

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Naftiran Intertrade Co. (NICO) Limited
(Claimant)

v.

Kingdom of Bahrain
(Respondent)

(ICSID Case No. ARB/22/34)

PROCEDURAL ORDER No. 3
On the Procedural Calendar

Members of the Tribunal

Dr. Claus von Wobeser, President of the Tribunal
Prof. Bernard Hanotiau, Arbitrator
Prof. Maxi Scherer, Arbitrator

Secretary of the Tribunal

Ms. Anna Holloway

June 3, 2024

I. PROCEDURAL BACKGROUND

1. On May 7, 2024, the Tribunal issued Procedural Orders Nos. 1 and 2.
2. Para. 14.1 of Procedural Order No. 1 recorded that “[t]he number and sequence of pleadings are to be set out in the procedural calendar, which will be issued in a subsequent procedural order.” A draft procedural calendar, taking into account the parties’ respective positions, had already, on April 30, 2024, been circulated to the parties on the basis that the deadlines were to be considered running. With that communication, the Tribunal had invited the parties to confirm their availability for certain scheduled dates, and to discuss modifications to Scenario 1B of the procedural calendar, and to revert in this regard by May 14, 2024.
3. On May 14, 2024, in accordance with the Tribunal’s invitation extended, the parties provided their agreed proposed deadlines for circulated a draft of this order (“Draft PO2”) for discussion by the Parties.
4. On May 17, 2024, the Tribunal invited the parties to confirm their availability for certain dates in the draft procedural calendar; the parties confirmed their availability on May 21, 2024.

II. ORDER

5. For the sake of good order, the Tribunal now issues this PO 3, recording the finalized procedural calendar, set forth in **Annex A** to this order.

On behalf of the Tribunal,

[signed]

Dr. Claus von Wobeser
President of the Tribunal
Date: June 3, 2024

**ANNEX A
PROCEDURAL CALENDAR**

Scenario 1 (Bifurcation requested)				
Description	By	Days	Date	PO1 §
First Session	All	0	Wednesday, March 20, 2024	Introduction
Memorial on Merits	Claimant	50	Thursday, May 9, 2024	§§16.1 and 15.3
Request for Bifurcation	Respondent	46	Monday, June 24, 2024	§§16.1 and 15.3
Answer to Request for Bifurcation	Claimant	14	Monday, July 8, 2024	§§16.1 and 15.3
Reply on Request for Bifurcation	Respondent	7	Monday, July 15, 2024	
Rejoinder on Request for Bifurcation	Claimant	7	Monday, July 22, 2024	
Decision on Bifurcation [Tentative]	Tribunal	21	Monday, August 12, 2024	
Scenario 1A (bifurcation is DENIED)				
Counter-Memorial on the Merits and Memorial on Preliminary Objections	Respondent	150	Thursday, January 9, 2025	§16.1
Production of Documents Phase				
Requests for Production of Documents	Claimant and Respondent	21	Thursday, January 30, 2025	§15
Production of Non-Objected Documents and Objections	Claimant and Respondent	21	Thursday, February 20, 2025	§15
Responses to Objections - Sent to Tribunal	Claimant and Respondent	18	Monday, March 10, 2025	§15
Decision on Requests [Tentative]	Tribunal	21	Monday, March 31, 2025	§15

Naftiran Intertrade Co. (NICO) Limited v. Kingdom of Bahrain
(ICSID Case No. ARB/22/34)

Procedural Order No. 3

Production as Ordered	Claimant and Respondent	21	Monday, April 21, 2025	§15
Reply on the Merits and Counter-Memorial on Jurisdiction	Claimant	53	Friday, June 13, 2025	§16.1
Rejoinder on the Merits and Reply on Jurisdiction	Respondent	84	Friday, September 5, 2025	§16.1
Rejoinder on Jurisdiction	Claimant	28	Friday, October 3, 2025	§16.1
Notification of Witnesses and Experts by parties	Claimant and Respondent	14	Friday, October 17, 2025	§18.2
Notification of Witnesses and Experts (if any) by Tribunal	Tribunal	7	Friday, October 24, 2025	§18.4
CMC on Hearing Organization	All	7	To be scheduled in week commencing Monday October 27, 2025*	§19
Hearing Commencement	All	66	December 8-12, 2025 (with December 13 and 14, 2025 held in reserve)	§20.4
Hearing Ends	All		TBD	§20.4
Corrections to Hearing Transcripts	Claimant and Respondent		TBD	§21.3
Simultaneous Costs Submissions	Claimant and Respondent		TBD	§22.1
Award	Tribunal		TBD	§5.3

*precise scheduling to take place after the Decision on Bifurcation

Scenario 1B (Bifurcation granted)				
Description	By	Days	Date	PO1 §
Memorial on Preliminary Objections	Respondent	56	Monday, October 7, 2024	§§16.1 and 15.3
Counter-Memorial on Jurisdiction	Claimant	56	Monday, December 2, 2024	§§16.1 and 15.3
Production of Documents (relevant to jurisdiction) Phase				
Requests for Production of Documents	Claimant and Respondent	21	Monday, December 23, 2024	§15
Production of Non-Objected Documents and Objections	Claimant and Respondent	21	Monday, January 13, 2025	§15
Responses to Objections - Sent to Tribunal	Claimant and Respondent	14	Monday, January 27, 2025	§15
Decision on Requests [Tentative]	Tribunal	18	Friday, February 14, 2025	§15
Production as Ordered	Claimant and Respondent	18	Tuesday, March 4, 2025	§15
Reply on Preliminary Objections	Respondent	35	Tuesday, April 8, 2025	§§16.1 and 15.3
Rejoinder on Preliminary Objections	Claimant	35	Tuesday, May 13, 2025	§§16.1 and 15.3
Notification of Witnesses and Experts	Claimant and Respondent	14	Tuesday, May 27, 2025	§18.2
Notification of Witnesses and Experts (if any) by Tribunal	Tribunal	7	Tuesday, June 3, 2025	§18.4
CMC on Hearing Organization	All	14	To be scheduled in the two weeks commencing Monday June 16, 2025*	§19
Hearing Commencement	All	65	July 16 and 17, 2025 (with July 18, 2025 to be held in reserve)	§20.4

Naftiran Intertrade Co. (NICO) Limited v. Kingdom of Bahrain
(ICSID Case No. ARB/22/34)

Procedural Order No. 3

Hearing Ends	All		TBD	§20.4
Corrections to Hearing Transcripts	Claimant and Respondent		TBD	§21.3
Simultaneous Costs Submissions	Claimant and Respondent		TBD	§22.1
Decision on Jurisdiction or Award	Tribunal		TBD	§5.3
<i>If the Tribunal decides that it has jurisdiction, the remainder of the Procedural Timetable will be determined at that stage.</i>				

*precise scheduling to take place after the Decision on Bifurcation