

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Humans Mobile Ltd.

v.

Republic of Uzbekistan

(ICSID Case No. ARB/25/24)

PROCEDURAL ORDER NO. 1

Members of the Tribunal

Sir Daniel Bethlehem KC, Presiding Arbitrator

Ms. Anne K. Hoffmann, LL.M., Arbitrator

Prof. Jorge E. Viñuales, Arbitrator

Secretary of the Tribunal

Ms. Aïssatou Diop

25 February 2026

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Introduction

The First Session of the Tribunal was held on 23 February 2026, at 8:30 a.m. Washington, D.C. time by video conference. The session was adjourned at 9:40 a.m. Washington, D.C. time.

An audio 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:

Sir Daniel Bethlehem KC, Presiding Arbitrator
Ms. Anne K. Hoffmann, LL.M., Arbitrator
Prof. Jorge E. Viñuales, Arbitrator

ICSID Secretariat:

Ms. Aïssatou Diop, Secretary of the Tribunal
Ms. Colleen Ferguson, Senior Paralegal

Attending on behalf of the Claimant:

Mr. Konstantin Christie, Partner, Peter & Kim Ltd.
Prof. Dr. Hugo Barbier, Partner, Peter & Kim Ltd.
Ms. Rodica Turtoi, Counsel, Peter & Kim Ltd.
Ms. Clio Mordivoglia, Associate, Peter & Kim Ltd.
Ms. Sabina Nurbagandova, Associate, Peter & Kim Ltd.
Mr. Vladimir Dobrynin, Party Representative

Attending on behalf of the Respondent:

Dr. Borzu Sabahi, Curtis, Mallet-Prevost, Colt & Mosle LLP
Dr. Marat Umerov, Curtis, Mallet-Prevost, Colt & Mosle LLP
Ms. Maria Ongoren, Curtis, Mallet-Prevost, Colt & Mosle LLP
Ms. Marija Ozolins, Curtis, Mallet-Prevost, Colt & Mosle LLP
Mr. Arslan R. Makharamov, Curtis, Mallet-Prevost, Colt & Mosle LLP
Mr. Jasur Salomov, Ministry of Justice of the Republic of Uzbekistan
Mr. Komiljon Eshov, Ministry of Justice of the Republic of Uzbekistan
Mr. Tolmas Kurokboyev, Ministry of Justice of the Republic of Uzbekistan

The Tribunal and the Parties considered the following:

- The Draft Procedural Order circulated by the Tribunal Secretary on 10 February 2026; and
- The Parties' comments on the Draft Procedural Order received on 19 February 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 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 1 July 2022.

2. Constitution of the Tribunal and Tribunal Members' Declarations

Arbitration Rules 19, 21

- 2.1. The Tribunal was constituted on 7 January 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 on 7 January 2026.
- 2.3. In order for the Members of the Tribunal to fulfil their continuing disclosure obligations, the Tribunal seeks the cooperation of each Party in promptly drawing to the Tribunal's attention any circumstances known to that Party in respect of which it considers that further information would be appropriate as soon as such circumstances become known to that Party.
- 2.4. 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 their 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

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Expenses of ICSID Arbitrators in force at the time the fees and expenses are incurred.

- 3.2. Pursuant to ICSID Administrative and Financial Regulation 14, under the Memorandum on Fees and Expenses, from 1 July 2022, each Tribunal Member is entitled to:
 - 3.2.1. US\$500 per hour of work performed in connection with the proceeding, including each hour spent participating in hearings, sessions and meetings;
 - 3.2.2. US\$900 as a *per diem* for each day spent away from their city of residence while traveling in connection with a proceeding when overnight lodging is required. This covers all personal expenses, including lodging, tax on lodging, service charges, meals, gratuities, in-city transportation, laundry, personal communications and internet;
 - 3.2.3. US\$250 for each hour of travel and a *per diem* allowance of US\$200 for travel to and from a hearing on a day when lodging is not required. For work performed during travel, Members may charge the hourly rate for work (US\$500) in lieu of the hourly rate for travel. For day trips not requiring overnight lodging, Members are also entitled to a *per diem* of US\$200; and
 - 3.2.4. reimbursement for the costs of air and ground transportation to and from the city where the hearing, session or meeting is held.
- 3.3. Non-refundable expenses incurred due to postponement or cancellation of a hearing shall be reimbursed, e.g., the lesser of (a) actual non-refundable cost or (b) US\$900 *per diem*.
- 3.4. Each Tribunal Member shall submit his/her detailed claims for fees and expenses to the ICSID Secretariat on a quarterly basis or more frequently. Claims for work performed must be declared in a detailed, itemized format and appended to the Claim for Fees and Expenses form.
- 3.5. In the event of a cancellation or postponement of a hearing in consequence of a request or decision of the Parties less than one week prior to the scheduled start date of the hearing, or at any time during the hearing, the Tribunal may charge to the Parties 75% of its notional sitting rate based on an 8-hour day multiplied by the number of days reserved for the hearing. In the event of cancellation or postponement of a hearing in consequence of a request or decision of the Parties less than four weeks but more than one week prior to the scheduled start date of the hearing, the Tribunal may charge to the Parties 50% of its notional daily sitting rate, based on an 8-hour day multiplied by the number of days reserved for the hearing. In the event of a cancellation or postponement of a hearing in consequence of a request or decision of the Parties more than four weeks but less than 12 weeks

before the scheduled start date, the Tribunal may charge to the Parties 30% of its notional daily sitting rate, based on an 8-hour day multiplied by the number of days reserved for the hearing. This paragraph is without prejudice to any decision by the Tribunal on the award of costs, or the apportionment of costs where an event of a cancellation or postponement is at the instance of only one of the Parties.

- 3.6. The preceding §3.5 shall not apply in the case of the cancellation of the hearing in consequence of *force majeure*, including as regards the Tribunal. Issues concerning fees, costs and other expenses associated with the cancellation of the hearing, and whether a matter falls within the scope of *force majeure* for purposes of this provision, shall be addressed by the Tribunal on an interlocutory basis after affording the Parties an opportunity to present their views.

4. Presence and Quorum
Arbitration Rule 33

- 4.1. Subject to the exception provided in §23.1 hereof, the presence of all Members of the Tribunal constitutes a quorum for its sittings, including by any appropriate means of communication.

5. Rulings of the Tribunal
Convention Article 48(1); Arbitration Rules 12, 27, 35 and 58

- 5.1. Decisions of the Tribunal shall be taken by a majority of the Members of the Tribunal.
- 5.2. ICSID Arbitration Rule 27(2) applies to decisions taken by correspondence except that, where the matter is urgent, the presiding arbitrator may decide procedural matters without consulting the other Members, subject to possible reconsideration of such decision by the full Tribunal.
- 5.3. Save insofar as time limits for orders, decisions or the Award are specified in the ICSID Arbitration Rules, the Tribunal will draft and issue all rulings within a reasonable time and in accordance with ICSID Arbitration Rule 12(1). If a ruling has not been issued within three months after the final submission on a particular matter, the Tribunal will provide the Parties with status updates every month thereafter.
- 5.4. The Tribunal shall advise the Parties of special circumstances that may justify a delay in the rendering of an order, decision or Award and the date when it anticipates rendering that order, decision or the Award.
- 5.5. Orders, Decisions and the Award may be signed electronically.

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- 5.6. The presiding arbitrator is authorized to sign Procedural Orders on behalf of the Tribunal.
- 5.7. 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.
- 5.8. The Tribunal's rulings on procedural matters may be communicated to the Parties by the Tribunal Secretary electronically by letter or email.
- 5.9. 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 9 and 10

- 6.1. The Tribunal shall fix and extend time limits for the completion of the various steps in the proceeding.
- 6.2. If the matter is urgent, the presiding arbitrator is authorized to fix or extend time limits without consulting the other Members, 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 Ms. Aïssatou Diop, Senior 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:

Ms. Aïssatou Diop
ICSID
MSN C3-300
1818 H Street, N.W.
Washington, D.C. 20433
U.S.A.
Email: adiop3@worldbank.org
Paralegal name: Ms. Colleen Ferguson
Paralegal email: cferguson2@worldbank.org
ICSID case address: ARB/25/24@icsidcases.worldbank.org

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

Ms. Aïssatou Diop
ICSID
1225 Connecticut Ave. N.W.
(World Bank C Building)
3rd Floor
Washington, D.C. 20036
U.S.A.
Tel.: +1 (202) 458-1534

8. Representation of the Parties
Arbitration Rule 2

8.1. Each Party shall be represented as below. A Party shall promptly inform the Tribunal and the other Party of any change in such representation.

Humans Mobile Ltd.

Peter & Kim Ltd.

Mr. Konstantin Christie
Prof. Dr. Hugo Barbier
Ms. Rodica Turtoi
Ms. Clio Mordivoglia
Mr. Alan Nadirov
Ms. Sabina Nurbagandova

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Republic of Uzbekistan

Ministry of Justice of the Republic of Uzbekistan

Mr. Akbar Tashkulov, Minister of Justice
Mr. Muzraf Ikramov, Deputy Minister
Mr. Jasur Salomov
Mr. Tolmas Kurokboyev
Mr. Komiljon Eshov
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and

Curtis, Mallet-Prevost, Colt & Mosle LLP

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Dr. Marat Umerov
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Ms. Marija Ozolins
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Email: bsabahi@curtis.com
mumerov@curtis.com
mongoren@curtis.com
mozolins@curtis.com
amakharamov@curtis.com

- 8.2. After the constitution of the Tribunal, a Party shall not retain new representatives when a relationship exists between the representative and an Arbitrator that would create a conflict of interest.
- 8.3. In case of breach of the obligation contained in the preceding paragraph, the Tribunal may take appropriate measures to safeguard the integrity of the proceedings, including the exclusion of the new Party representative from participating in the arbitral proceedings.
- 8.4. For the purposes of this Section, “representative” means any person who is notified in accordance with §8.1 above or who otherwise appears or is intended to appear in this arbitration on behalf of a Party, whether or not to make submissions, arguments or representations to the Tribunal on behalf of such Party, other than in the capacity as a witness or expert.

9. Apportionment of Costs and Advance Payments to ICSID
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. Upon registration of the Request for Arbitration, by letter of 30 May 2025, ICSID requested the Claimant to make an advance payment of US\$200,000, upon the constitution of the Tribunal, by letter of 7 January 2026, ICSID requested the Respondent to make an advance payment of US\$200,000 to defray the estimated costs of the subsequent phase of the proceeding. ICSID received the Claimant’s payment on 8 July 2025 and the Respondent’s payment on 9 February 2026.
- 9.3. ICSID shall request further advances as needed. Such requests shall be accompanied by a detailed interim statement of account.

10. Notice of Third-Party Funding
Arbitration Rule 14

- 10.1. If a Party, directly or indirectly, receives funding from any non-Party, be it in the form of a donation or grant or remuneration dependent on the outcome of the case, that Party shall immediately file a written notice with the Tribunal disclosing the name and address of the funder. If the funder is a juridical person, the written notice shall include the names of the persons and entities that own and control that juridical person. The Party shall immediately inform the Tribunal of any changes to the information in the notice.
- 10.2. The Tribunal may order disclosure of further information regarding the funding agreement and the non-party providing funding pursuant to Arbitration Rule 14(4).
- 10.3. Upon the filing of a written notice of third-party funding, the Tribunal Members may submit additional disclosures in order to fulfil their continuing disclosure obligations, as described in §2.3 above.

11. Place of Proceeding
Convention Articles 62 and 63; Arbitration Rules 32 and 34

- 11.1. Washington, D.C. shall be the seat of the proceeding.
- 11.2. The Tribunal may hold in person, remote or hybrid hearings as appropriate, including at any place other than the seat of the proceeding, subject to prior consultation with the Parties and ICSID Arbitration Rule 32(3).
- 11.3. The Tribunal members may deliberate at any place and by any appropriate means they consider convenient.

12. Procedural Language(s), Translation and Interpretation
Arbitration Rule 7

- 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 unless there is a dispute as to the content of a translation provided and the Party disputing the translation specifically requests a certified version.

- 12.5. Documents exchanged between the Parties in a language other than English under §19 below (Production of Documents) need not be translated.
- 12.6. There shall be a presumption that a witness who has given his or her witness statement in a language other than English shall, if called for examination during the hearing, give their oral testimony in the same language as their written witness statement. The presumption may be displaced by a decision of the Tribunal in response to a timely, reasoned application by a Party to which the other Party has been afforded a reasonable opportunity to respond. Witness testimony in a language other than English shall be interpreted into English. The question of whether interpretation should be simultaneous or consecutive is reserved for decision in due course.
- 12.7. The Parties will notify the Tribunal, as soon as possible, and no later than at the pre-hearing organizational meeting (see §25 below), which witnesses or experts require interpretation.
- 12.8. 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.

13. Routing of Communications
Arbitration Rules 4 and 6

- 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 to the opposing Party and to the Tribunal Secretary, who shall send them to the Tribunal.
- 13.3. 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 after having received the submissions from both Parties or after the relevant deadline has passed.
- 13.4. 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.

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

- 14.1. The Parties shall:

- 14.1.1. by the relevant filing date,¹ submit by email to the Tribunal Secretary and the opposing Party an electronic version of the pleading with witness statements, expert reports and an index of all supporting documentation;² and
- 14.1.2. within 3 business days from the relevant filing date, upload the pleading with all the supporting documentation and updated index to the file sharing platform that will be created by ICSID for purposes of this case.
- 14.2. Electronic files of pleadings, witness statements, expert reports, exhibits and legal authorities shall be, to the extent possible, text searchable (i.e., OCR PDF or Word).
- 14.3. All pleadings 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. The Parties shall follow the naming conventions contained in **Annex A**. The cumulative index shall be uploaded to the file sharing platform created by ICSID within 7 days after the relevant filing date.
- 14.4. The addresses of the Tribunal Members are as follows:
- | | | |
|-------------------------|-----------------------------|----------------------------|
| Sir Daniel Bethlehem KC | Ms. Anne K. Hoffmann, LL.M. | Prof. Jorge E. Viñuales |
| Twenty Essex | Hoffmann Arbitration | Department of Land Economy |
| 20 Essex Street | Level 3, The Offices 3, One | University of Cambridge |
| London WC2R 3AL | Central, WTC | 17 Mill Lane |
| United Kingdom | P.O. Box 9573 | Cambridge CB2 1RX |
| | Dubai | United Kingdom |
| | United Arab Emirates | |

15. Bifurcation of Liability and Damages Phases of Proceedings
Convention Article 44; Arbitration Rule 42

- 15.1. The Claimant shall include as part of its Memorial on the Merits submissions and evidence in support of its claim on the quantum of damages sought.
- 15.2. Any request for the bifurcation of the liability and damages phases of the proceedings shall be made by a fully reasoned application submitted as soon as possible after the filing of the Memorial on the Merits, this to be construed as no later than 45 days after the filing of the Memorial. If the request for bifurcation is based on reasons which emerge from or in connection with a development subsequent to the Memorial, it shall be filed as soon as possible in accordance with ICSID Arbitration Rule 42(3)(a).

¹ Having regard to the Parties' agreement hereon, the "relevant filing date" is understood to refer to before midnight UK time on the date in question.

² The World Bank server does not accept emails larger than 25 MB.

15.3. The Tribunal shall afford the other Party with a reasonable opportunity to make submissions on a request for bifurcation.

15.4. Following receipt of the submissions on a request for bifurcation, the Tribunal shall issue its decision on the request in accordance with ICSID Arbitration Rule 42(3).

16. Objections to Jurisdiction and/or Competence

Arbitration Rules 42-45

16.1. ICSID Arbitration Rules 42 to 45 shall apply to any objections to jurisdiction or competence. Nothing in this Section 16 shall be interpreted as varying the provisions of the said Rules by agreement of the Parties.

16.2. The Tribunal shall determine whether any objection/s shall be heard as a preliminary matter after affording the other Party an opportunity to present its views on this question in accordance with the timetable to be prescribed in due course by the Tribunal in Procedural Order No. 2, having regard to the views expressed by the Parties in their submissions on the draft of this Procedural Order and in the First Session.

16.3. In the event that the Tribunal orders a preliminary procedure to address an objection to jurisdiction or competence and/or admissibility, the Tribunal shall prescribe an appropriate timetable in due course, having regard to the views expressed by the Parties in their submissions on the draft of this Procedural Order and in the First Session.

16.4. After the closure of the written submissions, the matter shall proceed to a hearing.

17. Provisional Measures

Convention Article 47; Arbitration Rule 47

17.1. The Tribunal may order provisional measures in accordance with the Article 47 of the ICSID Convention and ICSID Arbitration Rule 47.

17.2. The Claimant having submitted a Request for Provisional Measures on 20 January 2026, and the Tribunal, by letter dated 21 January 2026, having directed the schedule for submissions on that Request, the Procedural Schedule at **Annex B** hereto shall apply to the determination of the Claimant's Request for Provisional Measures of 20 January 2026.

18. Number and Sequence of Pleadings
Arbitration Rule 30

- 18.1. The number and sequence of the Parties' pleadings shall be prescribed in due course in Procedural Order No. 2, having regard to the views expressed by the Parties in their submissions on the draft of this Procedural Order and in the First Session.

19. Production of Documents
Convention Article 43(a); Arbitration Rules 5, 36-40

- 19.1. The Parties affirm that, from the date of the commencement of the proceedings, they have taken all reasonable steps to preserve all documents relating to the matters in issue in this arbitration and their undertaking to take all necessary steps going forward to ensure the preservation of all documents relating to the matters in issue in this arbitration.
- 19.2. The Tribunal shall be guided by Articles 3 and 9 of the International Bar Association Rules on the Taking of Evidence in International Arbitration (2020) ("IBA Rules") in relation to document production in this case.
- 19.3. In accordance with the Procedural Calendar to be prescribed in due course in Procedural Order No. 2, each Party may serve a request for production of documents on the other Party. Such a request for production shall comply with the rules set forth in Article 3 of the IBA Rules. The request shall be made in the form of a Schedule on the template indicated at **Annex C** hereto, in both Word and PDF format, and shall not be copied to the Tribunal or the Tribunal Secretary.
- 19.4. In accordance with the Procedural Calendar to be prescribed in due course in Procedural Order No. 2, the other Party shall, using the schedule provided by the first Party, provide the requesting Party with reasoned objections for its refusal to produce responsive documents.
- 19.5. In accordance with the Procedural Calendar to be prescribed in due course in Procedural Order No. 2, the other Party shall produce the requested documents to which it has not filed any objection.
- 19.6. In accordance with the Procedural Calendar to be prescribed in due course in Procedural Order No. 2, the requesting Party shall reply to the other Party's objections in that same schedule, and if disagreements cannot be resolved, shall submit the schedule to the Tribunal, with a copy to the other Party (in both Word and PDF formats).
- 19.7. The Tribunal will rule on the objections in accordance with the timetable indicated in Procedural Order No. 2.

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- 19.8. Documents shall be communicated directly to the Requesting Party without copying the Tribunal or the Tribunal Secretary. Documents so communicated shall not be considered to be admitted to the record unless and until a Party subsequently files them as exhibits in accordance with §20 below.
- 19.9. Neither Party shall be permitted to submit additional requests for the production of documents, save under exceptional circumstances at the discretion of the Tribunal upon a reasoned written request followed by observations from the other Party.

20. Submission of Documents

Convention Article 44; Arbitration Rule 5

- 20.1. Save as may be varied in subsequent Procedural Orders, each phase of the proceedings shall in principle comprise two rounds of written submissions from each Party. This shall not apply to submissions on procedural applications.
- 20.2. In each phase, each Party shall in principle set out its arguments of fact and law, as well as relevant supporting evidence (including witness statements and expert reports), in its first round of written submissions.
- 20.3. The second round of written submissions shall set out any further arguments of fact and law, as well as relevant supporting evidence (including witness statements and expert reports) as may be appropriate in response to the first-round submissions of the opposing Party and as may emerge from the document production phase. A Party shall not be precluded from setting out new arguments of fact or law, as well as supporting evidence, in its second-round pleadings, provided that the opposing Party will have a reasonable and sufficient opportunity to respond and it is not otherwise prejudicial to the opposing Party to do so.
- 20.4. Save as the Tribunal may otherwise direct, upon application by a Party, a right of response to arguments and evidence advanced by a Party for the first time in its second round of written submissions shall be considered to be available if a reasonable and sufficient opportunity to respond is afforded in the course of oral submissions in a hearing.
- 20.5. Documents shall be submitted in the manner and form set forth in §14 above.
- 20.6. 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 reasoned written request followed by observations from the other Party.
- 20.6.1. 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.

- 20.6.2. 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.
- 20.7. The Tribunal may call upon the Parties to produce documents or other evidence in accordance with ICSID Arbitration Rule 36(3).
- 20.8. The documents shall be submitted in the following form:
- 20.8.1. 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.
- 20.8.2. Exhibits and legal authorities shall be numbered consecutively throughout these proceedings, commencing with “C-001” and “R-001,” 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 §20.8.4.
- 20.8.3. Each Exhibit shall comprise of one document unless it is particularly difficult to separate the documents.
- 20.8.4. Electronic files and the accompanying indexes shall follow the naming conventions contained in **Annex A**.
- 20.9. The Parties shall number the paragraphs of their written pleadings consecutively.
- 20.10. 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.
- 20.11. The Parties shall file all documents only once by submitting them with their pleadings. Documents need not be resubmitted with witness statements even if referred to in such statements.
- 20.12. Demonstrative exhibits (such as PowerPoint slides, charts, tabulations, etc.) may be used at any hearing, 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 electronic and, if requested, hard copy format to the other Party, the Tribunal Members, the Tribunal Secretary,

the court reporter and any interpreter(s) prior to their use at the hearing at a time to be decided at the pre-hearing organizational meeting.

21. Witness Statements and Expert Reports

Convention Article 43(a); Arbitration Rule 38

- 21.1. Witness statements and expert reports shall be filed together with the Parties' pleadings.
- 21.2. 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 §20.6).
- 21.3. Each witness statement and expert report shall be dated and signed by the witness.
- 21.4. Witness statements shall be submitted in English or with a translation into English. Such a translation need not be certified unless requested in accordance with §12.4 above.
- 21.5. It shall not be improper for counsel to meet witnesses and potential witnesses to establish the facts, prepare the witness statements and the examinations.

22. Examination of Witnesses and Experts

Arbitration Rule 38

- 22.1. Unless otherwise decided by the Tribunal, IBA Rules Articles 4, 5 and 8 apply to the examination of a Party's fact and expert witnesses, respectively.
- 22.2. The Tribunal may, in exceptional circumstances and after consultation with the Parties, order that part or all of the evidentiary component of the hearing will be conducted as a remote or hybrid hearing. In that event, the Tribunal shall consult with the Parties for purposes of addressing the arrangements for the remote hearing protocol.
- 22.3. No later than 6 weeks prior to the hearing, each Party shall notify to the other Party, with a copy to the Tribunal, which witnesses or experts it wishes to examine and cross-examine at the hearing.
- 22.4. Within 2 weeks after the Parties' notification, the Tribunal will indicate to the Parties whether it wishes any witnesses or experts who have not been designated to testify to appear at the hearing for purposes of giving oral testimony.
- 22.5. Each Party shall be responsible for ensuring the appearance at the hearing, for purposes of examination, of those of its own witnesses and experts whose presence

at the hearing has been notified.

- 22.6. In the event that a witness or expert is not called for cross-examination by the opposing Party and the Tribunal does not direct his or her appearance, that witness or expert may not give oral evidence at the hearing unless, after hearing both Parties, the Tribunal otherwise directs.
- 22.7. The facts contained in the written statement of a witness whose cross-examination has been waived by the other Party shall not be deemed established by the sole fact that no cross-examination has been requested. Unless the Tribunal determines that the witness must be heard, it will assess the weight of the written statement taking into account the entire record and all the relevant circumstances.
- 22.8. Each Party shall be responsible for the practical arrangements, cost and availability of any witness it offers. The Tribunal will ultimately decide upon the appropriate allocation of such costs.
- 22.9. As regards (i) the appearance and non-appearance of witnesses and experts and the consequences thereof; (ii) the availability of videoconference for witness testimony; and (iii) expert conferencing, the Tribunal will be guided by relevant provisions of the IBA Rules.
- 22.10. The Tribunal may consider the written statement of a witness who provides a compelling reason for failing to appear when summoned to a hearing, or of a witness who was not called for cross-examination, having regard to all the surrounding circumstances, including the fact that the witness was not subject to cross-examination. The Tribunal shall not consider the witness statement of a witness who fails to appear and does not provide a compelling reason.
- 22.11. Subject to further discussion at the pre-hearing organizational meeting, the examination of each fact or expert witness shall proceed as follows at the hearing:
- 22.11.1. Before giving evidence, fact witnesses shall make the declaration in ICSID Arbitration Rule 38(6), and expert witnesses shall make the declaration in ICSID Arbitration Rule 38(8).
- 22.11.2. Factual and expert witness statements shall stand as examination in chief of the witness at the hearing. The Party who has presented the witness may briefly examine the witness for purposes of asking introductory questions, including about any corrections to be made to the written statement, and of addressing matters which have arisen after that witness's written statement was signed (direct examination). After consultation with the Parties, the Tribunal may also request expert witnesses to give a presentation, with a time-

limit to be determined, before the start of their cross-examination summarizing their methodology, findings and conclusions.

- 22.11.3. The other Party may then cross-examine the witness on matters addressed in their witness statement and other matters within the knowledge or expertise of the witness, subject to control of the presiding arbitrator on behalf of the Tribunal.
 - 22.11.4. The Party who has presented the witness may then re-examine the witness with respect to any matters or issues arising out of the cross-examination (re-direct examination).
 - 22.11.5. The Tribunal may allow the other Party to conduct re-cross examination, which shall be limited to the subject of the re-direct examination.
 - 22.11.6. The Tribunal may examine the witness at any time, either before, during or after examination by a Party.
- 22.12. Subject to a different agreement of the Parties, or a different determination of the Tribunal upon application by a Party, a fact witness shall not be present in the hearing room during oral testimony and arguments, or read any transcript of any oral testimony or argument, prior to his or her examination. Fact witnesses may be in the hearing room after completion of their testimony. This limitation does not apply to expert witnesses, who shall not be sequestered.
- 22.13. The above §22.12 shall not preclude Parties or Party representatives who are also fact witnesses from being present during opening submissions and having access to a transcript. Save as may otherwise be directed by the Tribunal, upon application by a Party, such persons shall not be present in the hearing room after opening submissions, or read any transcript of any oral testimony or argument, prior to his or her examination.
- 22.14. The Tribunal shall, at all times, have complete control over the evidentiary hearing as set forth in IBA Article 8(3).

23. Case Management Conferences
Arbitration Rule 31

- 23.1. With a view to the efficient, expeditious and cost-effective conduct of the proceedings, the Tribunal, or the Parties having agreed thereto, the presiding arbitrator, following consultation with the Parties, may convene case management conferences with the Parties in accordance with ICSID Arbitration Rule 31 after the first and second rounds of written submissions in accordance with the Procedural Calander to be prescribed in due course in Procedural Order No. 2, or

at such other time as may be appropriate.

24. Submission of Non-Disputing Parties and Participation of Non-Disputing Treaty Party
Arbitration Rules 67 and 68

- 24.1. Any question concerning the submission of a non-disputing party shall be addressed by reference to ICSID Arbitration Rule 67 and such other Convention provisions or Rules as may be relevant and applicable.
- 24.2. Any question concerning the participation of a non-disputing Treaty Party shall be addressed by reference to ICSID Arbitration Rule 68 and such other Convention provisions or Rules as may be relevant and applicable.

25. Pre-Hearing Organizational Meetings
Arbitration Rule 31

- 25.1. A pre-hearing organizational meeting shall be held on/at a date determined by the Tribunal after consultation with the Parties. It shall comprise a teleconference or videoconference between the Tribunal, or its presiding arbitrator (as appropriate), and the Parties and should resolve any outstanding procedural, administrative, and logistical matters (including modality of interpretation and transcription) in preparation for the hearing.
- 25.2. 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.

26. Hearings
Arbitration Rule 32

- 26.1. The oral procedure shall consist of a hearing for the presentation of oral arguments and the examination of witnesses and experts, if any.
- 26.2. Save as may be otherwise directed by the Tribunal after consultation with the Parties, the hearing shall be held in-person at a place to be determined in accordance with §11 above.
- 26.3. Hearings shall take place within the calendar windows indicated in the Procedural Calendars to be prescribed in due course in Procedural Order No. 2 and/or other Procedural Orders addressing such matters, or on such other dates as soon as practicable after the filing of the last written submission as the Tribunal may determine after consultation with the Parties.

- 26.4. The Members of the Tribunal shall endeavor to reserve an appropriate period after each hearing to determine the next steps and to hold deliberations.
- 26.5. In principle, the Parties will have an equal time allocation to make oral arguments and examine witnesses (including experts) at the hearing, subject to adjustments by the Tribunal, after consultation with the Parties, to address a material imbalance in the number of witnesses to be cross-examined by each Party, the scope of such examination, or if due process otherwise requires, taking into account §22.4 above if relevant.
- 26.6. Hearings shall be closed to the public, save that the Tribunal may revisit this issue with the Parties in advance of a hearing, having regard to the provisions of ICSID Arbitration Rules 32(2), 65(1), 67 and 68.
- 26.7. Having regard to §26.6 above and ICSID Arbitration Rules 32(2), 65(1), 67 and 68, in the event that access to a hearing is permitted by persons other than the Parties, their representatives, witnesses and experts, the Tribunal shall address the modalities applicable thereto after consultation with the Parties, in advance of that hearing.

27. Records of Hearings and Sessions

Arbitration Rule 29(4)(i)

- 27.1. Sound recordings shall be made of all in-person and telephone hearings and sessions. Video and sound recordings shall be made of all remote video hearings. The audio recordings shall be provided to the Parties and the Tribunal Members.
- 27.2. Verbatim transcripts in the procedural language 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 using LiveNote or similar software and electronic transcripts shall be provided to the Parties and the Tribunal on a same-day basis.
- 27.3. The Parties shall agree on any corrections to the transcripts within period to be agreed at the end of the hearing. The agreed corrections may be entered by the Parties or the court reporter in the transcripts, as determined by the Tribunal (“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 or the court reporter, as determined by the Tribunal, in the revised transcripts.

28. Post-Hearing Memorials and Statements of Costs

Convention Article 44; Arbitration Rule 51

- 28.1. At the conclusion of the hearing, the Tribunal, after consultation with the Parties,

shall determine whether the submission of post-hearing briefs would be appropriate and, if so, shall issue directions relevant to their scope, content and timing.

- 28.2. The Parties shall submit their cost submissions at a date agreed by the Parties in due course or as directed by the Tribunal.

29. Publication, Transparency and Confidentiality

Convention Article 48(5); Administrative and Financial Regulation 25; Arbitration Rules 62-66

- 29.1. The publication of the Award shall be governed by ICSID Arbitration Rule 62.
- 29.2. The publication of Orders and Decisions shall be governed by ICSID Arbitration Rule 63.
- 29.3. The publication of Documents Filed in the Proceeding shall be governed by ICSID Arbitration Rule 64.
- 29.4. The Parties shall endeavor to agree a draft Confidentiality Order addressing the scope of the direction given in the preceding paragraphs and modalities for its execution. A draft of such Order, or opposing proposals for such an Order, shall be presented to the Tribunal for consideration no later than one month after the adoption and transmission to the Parties of Procedural Order No. 2.
- 29.5. Public access to any hearing, including modalities applicable thereto, shall be addressed by the Tribunal, after consultation with the Parties, in advance of each hearing, having regard to the direction given in §26.6 hereof.

30. Data Privacy and Cybersecurity

- 30.1. 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.
- 30.2. 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. 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 Arbitral Tribunal for specific data protection measures to be put in place.
- 30.3. 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.

31. Amicable Dispute Settlement

- 31.1. 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.
- 31.2. Any agreement pursuant to ICSID Arbitration Rule 54(1), made in order to pursue amicable settlement discussions, should be communicated to the Tribunal.
- 31.3. If the Parties settle the dispute in full, they may request that the Tribunal embody their settlement in its Award, pursuant to ICSID Arbitration Rule 55(2).

32. Competence with Respect to Certain Post-Award Procedural Matters

- 32.1. Without prejudice to the application of ICSID Arbitration Rules 70, 72 and 73, the Parties agree that the Tribunal will remain competent to address such issues as may arise following the issuance of its Award concerning the publication of its Award, Orders, Decisions or other case documents, the redaction of sensitive information therein, and similar post-Award procedural matters.

On behalf of the Tribunal,

[signed]

Sir Daniel Bethlehem KC
Presiding Arbitrator

Date: 25 February 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.

Documents in a language other than English shall be submitted together in a single file with their translation into English.

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-001</i>
	<i>C-002</i>
	RESPONDENT'S FACTUAL EXHIBITS
	<i>R-001</i>
	<i>R-002</i>
Legal Authorities	CL-####
	RL-####
	To be produced sequentially throughout the case.
	CLAIMANT'S LEGAL AUTHORITIES
	<i>CL-001</i>
	<i>CL-002</i>
	RESPONDENT'S LEGAL AUTHORITIES
	<i>RL-001</i>
	<i>RL-002</i>
Witness Statements	Witness Statement-Name of Witness-Name of Submission
	<i>Witness Statement-Maria Jones-Memorial on Jurisdiction</i>
	<i>Witness Statement-Maria Jones-Reply on Jurisdiction-[Second Statement]</i>
Expert Reports	Expert Report-Name of Expert-Type-Name of Submission
	<i>Expert Report-Lucia Smith-Valuation-Memorial on Quantum</i>
	<i>Expert Report-Lucia Smith-Valuation-Reply on Quantum-[Second Report]</i>
Legal Opinions	Legal Opinion-Name of Expert-Name of Submission
	<i>Legal Opinion-Tom Kaine-Counter-Memorial on the Merits</i>
	<i>Legal Opinion-Tom Kaine-Rejoinder on the Merits-[Second Opinion]</i>

INDICES	Consolidated Hyperlinked Index
	Index of Exhibits-C-#### to C-####
	<i>Index of Exhibits-C-001 to C-023</i>
	Index of Legal Authorities-RL-### to RL-###
	<i>Index of Legal Authorities-RL-001 to RL-023</i>
OTHER APPLICATIONS	Name of Application–[Party]
	<i>Preliminary Objections under Rule 41(5)</i>
	<i>Request for Bifurcation</i>
	<i>Request for Provisional Measures-[Respondent]</i>
	<i>Request for Production of Documents-[Claimant]</i>
	<i>Request for Stay of Enforcement</i>
	<i>Request for Discontinuance-[Claimant]</i>
	<i>Post-Hearing Brief-[Claimant]</i>
	<i>Costs Submissions-[Respondent]</i>
	<i>Observations to Request for [XX]-[Claimant]</i>

Annex B

**Procedural Calendar with respect to the determination of the
Claimant's Request for Provisional Measures
dated 20 January 2026**

Procedural Step	By	Date / Period of Time
<i>[Request for Provisional Measures]</i>	<i>[Claimant]</i>	<i>[20 January 2026]</i>
Observations on the Claimant's Request	Respondent	6 February 2026
Reply to the Respondent's Observations	Claimant	13 February 2026
Rejoinder to the Claimant's Reply	Respondent	20 February 2026
Hearing on the Request for Provisional Measures — subject to further direction by the Tribunal	All	2 March 2026
Decision on the Request for Provisional Measures	Tribunal	Within 30 days after the last submission on the Request

Annex C

Proposed Document Production Schedule Template

	Document Request No.	
A.	Document/s or category of Document/s requested	
B.	Relevance and materiality: (1) Reference to specific paragraphs in submissions (2) Reasons supporting production	
C.	Objections to production of requested document/s	
D.	Reply to objections	
E.	Tribunal's decision and directions	