, if necessary, unless the Panel decides otherwise.
- 64.3 The Panel is entitled to exclude from the case file any written testimonies made by a witness who is not present at the hearing or does not answer the questions of the Panel and the Parties.

- 64.4 The Parties may only call witnesses they have specified in their submissions. Each Party is responsible for the availability of the witnesses it has called.
- 64.5 Witnesses must tell the truth and answer the questions put to them to the best of their knowledge and judgment.
- 64.6 The Panel may limit or disallow the appearance of any witness or any part of their testimony on the grounds of irrelevance.

65. Experts

- 65.1 Where special knowledge is required, the Parties or the Panel may summon an expert.
- 65.2 The Panel is entitled to exclude from the case file any expert's written opinion, if this expert is not present at the hearing or does not answer the questions of the Panel and the Parties.
- 65.3 The Parties may only call experts they have specified in their submissions. Each Party is responsible for the availability of the experts it has called.
- 65.4 Experts must tell the truth and answer the questions put to them to the best of their knowledge and judgment.
- 65.5 The Panel may limit or disallow the appearance of any expert or any part of their opinion, on the grounds of irrelevance.

Section D – Specifications on the decision

66. Content

- 66.1 Decisions are issued in written form. They shall be dated and signed by the Head of Panel or two members of the Panel.
- 66.2 Any final decision shall contain:
- a) the names of the members of the Panel;
 - b) the names of the Parties;
 - c) the decision on jurisdiction;
 - d) the provisions on which the decision is based;
 - e) a notice indicating the right to request within 21 days the grounds of the decision.
- 66.3 If the grounds are requested, the reasoned decision will furthermore contain:
- a) an account of the procedure followed;
 - b) the relevant facts;
 - c) the reasoning on which the decision is based;
 - d) a notice indicating the possibility to file an appeal before the CAS and the general time limit of 21 days.

Section E – Costs

67. Costs of Proceedings

67.1 Upon formation of the Panel, the Head of Panel shall fix, subject to later changes, the amount, the method and the time limits for the payment of the advance of costs. The filing of a counterclaim by the Respondent or a new claim may result in the calculation of additional advances. To determine the amount to be paid in advance, the Head of Panel shall fix an estimate of the costs of the proceedings, which shall be borne by the Parties. The advance shall be paid in equal shares by all Parties. If a Party fails to pay its share, another may substitute for it; in case of non-payment of all or part of the advance of costs within the time limit fixed by the Head of Panel, the Dispute Resolution Request shall be deemed withdrawn and the Panel shall terminate the proceedings.

67.2 The Panel may depart from Art. 67.1 *in fine* and continue with the proceedings if the financial resources of the concerned Party obviously do not permit it to substitute the missing part of advance of costs.

67.3 In the decision, the Panel shall determine which Party shall bear the costs of proceedings set or in which proportion the Parties shall share them.

68. Party costs

As a general rule and without any specific request from the Parties, the Panel has discretion to grant the prevailing Party a contribution towards its legal fees incurred in connection with the proceedings. When granting such contribution, the Panel shall take into account the complexity and outcome of the proceedings, as well as the conduct and the financial resources of the Parties.

TITLE 4 – NOMINATION PROCEEDINGS

Section A – General issues

69. Commencement of proceedings

69.1 Proceedings are opened by the Nomination Division's Chairperson after receiving IBA's or a Continental or National Federation's Request for eligibility checks or for the assessment of appointments or elections. Such Request shall be fully documented.

69.2 If a Request is not sufficiently documented, the Nomination Division's Chairperson will fix a short deadline to correct it while indicating that, failing to do so, the Request will not be taken into consideration.

69.3 The Parties to the proceedings before the Nomination Unit are the nominated person and IBA, as well as, if applicable, the relevant Continental or National Federation.

69.4 The Nomination Division, at its own discretion and at any stage of the proceedings, may decide to admit other Participants to the proceedings. Participants

only benefit from the procedural rights which are explicitly conferred to them by these BIU-PR.

70. Constitution of the Panel

70.1 At the opening of proceedings, the Nomination Division's Chairperson decides on the composition of the Panel of three in charge of the case.

70.2 The Nomination Division's Chairperson may decide at his own discretion to be or not to be part of the Panel. If the Chairperson decides to be part of the Panel, he will sit as its Head. If the Chairperson decides not to be part of the Panel, he will appoint the Head of Panel among the appointed members.

71. Jurisdiction

71.1 At the stage of proceedings it deems appropriate, the Panel decides whether it is competent to proceed.

71.2 If the Panel considers that it is not competent to proceed, it will pronounce a decision of inadmissibility.

72. Applicable law

The Panel applies IBA's Constitution and the Regulations as well as, if applicable, the relevant Continental or National Federation's rules on the merits, as well as subsidiarily Swiss law (without reference to conflict of laws principles).

Section B – Proceedings

73. Powers of the Chairperson and the Head of Panel

73.1 The Head of Panel, respectively the Nomination Division's Chairperson if the Panel has not been yet constituted, conducts the proceedings and takes any action required under these BIU-PR by acting alone, except with respect to the conducting of the eventual hearing, the Panel's deliberations and the decision.

73.2 The Head of Panel, respectively the Nomination Division's Chairperson if the Panel has not yet been constituted, ensures the smooth running of the proceedings and is empowered to call the Parties and the other Participants to the proceedings to order.

74. Submissions

The Head of Panel issues directions in connection with the submissions of the Parties. As a general rule, there are no submissions but the Request. If the circumstances so require, the Panel may order one round of written submission between all the Parties. At any point in the proceedings, the Panel is free to require a clarification of standpoints.

75. Hearing

75.1 The decision on whether a hearing is to be held lies with the Panel. As a general rule, there is no hearing.

75.2 If a hearing is to be held, the provisions with respect to hearings in ethics and disciplinary cases will apply analogously.

Section C – Specifications on the decision

76. Content

76.1 Decisions are fully reasoned and issued in written form. They shall be dated and signed by the Head of Panel or two members of the Panel.

76.2 Any final decision shall contain:

- a) the names of the members of the Panel;
- b) the names of the Parties;
- c) an account of the procedure followed;
- d) the decision on jurisdiction;
- e) the relevant facts;
- f) the provisions on which the decision is based;
- g) the reasoning on which the decision is based;
- h) a notice indicating the possibility to file an appeal before the CAS and the general time limit of 21 days.

Section D – Costs

77. Costs of Proceedings

No procedural costs are imposed on the Parties.

78. Party costs

No costs, including attorneys' fees, are awarded to the Parties.

TITLE 5 – FINAL PROVISIONS

79. Adoption and entry into force

These BIIU-PR are approved by the MB and adopted by IBA's Board on 14 April 2026. They enter into force on 14 April 2026.

80. Replacement of existing provisions

Proceedings that are pending before the entry into force of these BIIU-PR continue to be governed by the BIIU-PR adopted on 15 July 2023. If the latter do not regulate any matter significant for such proceedings, these BIIU-PR will apply at the sole discretion of BIIU's concerned entity.