

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Minerali Industriali SRL

v.

Republic of Tunisia

(ICSID Case No. ARB/24/52)

PROCEDURAL ORDER NO. 1

Members of the Tribunal

Mr. Peter Turner KC, President of the Tribunal

Mr. David Rivkin, Arbitrator

Prof. Hélène Ruiz-Fabri, Arbitrator

Secretary of the Tribunal

Mr. Benjamin Garel

April 2, 2026

Contents

1. Applicable Arbitration Rules	4
2. Constitution of the Tribunal and Tribunal Members' Declarations.....	4
3. Fees and Expenses of Tribunal Members	5
4. Presence and Quorum	5
5. Rulings of the Tribunal	5
6. Power to Fix Time Limits	6
7. Secretary of the Tribunal	6
8. Representation of the Parties	7
9. Apportionment of Costs and Advance Payments to ICSID – Division of Advances	8
10. Place of Proceeding and Hearings	9
11. Procedural Language(s), Translation and Interpretation	9
12. Routing of Communications	10
13. Number of Copies and Method of Filing of Parties' Pleadings.....	10
14. Number and Sequence of Pleadings – Procedural Calendar.....	12
15. Production of Documents	12
16. Submission of Documents	13
17. Witness Statements and Expert Reports	15
18. Examination of Witnesses and Experts.....	15
19. Pre-Hearing Organizational Meetings	17
20. Case Management Conferences	17
21. Hearings	18
22. Recordings of Hearings and Sessions	18
23. Post-Hearing Memorials and Statements of Costs.....	18
24. Data Privacy and Cybersecurity.....	19
25. Amicable Dispute Settlement	19
26. Conduct of the Parties and Their Representatives	19
27. Disability Inclusion	20
28. Equality, Diversity & Inclusion	20
Annex A	21
Annex B	23

Minerali Industriali SRL v. Republic of Tunisia
(ICSID Case No. ARB/24/52)

Procedural Order No. 1

Annex C	25
Annex D	27

Introduction

The first session of the Tribunal was held on March 12, 2026, at 9:00 a.m. (Washington, DC time) by video conference. The session was adjourned at 9:40 a.m..

A recording of the session was made and deposited in the archives of ICSID. The recording was distributed to the Members of the Tribunal and the Parties.

Participating in the conference were:

Members of the Tribunal:

Mr. Peter Turner KC, President of the Tribunal
Mr. David Rivkin, Arbitrator
Prof. H       Ruiz-Fabri, Arbitrator

ICSID Secretariat:

Mr. Benjamin Garel, Secretary of the Tribunal
Ms. Lucie Lacle, Paralegal

On behalf of the Claimant:

Ms. Sarah Z. Vasani, Vasani International Arbitration Ltd
Ms. Valeriya Grebenkova, Vasani International Arbitration Ltd
Mr. David Pusztai, Vasani International Arbitration Ltd
Mr. Baiju Vasani, Twenty Essex
Mr. Ali Al-Karim, Brick Court Chambers

Mr. Matteo Lazzaro, Director of Legal Affairs, Minerali Industriali S.r.l.
Mr. Carlo Caltran, Chairman and CEO of Minerali Industriali Tunisia; CFO, Minerali Industriali, Latin America

On behalf of the Respondent:

Dr. Walid El Nabal, Curtis, Mallet-Prevost, Colt & Mosle LLP
Mr. Simon Batifort, Curtis, Mallet-Prevost, Colt & Mosle LLP
Ms. Marie-Claire Argac, Curtis, Mallet-Prevost, Colt & Mosle LLP
Ms. Louja     Kahaleh, Curtis, Mallet-Prevost, Colt & Mosle LLP
Mr. Odysseas E. Stergianopoulos, Curtis, Mallet-Prevost, Colt & Mosle LLP
Mr. Cyprien Mathi    , Curtis, Mallet-Prevost, Colt & Mosle LLP
Ms. Anna Ricci, Curtis, Mallet-Prevost, Colt & Mosle LLP

Ms. Azza Ouri, Direction G         du Contentieux de l'      

Procedural Order No. 1

The Tribunal and the Parties considered the following:

- The draft Procedural Orders No. 1 and No. 2 circulated by the Tribunal Secretary on 23 February 2026 and 2 March 2026, respectively; and
- The Parties' comments on the Draft Procedural Orders received on 9 March 2026, indicating the items on which they agreed and their respective positions regarding the items on which they did not agree.

Having considered the above documents and the Parties' views, the Tribunal now issues the present Order:

Order

Pursuant to ICSID Arbitration Rules 27 and 29, this Procedural Order sets out the Procedural Rules that govern this arbitration. The timetable is attached as **Annexes B and C**.

1. Applicable Arbitration Rules

Convention Article 44; Arbitration Rule 1

- 1.1. These proceedings are conducted in accordance with the ICSID Arbitration Rules in force as of July 1, 2022.

2. Constitution of the Tribunal and Tribunal Members' Declarations

Arbitration Rule 21

- 2.1. The Tribunal was constituted on February 11, 2026, 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 19(3)(b). Copies of these declarations were distributed to the Parties by the ICSID Secretariat upon acceptance of each arbitrator's appointment and again upon constitution of the Tribunal on February 11, 2026.
- 2.3. The Members of the Tribunal confirmed that they have sufficient availability during the next 24 months to dedicate to this case and that they will use best efforts to meet all time limits for orders, decisions and the Award, in accordance with ICSID Arbitration Rule 12(1).

3. Fees and Expenses of Tribunal Members

Convention Article 60; Administrative and Financial Regulation 14; ICSID Schedule of Fees; Memorandum on Fees and Expenses

- 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 in force at the time the fees and expenses are incurred.

4. Presence and Quorum

Arbitration Rule 33

- 4.1. The participation of a majority of the members of the Tribunal by any appropriate means of communication is required at the first session, case management conferences, hearings and deliberations, except as otherwise provided in the Arbitration Rules or unless the Parties agree otherwise. However, it is the Parties' preference for all Tribunal members to be present at the first session, and at all case management conferences, hearings, and deliberations.

5. Rulings of the Tribunal

Convention Article 48(1); Arbitration Rules 10, 11(4), 12, 27 and 35

- 5.1. Decisions of the Tribunal shall be taken by a majority of the Members of the Tribunal.
- 5.2. Orders, decisions and the Award may be made by any appropriate means of communication.
- 5.3. Orders, decisions and the Award may be signed electronically.
- 5.4. The President is authorized to sign procedural orders and decisions on behalf of the Tribunal.
- 5.5. When the matter is urgent, the President may decide procedural matters without consulting the other Members, subject to possible reconsideration of such decision by the full Tribunal.
- 5.6. The Tribunal's orders and decisions shall indicate the reasons upon which they are made. The reasons may be minimal for non-controversial or minor procedural, administrative and organizational matters, e.g., extensions of time.
- 5.7. The Tribunal will use best efforts to issue all rulings, including the Award, within the time limits prescribed by the ICSID Arbitration Rules. If the Tribunal cannot comply with an applicable time limit, it will advise the Parties of the special

Procedural Order No. 1

circumstances justifying the delay and the date when it anticipates rendering the ruling, in accordance with ICSID Arbitration Rule 12(2).

- 5.8. Any ruling of the Tribunal, including the certified copy of the Award, will be dispatched electronically to the Parties.

6. Power to Fix Time Limits
Arbitration Rules 10 and 11

- 6.1. The President may exercise the Tribunal's power to fix and extend time limits for the completion of each procedural step in the proceeding under Arbitration Rules 10(1) and 11(3), in accordance with Arbitration Rules 10(3) and 11(4).
- 6.2. In exercising the power to fix time limits under Arbitration Rule 10(1), the President shall consult with the Parties as far as possible. If the matter is urgent, the President may fix time limits without consulting the Parties, subject to possible reconsideration of such decision by the full Tribunal.

7. Secretary of the Tribunal
Administrative and Financial Regulation 28

- 7.1. The Tribunal Secretary is Mr. Benjamin Garel, 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:

Mr. Benjamin Garel
ICSID
MSN C3-300
1818 H Street, N.W.
Washington, D.C. 20433
United States of America
Tel.: [REDACTED]
Fax: [REDACTED]
Email: [REDACTED]
Paralegal name: Ms. Lucie Lacle
Paralegal email: [REDACTED]
ICSID case address: [REDACTED]

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

Mr. Benjamin Garel
ICSID

Procedural Order No. 1

1225 Connecticut Ave. N.W.
(World Bank C Building)
3rd Floor
Washington, D.C. 20036
United States of America
Tel.: [REDACTED]

8. Representation of the Parties
Arbitration Rule 2

- 8.1. 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.
- 8.2. The Tribunal may refuse designation of additional agents, counsel, or advocates if the designation would create a conflict of interest with one or more members of the Arbitral Tribunal or otherwise cause prejudice, such as delay to the proceeding.

For the Claimant

Ms. Sarah Z. Vasani
Ms. Valeriya Grebenkova
M. David Pusztai
Vasani International Arbitration
1 Paternoster Lane
London EC4M 7BQ
United Kingdom
Tel.: [REDACTED]
Emails: [REDACTED]

and

Mr. Ali Al-Karim
Brick Court Chambers
London WC2R 3AL
United Kingdom
Tel.: [REDACTED]
Email: [REDACTED]

and

For the Respondent

Ms. Monia Aidi
Mr. Mounir Ben Azzoun
Ms. Azza Ouri
Direction Générale du Contentieux de
l'État
Angle de la rue Ibn Ennadim et la rue
8003 Monplaisir
Tunis 1073
Tunisia
Emails: [REDACTED]

and

Dr. Walid El Nabal
Mr. Odysseas Stergianopoulos
Ms. Anna Ricci
Curtis, Mallet-Prevost, Colt & Mosle
LLP
99 Gresham Street
London EC2V 7NG
United Kingdom
Tel.: [REDACTED]

Procedural Order No. 1

Mr. Baiju Vasani
Twenty Essex
London WC2R 3AL
United Kingdom

Tel: [REDACTED]

Email: [REDACTED]

Emails: [REDACTED]
[REDACTED]

and

Mr. Simon Batifort
Ms. Marie-Claire Argac
Ms. Loujaine Kahaleh
Mr. Cyprien Mathié
Curtis, Mallet-Prevost, Colt & Mosle
LLP
34 Avenue des Champs-Élysées
75008 Paris
France

Tel: [REDACTED]

Emails: [REDACTED]
[REDACTED]

9. Apportionment of Costs and Advance Payments to ICSID – Division of Advances
Convention Article 61(2); Administrative and Financial Regulation 15; Arbitration Rule 50

- 9.1. The Parties shall cover the direct costs of the proceeding in equal parts, without prejudice to the final decision of the Tribunal as to the allocation of costs.
- 9.2. Following registration of the Request for arbitration, by letter of December 23, 2024, ICSID informed the Parties that USD 300,000 will be necessary to cover the estimated costs of the initial phase of the proceeding through the first session of the Tribunal, as well as the subsequent phase, and requested that the Claimant pay USD 150,000. ICSID received the Claimant's payment on April 16, 2025. Upon the constitution of the Tribunal, by letter of February 11, 2026, ICSID requested that the Respondent pay USD 150,000. On March 26, 2026, ICSID inquired about the status of the Respondent's payment. On March 27, 2026, the Respondent indicated that the necessary steps were being taken to make the payment as soon as possible.
- 9.3. ICSID shall request further advances as needed. Such requests shall be accompanied by a detailed interim statement of account.

10. Place of Proceeding and Hearings

Convention Articles 62 and 63; Arbitration Rule 32

- 10.1. Paris shall be the place of the proceeding. Subject to availability, in-person hearings shall take place at the World Bank's offices in Paris.
- 10.2. The Tribunal may hold in-person hearings at any other place that it considers appropriate after consultation with the Parties. The method of holding a hearing will be determined in accordance with §21.2.
- 10.3. The Tribunal members may deliberate at any place and by any appropriate means they consider convenient.

11. Procedural Language(s), Translation and Interpretation

Administrative and Financial Regulation 32; Arbitration Rule 7

- 11.1. English and French are the procedural languages of the arbitration.
- 11.2. The Tribunal and the Secretariat shall communicate in both English and French.
- 11.3. Any written requests or applications from the Parties may be filed in either procedural language, provided that a translation of such document to the other procedural language is filed within 3 days thereafter. In the event that a written request or application is filed in English, no translation shall be required.
- 11.4. Pleadings, expert opinions, witness statements, and any other supporting documents shall be filed in either procedural language, provided that a translation of such document to the other procedural language is filed within 7 days thereafter. In the event that pleadings, expert opinions, witness statements, and any other supporting documents are filed in English, no translation shall be required.
- 11.5. For supporting documents that are originally in a language other than English, the Party introducing the documents into the record shall provide translations into English. In such a case, it is sufficient to translate only the relevant part of a supporting document, unless the Tribunal requires a fuller or a complete translation.
- 11.6. Translations need not be certified, unless the translation is disputed and the Tribunal orders a party to provide a certified translation.
- 11.7. Documents exchanged between the Parties pursuant to §15 below (Production of Documents) may be produced in the original language and need not be translated.
- 11.8. The Parties will notify the Tribunal, as soon as possible, and no later than at the pre-hearing organizational meeting (see §19 below), which witnesses or experts require interpretation.

- 11.9. Simultaneous interpretation into both procedural languages will be provided during the hearing.
- 11.10. The testimony of a witness or expert called for examination during the hearing who prefers to give evidence other than in the English and French languages shall be interpreted simultaneously into both procedural languages.
- 11.11. The costs of interpretation 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.
- 11.12. The Tribunal may initially make any order or decision in English and subsequently issue that order or decision in French. Both language versions shall be equally authentic.
- 11.13. The Tribunal shall render the award in English and in French simultaneously. Both language versions shall be equally authentic.

12. Routing of Communications
Arbitration Rule 6

- 12.1. The ICSID Secretariat shall be the channel of written communications between the Parties and the Tribunal.
- 12.2. 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.
- 12.3. Electronic versions of communications ordered by the Tribunal to be filed simultaneously shall be transmitted to the Tribunal Secretary only, who shall send them to the opposing party and the Tribunal.
- 12.4. The Tribunal Secretary shall not be copied on direct communications between the Parties when such communications are not intended to be transmitted to the Tribunal.

13. Number of Copies and Method of Filing of Parties' Pleadings
Arbitration Rules 4, 5 and 9

- 13.1. By the relevant filing date, the Parties shall:

- 13.1.1. submit by email to the Tribunal Secretary and the opposing party an electronic version of the pleading;¹
- 13.1.2. upload the pleading, together with any witness statements and expert reports, to the case's folder on Box, the file sharing platform used ICSID for purposes of this case.²
- 13.2. The Parties shall upload an index of all supporting documentation as well as all the supporting documentation (including all exhibits and legal authorities) to the case's folder on Box, within three business days from the relevant filing date. For the avoidance of doubt, the electronic filing process indicated in this subparagraph is applicable both to the original language submission and to any subsequent translations agreed by the Parties.
- 13.3. Electronic files of pleadings, witness statements, expert reports, exhibits and legal authorities shall be text searchable (i.e., OCR PDF or Word).
- 13.4. All pleadings shall contain consecutively numbered paragraphs and shall be accompanied by a cumulative index of all the supporting documentation that the party has submitted up to the date of the pleading. The index shall indicate the document number and the pleading with which it was submitted and shall follow the naming conventions contained in **Annex A**.
- 13.5. At the conclusion of the written phase of the proceeding, on a date to be determined by the Tribunal, or at any other time the Tribunal or the Secretariat so requests, the Parties shall upload to the case's folder on Box, in a format that can be readily downloaded, an electronic copy of the entire case file (including pleadings, witness statements, expert reports, exhibits, legal authorities and Tribunal decisions and orders to date).³
- 13.6. The official date of receipt of a pleading or written communication shall be the day on which the electronic file is sent to the Tribunal Secretary by email.
- 13.7. A filing shall be deemed timely if sent by a party by midnight, Washington, D.C. time, on the relevant date. If a filing falls on a Saturday or Sunday, the relevant date is the subsequent business day.

¹ Please note that the World Bank server does not accept emails larger than 25 MB.

² Supporting documentation shall be uploaded as individual files, not in .zip format.

³ To ensure the full operation of the hyperlinked index, the entire folder shall be housed within one folder and then uploaded to Box as a single .zip file. Should the size of the .zip file make the upload to Box impossible, the Parties shall upload the organized folder to a designated sub-folder on to the Box filesharing platform, in a sub-folder and including a consolidated (non-hyperlinked) index.

14. Number and Sequence of Pleadings – Procedural Calendar

Arbitration Rule 30

- 14.1. The number and sequence of pleadings or written submissions, comprising the written phase of the arbitration in accordance with Arbitration Rules 29 and 31, is established in the Procedural Timetable, attached as **Annex B** to this Procedural Order.

15. Production of Documents

Convention Article 43(a); Arbitration Rules 5 and 36-40

- 15.1. Without prejudice to Article 43(a) of the Convention, the Parties agree that the International Bar Association Rules on the Taking of Evidence in International Arbitration (2020) (the “**IBA Rules**”) may guide the Tribunal and the Parties in relation to document production in this case. However, the IBA Rules shall not be considered legally binding on either the Tribunal or the Parties.
- 15.2. Within the time limit set in Annexes B and C, each Party may request from the other Party the production of documents or categories of documents within the other Party’s possession, custody or control. Such a request for production shall identify each document or narrow category of documents sought with precision, in the form attached in Annex C hereto (“**Document Production Schedule**”), in both Word and PDF format, specifying why the document sought is relevant to the dispute and material to the outcome of the case. Such a request shall not be copied to the Tribunal or the Tribunal Secretary.
- 15.3. Within the time limit set forth in Annexes B and C, the other Party shall, using the Document Production Schedule provided by the first Party, submit its objections to the document requests (if any), along with its reasons for such objections, or confirm that it will voluntarily produce responsive documents.
- 15.4. On the date provided in Annexes B and C, the Requesting Party shall reply to the other Party’s objections in that same Document Production Schedule and shall submit such Document Production Schedule to the Tribunal, with a copy to the other Party (in both Word and pdf formats).
- 15.5. On the date provided in Annexes B and C, each Party shall produce the requested documents to which it has not filed any objection.
- 15.6. The Parties shall make no submissions in respect of the steps set out in §§ 15.2 to 15.5 above other than those incorporated in their respective Document Production Schedules.

- 15.7. On or around the date set forth in Annexes B and C, the Tribunal will, at its discretion, rule upon the production of the documents or categories of documents requested by the Parties having regard to the legitimate interests of the Parties and all the relevant circumstances, including applicable privileges.
- 15.8. Documents which the Tribunal orders to be produced shall be produced directly to the requesting Party without copying the Tribunal. Documents so produced shall not be considered to form part of the record unless and until a Party subsequently files them as exhibits in accordance with § 16 below.
- 15.9. All documents produced by a Party shall be provided by way of electronic copy in their original language, each document being produced in a separate .pdf file. So far as reasonably practicable, documents shall be produced in the form of searchable .pdf files.
- 15.10. In addition, the Tribunal may order a Party to produce documents on its own initiative at any time. In that case, the documents shall be submitted to the other Party and to the Tribunal in accordance with § 16 below and shall be considered to form part of the evidentiary record.

16. Submission of Documents

Convention Article 44; Arbitration Rule 5

- 16.1. 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 and legal authorities relied upon by the Parties in rebuttal shall be submitted with the Reply and Rejoinder.
- 16.2. The documents shall be submitted in the manner and form set forth in §13, above.
- 16.3. Neither party shall be permitted to submit additional or responsive documents after the filing of its respective last written submission, unless the Tribunal determines that special circumstances exist based on a timely and reasoned written application followed by observations from the other party.
 - 16.3.1. 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.
 - 16.3.2. 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 document.
- 16.4. The Tribunal may call upon the Parties to produce documents or other evidence in accordance with ICSID Arbitration Rule 36(3).

16.5. Documents shall be submitted in the following form:

16.5.1. The number of each Exhibit containing a document produced by Claimant 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 Respondent shall be preceded by the letter “R-” for factual exhibits and “RL-” for legal exhibits containing authorities etc.

16.5.2. Exhibits and legal authorities shall be numbered consecutively throughout these proceedings, commencing with “C-0001” and “R-0001,” and “CL-001” and “RL-001” respectively. The number of the exhibit or legal authority shall appear on the first page of the document, and shall be incorporated into the file name in accordance with §16.5.4.

16.5.3. A party may produce several documents relating to the same subject-matter within one Exhibit, numbering each page of such Exhibit separately and consecutively.

16.5.4. Electronic files and the accompanying indexes shall follow the naming conventions contained in **Annex A**.

16.6. 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.

16.7. The Parties shall file all documents only once by submitting them with their pleadings. Documents need not be resubmitted with witness statements or expert reports, even if referred to in such statements or reports.

16.8. The Parties may use PowerPoint slides and demonstrative exhibits (such as charts, tabulations, etc. compiling information which is on record but not presented in such form), provided that they (i) identify the source in the record from which the information is derived, (ii) do not contain information not in the record.

16.9. An electronic copy of each demonstrative exhibit, other than PowerPoint slides, shall be distributed by the Party intending to use it via an electronic mail sent to the entire case email distribution for each Party, the Members of the Tribunal, the Tribunal Secretary, to the court reporter and to the interpreters as necessary no later than two hours before the start of the portion of the hearing day during which the Party intends to use it.

16.10. In addition, promptly after the conclusion of the hearing day on which the corresponding demonstrative exhibit is used, the Parties shall upload such demonstrative to the case folder in the BOX files sharing platform, designating each with the corresponding CD-__ or RD-__ number.

17. Witness Statements and Expert Reports

Convention Article 43(a); Arbitration Rule 38

- 17.1. Witness statements and expert reports shall be filed together with the Parties' pleadings.
- 17.2. Neither party shall be permitted to submit any testimony that has not been filed with the written submissions, unless the Tribunal determines that special circumstances exist based on a reasoned written request followed by observations from the other party (following the procedure outlined in §16.3).
- 17.3. Each witness statement and expert report shall be signed and dated by the witness or expert as applicable.
- 17.4. Subject to applicable professional obligations and applicable law, it shall not be improper for counsel to meet witnesses and potential witnesses to establish the facts of the case, and to assist with the preparation of written witness statements and witness examination / testimony during hearings.

18. Examination of Witnesses and Experts

Arbitration Rule 38

- 18.1. Each Party shall be responsible for securing the appearance of its own witnesses and experts at the hearing, except when the other Party has waived cross-examination of a witness or expert and the Tribunal does not direct his or her appearance. If a witness or expert fails to appear at the hearing without justification, the Tribunal may order that the witness statement or expert report be struck from the record or may attach such weight to the witness statement or expert report as it thinks appropriate in the circumstances. The facts or opinion contained in the witness statement or expert report of a witness or expert whose cross-examination has been waived by the other Party and who has not been called by the Tribunal to testify shall not be deemed established (or admitted) by the sole fact that no cross examination has been requested. The Tribunal shall attach such weight thereto as it deems appropriate in the circumstances.
- 18.2. Witnesses and experts shall in principle be examined in person. Examination by videoconference may be permitted for good cause at the discretion of the Tribunal after consultation with the Parties. In the event any witness or expert is examined by videoconference, each Party shall have the right to have counsel physically present in the room with the witness or expert during the examination.
- 18.3. The Parties will determine the order in which the witnesses and experts upon whose evidence they rely on will be called, subject to the views of the Tribunal after

consultation with the Parties during the pre-hearing organizational meeting. In principle, fact witnesses shall be examined before expert witnesses, and Claimants' fact witnesses shall be examined first, followed by Respondent's fact witnesses.

- 18.4. By the date set forth in **Annexes B and C**, each Party shall notify the other Party, with a copy to the Tribunal, which witnesses and experts of the opposing Party it wishes to cross-examine at the hearing. The Tribunal will then, by the date set forth in **Annexes B and C**, identify the witnesses or experts not called by the Parties whom it wishes to question, if any.
- 18.5. Upon a reasoned request by either Party, the Tribunal shall have the power to order any Party to provide for, or to use its best efforts to provide for, the appearance for a testimony of any person regardless of whether such person has submitted a witness statement.
- 18.6. Witnesses and experts shall be examined by each Party under the control of the Tribunal, which shall at all times ensure balance and fairness between the Parties.
- 18.7. At the hearing, the examination of each fact witness shall proceed as follows:
 - 18.7.1. The witness shall make the declaration specified in Arbitration Rule 38.
 - 18.7.2. The written witness statement or report of each witness called for cross-examination shall stand in lieu of the examination by the Party producing the witness ("direct examination"). However, the Party which presents the witness may briefly (in principle no more than 10 minutes for a witness of fact) conduct direct examination for purposes of asking introductory questions, including to confirm and/or correct that witness' written statement, and to address facts which have arisen after such statement was drafted.
 - 18.7.3. The scope of cross-examination shall in principle be limited to the contents of the witness statement of the person being examined. Where a Party wishes to ask questions outside the scope of the witness statement, and subject to the Tribunal's control, such questions must be justified and based on facts of which the witness has direct knowledge that are relevant to an issue in dispute in the arbitration.
 - 18.7.4. The Party who has presented the witness may conduct a redirect examination of the witness with respect to any matters arising out of the cross-examination.
 - 18.7.5. The Tribunal may examine the witness at any time, either before, during or after examination by one of the parties.

Procedural Order No. 1

- 18.8. A fact witness, unless he or she is a Party's representative, shall not be permitted to attend opening arguments or oral testimony, and/or read transcripts of the opening statements or oral testimony, prior to his or her examination.
- 18.9. The rules set forth in §18.7 above shall apply by analogy to the evidence of experts, with the following specifications:
- 18.9.1. Before giving oral evidence, the expert shall make the declaration specified at Arbitration Rule 38.
- 18.9.2. Subject to the Tribunal's directions following consultations with the Parties, experts may summarize their reports and findings in the form of a presentation of no longer than thirty (30) minutes.
- 18.9.3. Subject to a different agreement by the Parties or a different ruling by the Tribunal, the limitation at §18.8 shall not apply to expert witnesses.
- 18.9.4. Subject to the approval or at the discretion of the Tribunal, experts of a similar discipline, if any, may be examined by way of joint expert conferencing. The joint expert conferencing shall not preclude the Parties' right to cross-examine the opposing Party's expert witnesses.

19. Pre-Hearing Organizational Meetings
Arbitration Rule 31

- 19.1. A pre-hearing organizational meeting shall be held at a date determined by the Tribunal after consultation with the Parties via teleconference (audio or video) between the Tribunal, or its President, and the Parties and should address any outstanding procedural, administrative, and logistical matters (including modalities of interpretation and transcription) in preparation for the hearing.
- 19.2. At a date to be determined by the Tribunal, and in any event no later than the date of the pre-hearing conference, the Parties shall submit to the Tribunal jointly – or, where they are unable to agree, separately – a proposal regarding a daily schedule for the hearing.

20. Case Management Conferences
Arbitration Rule 31

- 20.1. The Tribunal may convene case management conferences with the Parties, if necessary in light of the circumstances, in accordance with ICSID Arbitration Rule 31.

21. Hearings

Arbitration Rule 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 may be held in-person or by any other means of communication as determined by the Tribunal after consultation with the Parties. An in-person hearing shall be held at a place to be determined in accordance with §10 above.
- 21.3. Having due regard to the views of the Parties and the specific circumstances of the case, (including any relevant travel or public health/security restrictions) the Tribunal may decide to hold a hearing remotely or in a hybrid form.
- 21.4. The hearing shall take place on the date set out in **Annexes B or C**.
- 21.5. The Members of the Tribunal shall reserve at least one day after the hearing to determine the next steps and to hold deliberations.

22. Recordings of Hearings and Sessions

Arbitration Rule 29(4)(i)

- 22.1. Recordings shall be made of all hearings and sessions. The recordings shall be provided to the Parties and the Tribunal Members.
- 22.2. Verbatim transcript(s) in the procedural languages 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, if possible, be available in real-time and electronic transcripts shall be provided to the Parties and the Tribunal on a same-day basis.
- 22.3. The Parties shall agree on any corrections to the transcripts within 21 days of the later of the dates of the receipt of the sound recordings and transcripts, unless the Parties reach a different agreement. The agreed corrections shall be entered by the court reporter 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 court reporter in the revised transcripts.

23. Post-Hearing Memorials and Statements of Costs

Convention Article 44; Arbitration Rules 51

- 23.1. At the end of the evidentiary hearing, the Tribunal will consult with the Parties and issue directions in relation to whether, and if so the dates by which the Parties shall submit post-hearing briefs, and whether such post-hearing briefs should contain

page limits. Unless the Tribunal determines otherwise, the post-hearing briefs shall not contain or refer to new evidence.

- 23.2. At the end of the evidentiary hearing, the Tribunal will also consult with the Parties in relation to when and in what form the Parties shall file cost submissions, including any argument in relation thereto.

24. Data Privacy and Cybersecurity

- 24.1. The Members of the Tribunal, the Parties and their representatives acknowledge that the processing of their personal data is necessary for the purposes of this arbitration proceeding. They acknowledge having read ICSID's "[Personal Data Privacy Notice – Proceedings](#)" ("**Notice**").
- 24.2. The Members of the Tribunal, the Parties and their representatives agree to comply with all applicable data protection and privacy regulations, including providing appropriate notice to data subjects whose personal data will be processed in the arbitration proceeding, where necessary, including witnesses and experts. Should compliance with applicable law require action from another participant in the arbitration proceeding, the Parties are invited to bring that to the attention of that other participant and/or to apply to the Tribunal for specific data protection measures to be put in place.
- 24.3. The Parties and their representatives shall ensure that the storage and exchange of the personal data processed in this arbitration is protected by way of appropriate technical and organizational safeguards.

25. Amicable Dispute Settlement

- 25.1. The Tribunal notes that the Parties may seek to reach an amicable settlement of all or part of the dispute, including through mediation under the ICSID Mediation Rules, at any time in the proceeding. If the Parties settle the dispute in full, they may request that the Tribunal issue a Consent Award and/or an order taking note of the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 55(2).

26. Conduct of the Parties and Their Representatives

- 26.1. Pursuant to ICSID Arbitration Rule 3(1), the Tribunal and the Parties are required to conduct the proceedings in good faith and in an expeditious and cost-effective manner. As such, the Tribunal expects all participants to approach the procedural steps in a way that promotes efficiency and procedural economy. The Tribunal may consider the Parties' conduct when allocating costs; conduct causing unnecessary delay or expense, or conduct failing to comply with procedural directions without justification, may result in costs consequences.

- 26.2. The Parties agree that the Tribunal, when considering Party conduct, may refer to for guidance, but shall not be bound by the IBA Guidelines on Party Representation in International Arbitration.

27. Disability Inclusion

- 27.1. At any point during the proceedings, but ideally as soon as practicable, either Party may advise the Tribunal of a person who, by reason of disability, requires reasonable accommodation to facilitate their full participation in the Arbitration, including in relation to the Hearing. For the purposes of this paragraph, disability means any physical or mental health condition that – without accommodation – would impair a person’s ability to participate in work related to this Arbitration. In considering such requests, the Tribunal will consider the privacy rights of such persons against the unnecessary disclosure of their disability.

28. Equality, Diversity & Inclusion

- 28.1. The Tribunal, the Parties, and their legal representatives are encouraged to remain aware of diversity and inclusion in the conduct of the Arbitration (including for the purpose of conducting advocacy) and aim to ensure, to the extent possible, fair participation of all individuals involved in the Arbitration. No person shall be discriminated against based on sex, gender, race, ethnicity, nationality, sexual orientation, age, seniority, disability, religion, geographic location, and/or social and professional background.

On behalf of the Tribunal,

[signature]

Mr. Peter Turner KC
President of the Tribunal
Date: April 2, 2026

Annex A

Electronic File Naming Guidelines

Please follow these guidelines when naming electronic files and for the accompanying Consolidated Hyperlinked Index. The examples provided (in *italics*) are for demonstration purposes only and should be adapted to the relevant phase of the case.

All pleadings and accompanying documentation shall indicate the LANGUAGE in which they are submitted (e.g. SPA=Spanish; FR=French; ENG= English). Such indication should be reflected both i) in the name used to identify each individual electronic file and ii) in the Consolidated Hyperlinked Index (which shall be attached to each submission).

For cases with a single procedural language, the “LANGUAGE” designation may be omitted, except for documents in a language other than the procedural language and the corresponding translations.

SUBMISSION TYPE	ELECTRONIC FILE NAMING GUIDELINES
MAIN PLEADINGS	Title of Pleading
	<i>Memorial on Jurisdiction</i>
	<i>Counter-Memorial on the Merits and Memorial on Jurisdiction</i>
	<i>Reply on Annulment</i>
	<i>Rejoinder on Quantum</i>
SUPPORTING DOCUMENTATION Exhibits	C-#### R-#### To be produced sequentially throughout the case.
	CLAIMANT’S FACTUAL EXHIBITS
	<i>C-0001</i>
	<i>C-0002</i>
	RESPONDENT’S FACTUAL EXHIBITS
	<i>R-0001</i>
	<i>R-0002</i>
	CL-#### RL-#### To be produced sequentially throughout the case.
	CLAIMANT’S LEGAL AUTHORITIES
Legal Authorities	<i>CL-0001</i>
	<i>CL-0002</i>
	RESPONDENT’S LEGAL AUTHORITIES
	<i>RL-0001</i>
	<i>RL-0002</i>

Witness Statements	Witness Statement-Name of Witness-Name of Submission-LANGUAGE
	<i>Witness Statement-Maria Jones-Memorial on Jurisdiction-SPA</i>
	<i>Witness Statement-Maria Jones-Reply on Jurisdiction-[Second Statement]-ENG</i>
Expert Reports	Expert Report-Name of Expert-Type-Name of Submission-LANGUAGE
	<i>Expert Report-Lucia Smith-Valuation-Memorial on Quantum-ENG</i>
	<i>Expert Report-Lucia Smith-Valuation-Reply on Quantum-[Second Report]-ENG</i>
Legal Opinions	Legal Opinion-Name of Expert-Name of Submission-LANGUAGE
	<i>Legal Opinion-Tom Kaine-Counter-Memorial on the Merits-FR</i>
	<i>Legal Opinion-Tom Kaine-Rejoinder on the Merits-[Second Opinion]-FR</i>
Exhibits to Witness Statements, Expert Reports, Legal Opinions	WITNESS/EXPERT INITIALS-###
	<i>For exhibits filed with the Witness Statement of [Maria Jones]</i>
	<i>MJ-0001</i>
	<i>MJ-0002</i>
	<i>For exhibits filed with the Legal Opinion of [Tom Kaine]</i>
	<i>TK-0001</i>
	<i>TK-0002</i>
	<i>For exhibits filed with the Expert Report of [Lucia Smith]</i>
	<i>LS-0001</i>
	<i>LS-0002</i>
INDICES	Consolidated Hyperlinked Index
	Index of Exhibits-C-#### to C-####
	<i>Index of Exhibits-C-0001 to C-0023</i>
	Index of Legal Authorities-RLA-### to RLA-###
OTHER APPLICATIONS	<i>Index of Legal Authorities-RLA-0001 to RLA-0023</i>
	Name of Application-[Party]-LANGUAGE
	<i>Preliminary Objections under Rule 41(5)-SPA</i>
	<i>Request for Bifurcation-ENG</i>
	<i>Request for Provisional Measures-[Respondent]-SPA</i>
	<i>Request for Production of Documents-[Claimant]-SPA</i>
	<i>Request for Stay of Enforcement-FR</i>
	<i>Request for Discontinuance-[Claimant]-ENG</i>
	<i>Post-Hearing Brief-[Claimant]-SPA</i>
	<i>Costs Submissions-[Respondent]-ENG</i>
	<i>Observations to Request for [XX]-[Claimant]-SPA</i>

Annex B

Procedural Schedule Absent a Request for Bifurcation

Event	Date	Interval (weeks / months from previous step)
Claimant's Memorial	29 June 2026	3 months and 2 weeks from the CMC
Respondent's Counter-Memorial	15 November 2026	4 months and 2 weeks from Claimant's Memorial
Case Management Conference	TBC if necessary	
Parties' Requests for Production of Documents	13 December 2026	4 weeks from Counter-Memorial
Parties' Responses and/or Objections to Requests for Production of Documents	17 January 2027	5 weeks from the Parties' requests
Parties' Replies to Objections to Requests for Production of Documents	14 February 2027	4 weeks from the Parties' responses
Parties' Production of Documents which are not subject to Objections	16 February 2027	2 days after the Parties' Replies to Objections to Requests for Production of Documents
Mid-Stream CMC on Document Production	Week of 21 February 2027 [to be held in reserve] [Holding a date in reserve will ensure the availability of the Tribunal and the Parties. If the mid-stream CMC is not needed, it can be vacated].	1 week or more after the Parties' Replies
Tribunal's Decision on Objections to Requests for Production of Documents	Week of 28 February 2027	1 week or more after CMC or 2 weeks or more after the Parties' Replies to Objections to Requests for Production of Documents
Parties' Production of Documents ordered by Tribunal	28 March 2027	4 weeks from the Tribunal's ruling
Claimant's Reply	16 May 2027	7 weeks from Document Production (i.e. 6 months from Respondent's Counter-Memorial)
Respondent's Rejoinder	16 October 2027	5 months from Claimant's Reply

Minerali Industriali SRL v. Republic of Tunisia
(ICSID Case No. ARB/24/52)

Procedural Order No. 1 – Annex B

Event	Date	Interval (weeks / months from previous step)
Parties to confirm which witnesses and experts they wish to examine	23 October 2027	1 week from Respondent's Rejoinder
Tribunal to indicate whether it wishes to examine any witnesses/experts not called for examination by the Parties	30 October 2027	1 week from Parties' notifications
Pre-hearing organizational meeting	Week of 1 November 2027	
Hearing on Jurisdiction and Merits	Week 6 December 2027	

Annex C

Alternative Schedules in the Event of a Request for Bifurcation

Event	Date	Interval (weeks / months from previous step)
Claimant's Memorial	29 June 2026	3 months and 2 weeks from the CMC
Respondent's Request for Bifurcation	29 July 2026	1 month from Claimant's Memorial
Claimant's Response to Request for Bifurcation	14 September 2026	1 month and 2 weeks from Respondent's Request for Bifurcation
Decision on Request for Bifurcation	14 October 2026 [TBC by the Tribunal]	1 month from Claimant's Response
Schedule if the Tribunal Upholds the Request for Bifurcation		
Respondent's Memorial on Bifurcated Issues	2 December 2026	7 weeks from the Decision on Request for Bifurcation
Claimant's Counter-Memorial on Bifurcated Issues	2 February 2027	2 months from Respondent's Memorial on Bifurcated Issues
Respondent's Reply on Bifurcated Issues	2 April 2027	2 months from Claimant's Counter-Memorial on Bifurcated Issues
Claimant's Rejoinder on Bifurcated Issues	2 June 2027	2 months from Respondent's Reply on Bifurcated Issues
Hearing on Bifurcated Issues	Week of 12 July 2027	~1 month from Claimant's Rejoinder on Bifurcated Issues
Tribunal's Decision/Award	As soon as practicable after the Hearing	
In the event any claims are not dismissed, CMC to discuss the next steps in the proceeding	As soon as practicable after the Tribunal's Decision	
Schedule if the Tribunal Rejects the Request for Bifurcation		
Respondent's Counter-Memorial	26 February 2027	4 months from Decision on Request for Bifurcation
Case Management Conference	TBC if necessary	
Parties' Requests for Production of Documents	26 March 2027	4 weeks from Counter-Memorial

Minerali Industriali SRL v. Republic of Tunisia
(ICSID Case No. ARB/24/52)

Procedural Order No. 1 – Annex C

Event	Date	Interval (weeks / months from previous step)
Parties' Responses and/or Objections to Requests for Production of Documents	30 April 2027	5 weeks from the Parties' requests
Parties' Replies to Objections to Requests for Production of Documents	28 May 2027	4 weeks from the Parties' responses
Parties' Production of Documents which are not subject to Objections	1 June 2027	2 days from the Parties' Replies to Objections to Requests for Production of Documents
Mid-Stream CMC on Document Production	Week of 7 June 2027	1 week or more after the Parties' Replies
Tribunal's Decision on Objections to Requests for Production of Documents	Week of 14 June 2027	1 week or more after CMC or 2 weeks or more after the Parties' Replies to Objections to Requests for Production of Documents
Parties' Production of Documents ordered by Tribunal	12 July 2027	4 weeks from the Tribunal's ruling
Claimant's Reply	24 September 2027	6 months and approx. 3 weeks from Respondent's Counter-Memorial
Respondent's Rejoinder	9 March 2028	5 months and two weeks from Claimant's Reply
Parties to confirm which witnesses and experts they wish to examine	16 March 2028	1 week from Respondent's Rejoinder
Tribunal to indicate whether it wishes to examine any witnesses/experts not called for examination by the Parties	23 March 2028	1 week from Parties' notifications
Pre-hearing organizational meeting	TBD	
Hearing on the Merits	June 2028, TBD	

Annex D

Document Production Schedule

Document Request No.	
Identification of documents or category of documents requested	
Relevance to the issues in dispute and materiality to the outcome of the arbitration according to requesting party, including references to submissions	
Responses and/or Objections by disputing party to production of requested documents	
Reply to objections	
Decision of the Tribunal	