

**INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES**

**EuroGas Inc. and Belmont Resources Inc.**

**v.**

**Slovak Republic**

**(ICSID Case No. ARB/14/14)**

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**PROCEDURAL ORDER NO. 1**

*Members of the Tribunal*

Professor Pierre Mayer, President of the Tribunal

Professor Emmanuel Gaillard, Arbitrator

Professor Brigitte Stern, Arbitrator

*Secretary of the Tribunal*

Ms. Lindsay Gastrell

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**1<sup>st</sup> April 2015**

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## **Introduction**

The first session of the Arbitral Tribunal was held on 17 March 2015 at the ICC in Paris, France.

Participating in the conference were:

### **Members of the Tribunal**

Professor Pierre Mayer, President of the Tribunal

Professor Brigitte Stern, Arbitrator

Professor Emmanuel Gaillard, Arbitrator

### **ICSID Secretariat:**

Ms. Geraldine Fischer, Acting Secretary of the Tribunal

### **Attending on behalf of the Claimant:**

Dr. Hamid G. Gharavi, Derains & Gharavi

Dr. Mercédeh Azeredo da Silveira, Derains & Gharavi

Mr. Emmanuel Foy, Derains & Gharavi

Mr. Vincenzo Antonio Speciale, Derains & Gharavi

Mr. Wolfgang Rauball, EuroGas Inc., Chairman and CEO

Mr. Vojtech Agyagos, Belmont Resources Inc., President and Director

### **Attending on behalf of the Respondent:**

Mr. Stephen P. Anway, Squire Patton Boggs

Mr. David W. Alexander, Squire Patton Boggs

Mr. Rostislav Pekar, Squire Patton Boggs

Mr. Alexis Martinez, Squire Patton Boggs

Ms. Eva Cibulkova, Squire Patton Boggs

Ms. Andrea Holíková, Ministry of Finance of the Slovak Republic

Mr. Radovan Hronský, Ministry of Finance of the Slovak Republic

Mr. Julián Kupka, Ministry of Finance of the Slovak Republic

The Tribunal and the Parties considered the following:

- The Draft Agenda circulated by the Tribunal Secretary on February 16, 2015
- The Draft Procedural Order circulated by the Tribunal Secretary on February 16, 2015; and
- The Parties' comments on the Draft Agenda and the Draft Procedural Order were received on March 6, 2015, indicating the items on which they agreed and their respective positions regarding the items on which they did not agree.

Following the session, the Tribunal now issues the present order:

**Order**

Pursuant to ICSID Arbitration Rules 19 and 20, this first Procedural Order sets out the procedural rules that govern this arbitration.

1. Applicable Arbitration Rules

*Convention Article 44*

1.1. These proceedings are conducted in accordance with the ICSID Arbitration Rules in force as of 10 April 2006.

2. Constitution of the Tribunal and Tribunal Members' Declarations

*Arbitration Rule 6*

2.1. The Tribunal was constituted on 20 January 2015 in accordance with the ICSID Convention and the ICSID Arbitration Rules. The Parties confirmed that the Tribunal was properly constituted and that no Party has any objection to the appointment of any Member of the Tribunal.

2.2. The Members of the Tribunal timely submitted their signed declarations in accordance with ICSID Arbitration Rule 6(2). Copies of these declarations were distributed to the Parties by the ICSID Secretariat on 20 January 2015.

3. Fees and Expenses of Tribunal Members

*Convention Article 60; Administrative and Financial Regulation 14; ICSID Schedule of Fees*

3.1. The fees and expenses of each Tribunal Member shall be determined and paid in accordance with the ICSID Schedule of Fees and the Memorandum on Fees and Expenses of ICSID Arbitrators in force at the time the fees and expenses are incurred.

3.2. Under the current Schedule of Fees, each Tribunal Member receives:

3.2.1. US\$3,000 for each day of meetings or each eight hours of other work performed in connection with the proceedings or *pro rata*; and

3.2.2. subsistence allowances, reimbursement of travel, and other expenses pursuant to ICSID Administrative and Financial Regulation 14.

3.3. Each Tribunal Member shall submit his/her claims for fees and expenses to the ICSID Secretariat on a quarterly basis.

3.4. Non-refundable expenses incurred in connection with a hearing as a result of a postponement or cancellation of the hearing shall be reimbursed.

4. Presence and Quorum

*Arbitration Rules 14(2) and 20(1)(a)*

4.1. The presence of all Members of the Tribunal constitutes a quorum for its sittings, including by telephone, video conference, or any appropriate means of communication.

5. Decisions and Procedural Rulings of the Tribunal

*Convention Article 48(1); Arbitration Rules 16, 19 and 20*

5.1. Decisions of the Tribunal shall be taken by a majority of the Members of the Tribunal.

5.2. ICSID Arbitration Rule 16(2) applies to decisions taken by correspondence except that where the matter is urgent, the President may issue procedural decisions without consulting the other Members, subject to possible reconsideration of such decision by the full Tribunal.

5.3. The President is authorized to issue Procedural Orders on behalf of the Tribunal, provided that all Members of the Tribunal are consulted.

5.4. The Tribunal's rulings on procedural matters may be communicated to the Parties by the Tribunal Secretary in the form of a letter or email.

6. Power to Fix Time Limits

*Arbitration Rule 26(1)*

6.1. The President may fix and extend time limits for the completion of the various steps in the proceeding.

6.2. In exercising this power, the President shall consult with the other Members of the Tribunal. If the matter is urgent, the President may fix or extend time limits without consulting the other Members, subject to possible reconsideration of such decision by the full Tribunal.

- 6.3. Extensions of time shall be granted by the Tribunal at its discretion in exceptional cases only, and provided that a request is submitted before or, where this is impossible, immediately after the event preventing a Party from complying with the deadline. The Parties may also decide between themselves to grant short extensions of time, on the basis of mutual courtesy, as long as they do not materially affect the timetable and the Tribunal is informed of such extensions.

7. Secretary of the Tribunal

*Administrative and Financial Regulation 25*

- 7.1. The Tribunal Secretary is Lindsay Gastrell, Legal Counsel, ICSID, or such other person as ICSID may notify the Tribunal and the Parties from time to time.
- 7.2. To send copies of communications by email, mail, and courier/parcel deliveries to the ICSID Secretariat, the contact details are:

Lindsay Gastrell  
ICSID  
MSN J2-200  
1818 H Street, N.W.  
Washington, D.C. 20433  
USA  
Tel.: + 1 (202) 458-0419  
Fax: + 1 (202) 522-2615  
Email: lgastrell@worldbank.org

- 7.3. For local messenger deliveries, the contact details are:

Lindsay Gastrell  
701 18th Street, N.W. ("J Building")  
2nd Floor  
Washington, D.C. 20006  
Tel.: + 1 (202) 458-0419

8. Assistant to the Tribunal

- 8.1. To facilitate an expeditious and cost-efficient arbitration, the President proposed, with the approval of the other members of the Tribunal, the appointment of Ms. Marie Nioche to serve as Assistant to the Tribunal. The Parties, having been provided with Ms. Nioche's *curriculum vitae*, consented to her appointment.
- 8.2. The Assistant will not duplicate the tasks of the Tribunal Secretary but rather complement them. The Assistant shall undertake only such specific tasks as are

assigned by the Tribunal, including:

- 8.2.1. Assisting the Tribunal in the review of evidence and of the issues in dispute, including through the review of submissions and evidence, preparation of summaries and/or memoranda, and research on specific factual or legal issues;
  - 8.2.2. Assisting the Tribunal in its preparation and communication of its decisions to the Parties on issues of procedure and substance, under the direction and supervision of the Tribunal or its President; and
  - 8.2.3. Providing support to the Tribunal or its Members, especially its President, at any time, especially the hearings and deliberations.
- 8.3. Under no circumstances shall the Tribunal delegate any decision-making functions to the Assistant. The Assistant shall work at all times under the specific instructions and continuous control and supervision of the Tribunal or its President.
  - 8.4. The Assistant will be subject to the same confidentiality obligations as the Members of the Tribunal and will provide to the Parties a signed confidentiality undertaking to that effect.
  - 8.5. The Assistant shall receive an hourly fee of US\$250.00 for work performed in connection with the proceedings, as well as subsistence allowances and reimbursements for travel and other expenses within the limits prescribed by Administrative and Financial Regulation 14.
  - 8.6. The mailing address of the Assistant is: 20 rue des Pyramides, F-75001 Paris.

9. Representation of the Parties

*Arbitration Rule 18*

- 9.1. Each Party shall be represented by its counsel (below) and may designate additional agents, counsel, or advocates by notifying the Tribunal and the Tribunal Secretary promptly of such designation.

*For the Claimants*

Dr. Hamid G. Gharavi  
Dr. Mercédeh Azeredo da Silveira  
Mr. Emmanuel Foy  
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25 rue Balzac  
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*For the Respondent*

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Rostislav Pekař  
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- 9.2. Correspondence may be sent by email only. Hard copies of submissions should be sent to counsel at the following addresses:

*For the Claimants*

Dr. Hamid G. Gharavi  
Dr. Mercédeh Azeredo da Silveira  
Mr. Emmanuel Foy  
Derains & Gharavi  
25 rue Balzac  
75008 Paris  
France

*For the Respondent*

George M. von Mehren  
Alexis Martinez  
Squire Patton Boggs (UK) LLP  
7 Devonshire Square  
London, EC2M 4YH  
United Kingdom

10. Apportionment of Costs and Advance Payments to ICSID  
*Convention Article 61(2); Administrative and Financial Regulation 14; Arbitration Rule 28*

- 10.1. The Parties shall defray the direct costs of the proceeding in equal parts, without prejudice to the final decision of the Tribunal as to the allocation of costs.
- 10.2. By letter of 21 January 2015, ICSID requested that each Party pay US\$200,000 to defray the initial costs of the proceeding. ICSID received the Claimants' payment on 24 February 2015 and the Respondent's payment on 17 February 2015.

10.3. ICSID shall request further advances as needed. Such requests shall be accompanied by a detailed interim statement of account.

11. Place of Proceeding

*Convention Articles 62 and 63; Administrative and Financial Regulation 26; Arbitration Rule 13(3)*

11.1. Paris, France shall be the place of the proceeding.

11.2. The Tribunal may hold hearings at any other place that it considers appropriate if the Parties so agree.

11.3. The Tribunal may deliberate at any place it considers convenient.

12. Procedural Language(s), Translation and Interpretation

*Administrative and Financial Regulation 30(3) and (4); Arbitration Rules 20(1)(b) and 22*

12.1. English is the procedural language of the arbitration.

12.2. Documents filed in any other language must be accompanied by a translation into English.

12.3. If the document is lengthy and relevant only in part, it is sufficient to translate only relevant parts, provided that the Tribunal may require a fuller or a complete translation at the request of any Party or on its own initiative.

12.4. Translations need not be certified. Should there be a dispute as to the content of a translation provided, the Parties shall work jointly and in good faith to arrive at an agreed wording. Failing agreement, the Party submitting the initial “unofficial” translation shall provide a certified translation of the relevant parts to be translated.

12.5. Documents exchanged between the Parties in a language other than English under §16 below (Production of Documents) need not be translated.

12.6. The testimony of a witness called for examination during the hearing who prefers to give evidence other than in the English language shall be interpreted simultaneously.

12.7. The Parties will notify the Tribunal, as soon as possible, and no later than at the pre-hearing organizational meeting (see §20 below), which witnesses or experts require interpretation.

12.8. The costs of the interpreter(s) will be paid from the advance payments made by the Parties, without prejudice to the decision of the Tribunal as to which Party shall ultimately bear those costs.

12.9. The Tribunal shall render the Award in English.

13. Routing of Communications

*Administrative and Financial Regulation 24*

13.1. The ICSID Secretariat shall be the channel of written communications between the Parties and the Tribunal.

13.2. Each Party's written communications shall be transmitted by email or other electronic means to the opposing Party and to the Tribunal Secretary, who shall send them to the Tribunal and the Assistant to the Tribunal. In urgent situations, a Party may also send copies directly to the Tribunal, the Assistant to the Tribunal and the other Party.

13.3. The Tribunal Secretary shall not be copied on direct communications between the Parties which are not intended to be transmitted to the Tribunal.

14. Number of Copies and Method of Filing of Parties' Pleadings

*Administrative and Financial Regulation 30; Arbitration Rules 20(1)(d) and 23*

14.1. By the relevant filing date, the Parties shall submit by email to the Tribunal Secretary and the opposing Party an electronic version of the pleading with witness statements, expert reports and a list of documents,<sup>1</sup> and upload the pleading with the supporting documentation to the World Bank file sharing folder created for this case.

14.1.1. The Parties shall courier to the Tribunal Secretary within three business days:

14.1.1.1. one unbound hard copy in A4/Letter format<sup>2</sup> of the entire submission, including signed originals of the pleading, witness statements, and expert reports, together with documents (but not including legal authorities);

14.1.1.2. one hard copy in A4 format of the entire submission including

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<sup>1</sup> Please note that the World Bank server does not accept emails larger than 10 MB.

<sup>2</sup> The A4/Letter format is required for ICSID's archiving.

the pleading, the witness statements, expert reports, and documents (but not including legal authorities); and

14.1.1.3. two USB drives, or CD-ROMs or DVDs, with full copies of the entire submission, including the pleading, the witness statements, expert reports, documents, and legal authorities.

14.1.2. at the same time, the Parties shall courier to the opposing Party at the addresses indicated at §9.1 above, to each Member of the Tribunal at the addresses indicated at §14.2 below and to the Assistant to the Tribunal at the address indicated at §8.6 above:

14.1.2.1. one hard copy in A4 format of the entire submission including the pleading, the witness statements, expert reports, and documents (but not including legal authorities)<sup>3</sup>; and

14.1.2.2. one USB drive, or CD-ROMs or DVDs, with a full copy of the entire submission, including the pleading, the witness statements, expert reports, documents, and legal authorities.

14.2. The addresses of the Tribunal Members are as follows:

**Professor Pierre Mayer**  
20 Rue de Pyramides  
75001 Paris  
France  
Tel: +33 1 85 09 01 58

**Professor Emmanuel Gaillard**  
Shearman & Sterling LLP  
114, avenue des Champs-Élysées  
75008 Paris  
France  
Tel: +33 1 53 89 7000

**Professor Brigitte Stern**  
7 rue Pierre Nicole  
Building code: B3804  
75005 Paris  
France  
Tel: +33 1 40 46 93 79

14.3. Legal authorities shall be submitted in electronic format only, unless a hard copy is specifically requested by the Tribunal.

14.4. Electronic versions of a pleading shall be text searchable (i.e., OCR PDF or Word).

14.5. Pleadings shall be accompanied by an index hyperlinked to the supporting documentation.

14.6. The official date of receipt of a pleading or communication shall be the date on which the electronic version is sent to the Tribunal Secretary.

14.7. A filing shall be deemed timely if sent by a Party by midnight, Washington, D.C.

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<sup>3</sup> Professor Gaillard and Professor Stern would like only the pleadings, witness statements and expert reports, in A4. They do not need a hard copy of the documents.

time, on the date of the relevant deadline.

15. Number and Sequence of Pleadings

*Arbitration Rules 20(1)(c), 20(1)(e), 29 and 31*

- 15.1. The Claimants shall file their Memorial by 31 March 2015.
- 15.2. The Respondent shall file its Counter-Memorial by 30 June 2015.
- 15.3. The Claimants shall file their Reply on 15 September 2015.
- 15.4. The Respondent shall file its Rejoinder on 15 December 2015.

16. Production of Documents

*Convention Article 43(a); Arbitration Rules 24 and 33-36*

- 16.1. Articles 3 and 9 of the International Bar Association Rules on the Taking of Evidence in International Arbitration (2010) will guide the Tribunal and the Parties regarding document production in this case.
- 16.2. The production of documents shall take place during July 2015. The time limits for such production will be set subsequently in a procedural timetable.
- 16.3. On the date indicated in the procedural timetable, each Party may serve a request for production of documents on the other Party. Requests shall precisely identify each document, or category of documents, sought and establish its relevance. Such a request shall not be copied to the Tribunal or the Tribunal Secretary.
- 16.4. On the date indicated in the procedural timetable, each Party shall provide the other Party with the documents in its possession, custody or control that are responsive to the other Party's request.
- 16.5. Each Party shall state in writing its responses or objections to the requested documents with reference to the objections listed in Article 9(2) of the IBA Rules, on the same date as referred to in §16.4 above.
- 16.6. On the date indicated in the procedural timetable, the requesting Party shall file its comments in writing on any response or objection made to production with the Tribunal, with a copy to the other Party (in both Word and PDF formats).
- 16.7. The Tribunal will then rule on the objections.
- 16.8. A Party shall produce those documents for which no objection is sustained by the

Tribunal within two weeks of the ruling.

16.9. The request, responses or objections to the request, the reply to the responses or objections to the request, and the Tribunal's decisions referred to in this Section shall be recorded in a joint schedule in the form of Annex A to this Order.

17. Submission of Documents

*Convention Article 44; Administrative and Financial Regulation 30; Arbitration Rule 24*

17.1. The Memorial and Counter-Memorial shall be accompanied by the documentary evidence relied upon by the Parties, including exhibits and legal authorities. Further documentary evidence relied upon by the Parties may be submitted in rebuttal with the Reply and Rejoinder.

17.2. The documents shall be submitted in the manner and form set forth in §14 above.

17.3. Neither Party shall be permitted to submit additional or responsive documents after the filing of its respective last written submission, save under exceptional circumstances at the discretion of the Tribunal upon a reasoned written request followed by observations from the other Party.

17.3.1. Should a Party request leave to file additional or responsive documents, that Party may not annex the documents that it seeks to file to its request.

17.3.2. If the Tribunal grants such an application for submission of an additional or responsive document, the Tribunal shall ensure that the other Party is afforded sufficient opportunity to make its observations concerning such a document.

17.4. The Tribunal may call upon the Parties to produce documents or other evidence in accordance with ICSID Arbitration Rule 34(2).

17.5. The documents shall be submitted in the following form:

17.5.1. Exhibits shall be numbered consecutively throughout these proceedings.

17.5.2. The number of each Exhibit containing a document produced by the Claimants shall be preceded by the letter "C-" for factual exhibits and "CL-" for legal exhibits containing authorities etc. The number for each Exhibit containing a document produced by the Respondent shall be preceded by the letter "R-" for factual exhibits and "RL-" for legal exhibits containing authorities etc.

- 17.5.3. The hard copy of each Exhibit shall have a divider with the Exhibit identification number on the tab.
- 17.5.4. A Party may produce several documents relating to the same subject matter within one Exhibit, numbering each page of such Exhibit separately and consecutively.
- 17.5.5. Exhibits shall also be submitted in PDF format and start with the number “C-0001” and “R-0001,” respectively. The same rule applies to legal authorities (CL-0001, RL-0001, respectively).
- 17.5.6. Copies of documentary evidence shall be assumed to be authentic unless specifically objected to by a Party, in which case the Tribunal will determine whether authentication is necessary.
- 17.6. The Parties shall file all documents only once by attaching them to their pleadings. Documents so filed need not be resubmitted with witness statements even if referred to in such statements.
- 17.7. Demonstrative exhibits (such as charts, tabulations, etc.) may be used at the hearing(s), provided they contain no new evidence. Each Party shall number its demonstrative exhibits consecutively, and indicate on each demonstrative exhibit the number of the document(s) from which it is derived. The Party submitting such exhibits shall provide them in hard copy to the other Party, the Tribunal Members, the Tribunal Secretary, the court reporter(s) and interpreter(s) at the hearing. PowerPoint presentations may also be used at the hearing(s), provided they contain no new evidence. The Party submitting such PowerPoint shall provide them in hard copy to the other Party, the Tribunal Members, the Tribunal Secretary, the court reporter(s) and interpreter(s) at the hearing.
18. Witness Statements and Expert Reports  
*Convention Article 43(a); Arbitration Rule 24*
- 18.1. Witness statements and expert reports shall be filed together with the Parties’ pleadings.
- 18.2. In their second written submissions, the Parties shall include only additional written witness testimony, expert opinion testimony, documents or other evidence that responds to or rebuts matters raised by the opposing Party’s prior written submission, subject to documents obtained in the course of the document production phase.
- 18.3. The Tribunal shall not admit any testimony that has not been filed with the written submissions, unless the Tribunal determines that exceptional circumstances exist.

- 18.4. Each witness statement and expert report shall be signed and dated by the witness.
- 18.5. Any individual may present evidence as a witness, including the Parties' representatives and persons affiliated with a Party.

19. Examination of Witnesses and Experts  
*Arbitration Rules 35 and 36*

- 19.1. The Parties may only bring along to testify at the hearing(s) those witnesses (factual or expert) that either Party has indicated they wish to testify by the time limit set in the procedural timetable or otherwise set by the Arbitral Tribunal.
- 19.2. The Tribunal may, if it deems necessary at any stage of the proceeding, call upon the Parties to produce witnesses and experts.
- 19.3. Unless the Parties otherwise agree, a witness or expert statement by a witness or expert called to the hearing who fails to attend to give evidence orally shall be disregarded, unless the Party in question offers a justification, in which event the Tribunal will give the witness or expert statement in question the weight it deems appropriate in the circumstances.
- 19.4. Witnesses and experts must make themselves available for examination at the hearing, unless neither one of the Parties nor the Tribunal wishes to hear them.
- 19.5. Each Party shall advance the costs of appearance of its own witnesses.
- 19.6. The witnesses and experts shall be examined in the order agreed by the Parties or set by the Tribunal. The fact witnesses are not allowed to attend any part of the hearings before they are heard by the Tribunal. If the witness or expert appears for testimony, his/her witness statement shall serve as that witness' direct testimony, subject to each Party's right to conduct a 15-minute examination-in-chief. The witness or expert may then be cross-examined by the other side. The scope of the cross-examination is not limited to the scope of the written witness statement or expert report of the witness or expert in question, but may pertain to any relevant information in his/her possession. Cross-examination may be followed by a re-direct limited to issues arising out of the cross-examination, and a re-cross examination limited to issues arising out of re-direct. During his/her examination, the witness or expert is only allowed to have regard to a clean copy of his/her statement, and clean copies of any document filed in the arbitration must be made available to the witness or expert to the extent useful for his/her examination.
- 19.7. In case a Party waives its right to cross-examine a witness or expert who provided



a statement, such witness or expert may still be called at the hearing by request of the Tribunal or the other Party; in this event, the Party who had previously waived the right to examine a witness or expert shall be entitled to subsequent examinations should that witness or expert be called and examined independently by the Tribunal or the other Party.

19.8. The Arbitral Tribunal may put questions to the witness or expert at any time. All witnesses or experts shall be required to affirm that they will tell the truth and will be warned of the sanctions, including a prosecution for perjury, existing under the applicable law.

20. Pre-Hearing Organizational Meetings

*Arbitration Rule 13*

20.1. A pre-hearing organizational meeting shall be held at a date determined by the Tribunal after prior consultation with the Parties by telephone between the Tribunal, or its President, and the Parties in order to resolve any outstanding procedural, administrative, and logistical matters in preparation for the hearing.

21. Hearings

*Arbitration Rules 20(1)(e) and 32*

21.1. The oral procedure shall consist of a hearing for examination of witnesses and experts, if any, and for oral arguments.

21.2. The hearing(s) shall be held at a place to be determined in accordance with §11 above.

21.3. The Hearing on Jurisdiction and Merits shall take place from 18 to 22 January 2016.

21.4. The Members of the Tribunal shall reserve at least one day after the hearing(s) to determine the next steps and to hold deliberations.

21.5. Allocation of time at the hearing(s) shall be agreed upon by the Parties or, alternatively, decided by the Tribunal in concertation with the Parties after the pre-hearing organizational meeting.

22. Records of Hearings and Sessions

*Arbitration Rules 13 and 20(1)(g)*

22.1. Sound recordings shall be made of all hearings and sessions. The sound

recordings shall be provided to the Parties and the Tribunal Members.

- 22.2. The Tribunal Secretary may prepare summary minutes of hearings and sessions upon request.
- 22.3. Verbatim transcript(s) in the procedural language(s) shall be made of any hearing and session other than sessions on procedural issues. Unless otherwise agreed by the Parties or ordered by the Tribunal, the verbatim transcripts shall be available in real-time using LiveNote or similar software and electronic transcripts shall be provided to the Parties and the Tribunal on a same-day basis.
- 22.4. The Parties shall agree on any corrections to the transcripts within 30 days of the later of the dates of the receipt of the sound recordings and transcripts. The agreed corrections may be entered by the Parties in the transcripts (“revised transcripts”). The Tribunal shall decide upon any disagreement between the Parties and any correction adopted by the Tribunal shall be entered by the Parties in the revised transcripts.
23. Post-Hearing Memorials and Statements of Costs  
*Convention Article 44; Arbitration Rule 28(2)*
- 23.1. The Tribunal shall determine at the hearing(s), after discussions with the Parties, whether Post-Hearing Memorials are necessary, and, if so, any adjustment to the procedural timetable.
- 23.2. The timetable for the submission of the Statement of Costs shall be discussed in due course.
24. Publication  
*Convention Article 48(5), Administrative and Financial Regulation 22, Arbitration Rule 48(4)*
- 24.1. The Parties consent to ICSID publication of any ruling issued in the present proceeding, subject to the redaction of confidential information.

For and on behalf of the Tribunal:

[Signed]

Pierre Mayer  
President of the Tribunal  
Date: 1<sup>st</sup> April 2015

**Annex A**

<b>Document Request No</b>	
<b>A. Documents or category of documents requested</b>	
<b>B. Relevance and materiality:</b> <b>(1) para ref to submissions</b> <b>(2) comments</b>	
<b>C. Summary of objections by disputing Party to production of requested documents</b>	
<b>D. Reply</b>	
<b>E. Decision of the Tribunal</b>	