

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Gabriel Resources Ltd. and Gabriel Resources (Jersey)
Applicants on Annulment

v.

Romania
Respondent on Annulment

(ICSID Case No. ARB/15/31)
Annulment Proceeding

PROCEDURAL ORDER NO. 1

Members of the ad hoc Committee

Dr. Eduardo Zuleta Jaramillo, President of the *ad hoc* Committee
Prof. Lawrence Boo, Member of the *ad hoc* Committee
Prof. Dr. Maxi Scherer, Member of the *ad hoc* Committee

Assistant to the Committee

Ms. María Marulanda Mürrle

Secretary of the ad hoc Committee

Ms. Sara Marzal Yetano

11 February 2025

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Introduction

The first session of the *ad hoc* Committee (the “**Committee**”) was held on 3 February 2025, at 8:00 a.m. Washington, D.C. time by video conference. The session was adjourned at 8:24 a.m.

An audio recording of the session was made and deposited in the archives of ICSID. The recording was distributed to the Members of the Committee and the parties.

Participating in the session were:

Members of the Committee:

Dr. Eduardo Zuleta Jaramillo, President of the Committee
Prof. Lawrence Boo, Member of the Committee
Prof. Dr. Maxi Scherer, Member of the Committee

Assistant to the Committee

Ms. María Marulanda Mürrle

ICSID Secretariat:

Ms. Sara Marzal Yetano, Secretary of the Committee

On behalf of Gabriel Resources Ltd. and Gabriel Resources (Jersey) (Applicants on Annulment):

Counsel

Ms. Abby Cohen Smutny, White & Case
Mr. Brody Greenwald, White & Case
Mr. Mitchell Hightower, White & Case

Parties

Mr. Dragoş Tănase, Gabriel Resources
Mr. Simon Lusty, Gabriel Resources

On behalf of Romania (Respondent on Annulment):

Counsel

Mr. Matthias Scherer, LALIVE
Ms. Lorraine de Germiny, LALIVE
Ms. Emilie McConaughey, LALIVE
Ms. Puloma Mukherjee, LALIVE
Ms. Crenguța Leaua, LDDP
Ms. Andreea Simulescu, LDDP
Ms. Liliana Deaconescu, LDDP
Ms. Corina Tănase, LDDP
Ms. Andra Soare-Filatov, LDDP

The Committee and the parties considered the following:

- The Draft Procedural Order circulated by the Secretary of the Committee on 29 October 2024; and
- The parties' comments on the Draft Procedural Order received on 15 January 2025, 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 Committee now issues the present Order:

Order

Pursuant to ICSID Arbitration Rules 19, 20 and 53, this Procedural Order sets out the procedural rules that govern this annulment proceeding. A timetable is attached as **Annex B**.

1. Applicable Arbitration Rules

Convention Article 44; Arbitration Rule 53

- 1.1. This proceeding is conducted in accordance with the ICSID Arbitration Rules in force as of 10 April 2006. In accordance with Arbitration Rule 53, the Arbitration Rules apply, *mutatis mutandis*, to annulment proceedings.

2. Constitution of the Committee and Committee Members' Declarations

Convention Article 52(3); Arbitration Rules 6 and 52

- 2.1. The Committee was constituted on 8 October 2024 in accordance with the ICSID Convention and the ICSID Arbitration Rules. The parties confirmed that the Committee was properly constituted and that no party has any objection to the appointment of any Member of the Committee.
- 2.2. The Members of the Committee timely submitted their signed declarations in accordance with ICSID Arbitration Rule 6(2). Copies of these declarations were distributed to the parties by the ICSID Secretariat on 8 October 2024.
- 2.3. The Members of the Committee confirmed that they have sufficient availability to dedicate to this case.

3. Fees and Expenses of Committee Members

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

3.1. The fees and expenses of each Member of the Committee 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 Rules 14(2) and 20(1)(a)

4.1. The presence of all Members of the Committee constitutes a quorum for its sittings, including by any appropriate means of communication.

5. Rulings of the Committee

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

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

5.2. ICSID Arbitration Rule 16(2) applies to decisions taken by correspondence except that where 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 Committee.

5.3. The Committee will draft and issue all rulings, including its final decision, within a reasonable time. If a ruling, other than the decision on annulment, has not been issued within one month after the final submission on a particular matter, the Committee will provide the parties with status updates every month. The Committee will use best efforts to issue its final decision on the Application for Annulment within 120 days after the last submission, whether it is the hearing or a post-hearing brief, whichever occurs later.

5.4. The President is authorized to sign Procedural Orders on behalf of the Committee.

5.5. The Committee's rulings on procedural matters may be communicated to the parties by the Committee Secretary electronically by letter or email.

5.6. Any ruling of the Committee, including the certified copy of the decision on annulment, will be dispatched electronically to the parties.

6. Power to Fix Time Limits

Arbitration Rule 26(1)

- 6.1. The President may fix and extend time limits for the completion of the steps in the proceeding.
- 6.2. In exercising this power, the President shall consult with the other Members of the Committee. If the matter is urgent, the President may fix or extend time limits without consulting the other Members, subject to possible reconsideration of such decision by the full Committee.
- 6.3. The parties agree that a time limit shall be satisfied if a procedural step is taken or a document is received by the Secretary-General on the relevant date, or on the subsequent business day if the date falls on a Saturday or Sunday. A time limit shall be computed from the date on which the limit is announced, with the day of such announcement being excluded from the calculation.

7. Secretary of the Committee

Administrative and Financial Regulation 28

- 7.1. The Secretary of the Committee is Ms. Sara Marzal Yetano, Legal Counsel, ICSID, or such other person as ICSID may notify the Committee 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. Sara Marzal Yetano
ICSID
MSN C3-300
1818 H Street, N.W.
Washington, D.C. 20433
U.S.A.
Tel.: + 1 (202) 473-6434
Fax: + 1 (202) 522-2615
Email: smarzal@worldbank.org
Paralegal email: mvazquezmarrero@worldbank.org
ICSID case address: ARB/15/31/annulment1@icsidcases.worldbank.org

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

Ms. Sara Marzal Yetano
ICSID

1225 Connecticut Ave. N.W.
(World Bank C Building)
3rd Floor - MSN C300
Washington, D.C. 20036
U.S.A.
Tel.: +1 (202) 458-1534

8. Assistant to Committee

8.1. Ms. Maria Marulanda Mürrle has been designated as the Committee's assistant with the parties' approval received on 15 and 16 October 2024. A copy of Ms. Marulanda Mürrle's declaration was circulated to the parties on 21 October 2024. The parties have agreed that she will receive (a) USD 200.00 per hour for each hour of work performed in connection with the case or pro rata; (b) a flat rate of USD 1,500.00 per day of hearing; and (c) reimbursement of reasonable expenses related to the hearing, in accordance with Administrative and Financial Regulation 14 and the ICSID Memorandum on the Fees and Expenses.

9. Representation of the Parties
Arbitration Rule 18

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

For Gabriel Resources Ltd. and
Gabriel Resources (Jersey)

Ms. Abby Cohen Smutny
White & Case LLP
701 Thirteenth Street NW
Washington, DC 20005
USA
and
Mr. Brody Greenwald
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Ms. Liliana Deaconescu
Ms. Corina Tanase
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asimulescu@lddp.ro
ldeaconescu@lddp.ro
ctanase@lddp.ro
asoarefilatov@lddp.ro

- 9.2. Gabriel Resources Ltd. and Gabriel Resources (Jersey) will be designated as the Claimants and Romania will be designated as the Respondent, as in the original arbitration proceeding. The party that filed the Application for Annulment, Gabriel Resources Ltd. and Gabriel Resources (Jersey), may also be referred to as the Applicants.

10. Apportionment of Costs and Advance Payments to ICSID

Convention Article 61(2); Administrative and Financial Regulation 15; Arbitration Rule 28

- 10.1. In accordance with Administrative and Financial Regulation 15(5), the Applicants shall be solely responsible for making the advance payments requested by the ICSID Secretariat to cover the direct costs of the proceeding, without prejudice to the final decision of the Committee as to the allocation of costs.
- 10.2. By letter of 19 July 2024, ICSID requested the Applicants to make an advance payment of USD 200,000.00 to cover the initial costs of the proceeding. ICSID received the Applicants' payment on 26 July 2024.
- 10.3. ICSID shall request further advances from the Applicants as needed. Such requests shall be accompanied by a detailed interim statement of account.

11. Place of Proceeding

Convention Articles 62 and 63; Arbitration Rule 13(3)

- 11.1. Washington, D.C. shall be the place of the proceeding.

- 11.2. The Committee may hold in-person hearings at any other place that it considers appropriate if the parties so agree.
- 11.3. The Committee Members may deliberate at any place and by any appropriate means they consider convenient.

12. Procedural Language, Translation and Interpretation
Arbitration Rules 20(1)(b) and 22

- 12.1. English is the procedural language of this annulment proceeding.
- 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 (i.e., the relevant parts relied upon by the parties, together with such other portions of the document necessary to put such parts into proper context), provided that the Committee 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 the translation provided and the party disputing the translation specifically requests a certified version.
- 12.5. The costs of interpretation (if any) will be paid from the advance payments made to ICSID, without prejudice to the decision of the Committee as to which party shall ultimately bear those costs.

13. Routing of Communications

- 13.1. The ICSID Secretariat shall be the channel of written communications between the parties and the Committee.
- 13.2. Each party's written communications shall be transmitted by email or other electronic means to the opposing party and to the Committee Secretary, who shall send them to the Committee.
- 13.3. Electronic versions of communications ordered by the Committee to be filed simultaneously shall be transmitted to the Committee Secretary only, who shall send them to the opposing party and the Committee.

- 13.4. The Committee Secretary shall not be copied on direct communications between the parties when such communications are not intended to be transmitted to the Committee.

14. Number of Copies and Method of Filing of Parties' Pleadings
Arbitration Rules 20(1)(d) and 23

- 14.1. By the relevant filing date, the parties shall:

14.1.1. submit an electronic version of the pleading (with witness statements and expert reports, if any), and an updated index of all supporting documentation by email to the Committee Secretary and the opposing party;¹ and

14.1.2. Within three business days of the email filing, the parties shall upload the pleading with all supporting documentation and updated hyperlinked² index to the file sharing platform created by ICSID for purposes of this case.

- 14.2. Electronic versions of pleadings, witness statements, expert reports (if any), exhibits and legal authorities shall be text searchable (i.e., OCR PDF or Word).
- 14.3. All pleadings shall contain consecutively numbered paragraphs and shall be accompanied by a cumulative index hyperlinked to all the supporting documentation that the party has submitted up to the date of the pleading in this proceeding. 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**.
- 14.4. At the conclusion of the written phase of the proceeding, on a date to be determined by the Committee or at any other time determined by the Committee or the ICSID Secretariat, the parties shall upload to the file sharing platform created by ICSID for purposes of this case an electronic copy of the entire case file (including pleadings, witness statements, expert reports, exhibits, legal authorities and Committee decisions and orders to date) with a consolidated hyperlinked index of all documents. If any member of the Committee so requests, a USB drive, MAC compatible, containing an electronic copy of the entire file shall be delivered to such member at the addresses indicated at §14.5 below.

¹ Please note that the World Bank server does not accept emails larger than 25 MB. Supporting documentation shall be uploaded as individual files, not in .zip format.

² The parties may consider uploading a hyperlinked index in .zip file format to the platform to preserve the hyperlinks.

14.5. The addresses of the Committee Members are as follows:

Dr. Eduardo Zuleta Jaramillo	Prof. Lawrence Boo	Prof. Dr. Maxi Scherer
Arbitration Chambers	The Arbitration Chambers	ArbBoutique
45 Rockefeller Plaza, 20th	32 Maxwell Road #02-03	20 rue des Pyramides
Floor	Singapore 069115	75001 Paris, France
New York 10111	Tel.: +65 65381277	Tel. +44 7921697655
United States of America		
Tel.: +1 212 332 8558		

14.6. The official date of receipt of a pleading or communication shall be the day on which the electronic file is sent to the Secretary of the Committee by email.

14.7. 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.

15. Number and Sequence of Pleadings

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

15.1. The number and sequence of pleadings is described in **Annex B**.

16. Submission of Documents

Convention Article 44; Arbitration Rule 24

16.1. The Memorial and Counter-Memorial shall be accompanied by the supporting documents relied upon by the parties, including exhibits and legal authorities. Further supporting documents relied upon by the parties in rebuttal shall be submitted with the Reply and Rejoinder.

16.2. Neither party shall be permitted to submit additional or responsive documents after the filing of its last written submission, unless the Committee determines that special circumstances exist based on a timely and reasoned written application followed by observations from the other party.

16.3. Given the nature of an annulment proceeding, the Committee expects that the parties will refer primarily to the evidentiary record from the underlying arbitration proceeding, save for the new evidence submitted in support (or in response to) the specific grounds invoked in the Application for Annulment to annul the entirety of the Award (*i.e.*, improper constitution of the Tribunal and serious departure from several fundamental rules of procedure).

- 16.4. Other than the new evidence related to these two particular grounds, the Committee does not expect to receive additional new evidence (exhibits, witness statements or expert reports). However, in justified circumstances, a party may apply for the Committee to admit additional new evidence not on the record of the arbitration proceedings and the Committee may, in its discretion and after hearing the other party, admit all or part of the evidence. For the avoidance of doubt, the introduction of new legal authorities is not subject to this provision. The parties may submit new legal authorities with their submissions without requiring prior approval from the Committee.
- 16.5. Documents shall be submitted in the manner and form set forth in §14.
- 16.6. Any documents introduced as exhibits or legal authorities in the annulment proceeding shall be labelled with numbers, and organized in a clear order:
- 16.6.1. Exhibits and legal authorities already included in the evidentiary record of the underlying arbitration proceeding shall be submitted in PDF format using the same numbering as in the arbitration proceeding (i.e., for the Claimant(s) “C-0001” for factual exhibits and “CLA-0001” for legal authorities and for the Respondent “R-0001” for factual exhibits and “RLA-0001” for legal authorities.
- 16.6.2. New exhibits admitted in accordance with §§ 16.3 and 16.4, and new legal authorities, shall also be submitted in PDF format and use the following numbering: for the Applicants, “A-0001” for factual exhibits and “AL-0001” for legal authorities, and for Respondent in Annulment “RA-0001” for factual exhibits and “RAL-0001” for legal authorities. Each party shall number any new exhibit and legal authorities consecutively throughout the entire annulment proceeding.
- 16.6.3. Any witness statements or expert reports from the underlying arbitration proceeding which are submitted in the annulment proceeding, as well as any new witness statements or expert reports admitted in accordance with §16.3 and 16.4, shall be labelled according to the naming convention contained in **Annex A**.
- 16.6.4. Each factual exhibit and legal authority must be submitted as a separate electronic file, with the file name clearly indicating the corresponding exhibit identification number.
- 16.6.5. Electronic files and the accompanying indexes shall follow the naming conventions contained in **Annex A**.

- 16.7. Copies of documentary evidence shall be assumed to be authentic unless specifically objected to by a party, in which case the Committee will determine whether authentication is necessary.
- 16.8. 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. All exhibits shall be referenced in the submitting party's pleadings, in case of lengthy documents with reference to the relevant page and/or paragraph number.
- 16.9. 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) at any hearing, 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.
- 16.10. An electronic copy of each demonstrative exhibit, other than PowerPoint slides that do not contain demonstratives, 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 Committee, the Committee Secretary, the Assistant, and to the court reporter and interpreters as necessary 24 hours before their use at the hearing. For the avoidance of doubt, a demonstrative exhibit refers to charts, graphs, diagrams, tabulations, or other visual representations of data that present or compile information already in the record but not in such form. Verbatim quotations to documents in the record do not constitute demonstratives.
- 16.11. 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 filesharing platform, designating each with the corresponding CD-__ or RD-__ number.

17. Witness Statements and Expert Reports

Convention Article 43(a); Arbitration Rule 24

- 17.1. When authorized by the Committee following the procedure outlined in §16.4 witness statements and expert reports shall be filed together with the parties' pleadings.
- 17.2. Each witness statement and expert report shall be signed and dated by the witness.

18. Examination of Witnesses and Experts
Arbitration Rules 35 and 36

- 18.1. The procedure for examination of witnesses and experts, if any, will be determined by the Committee in consultation with the parties following the written phase of the proceeding.

19. Pre-Hearing Organizational Meetings
Arbitration Rule 13

- 19.1. A pre-hearing organizational meeting shall be held at a date determined by the Committee after consultation with the parties and at least three weeks prior to the hearing. It shall comprise a teleconference between the Committee, or its President, and the parties and should address any outstanding procedural, administrative or logistical matter (including modality of interpretation and transcription) in preparation for the hearing.
- 19.2. At a date to be determined by the Committee, and in any event no later than the date of the pre-hearing conference, the parties shall submit to the Committee jointly – or, where they are unable to agree, separately – a proposal regarding a daily schedule for the hearing.

20. Hearings
Arbitration Rules 20(1)(e) and 32

- 20.1. The oral procedure shall consist of a hearing for oral arguments.
- 20.2. The hearing will be held in-person at a place to be determined in accordance with §1 above.
- 20.3. Having due regard to the views of the parties and the specific circumstances of the case, including any relevant travel restrictions and/or social distancing measures or public health/security, the Committee may decide to hold a hearing remotely or in a hybrid form.
- 20.4. The hearing shall take place on 22 and 23 January 2026, with 24 January 2026 in reserve.
- 20.5. The Members of the Committee shall reserve at least one day after the hearing to determine the next steps and to hold deliberations.
- 20.6. The allocation of time will be determined by the Committee after consultation with the parties at the pre-hearing conference.

20.7. In accordance with Section I.1 of Annex C of the Agreement between the Government of Canada and the Government of Romania for the Promotion and Reciprocal Protection of Investments, done at Bucharest on May 8, 2009 (the “Canada – Romania BIT”), which shall continue to apply *mutatis mutandis* to the annulment proceeding, the hearings shall be open to the public, subject to the procedures for the protection of confidential information established in the Procedural Order No. 3 of 14 November 2016 of the underlying arbitration (the “**Confidentiality Order**”).

21. Records of Hearings and Sessions
Arbitration Rules 13 and 20(1)(g) and 53

- 21.1. Recordings shall be made of all hearings and sessions. The recordings shall be provided to the parties and the Committee Members.
- 21.2. Verbatim transcript(s) in the procedural language(s) shall be made of any hearing and session other than sessions on procedural issues. Unless otherwise agreed by the parties or ordered by the Committee, the verbatim transcripts shall, if possible, be available in real-time and electronic transcripts shall be provided to the parties and the Committee on a same-day basis.
- 21.3. The parties shall agree on any corrections to the transcripts within 15 days of the later of the dates of the receipt of the sound recordings and transcripts. The agreed corrections may be entered by the court reporter in the transcripts (“**revised transcripts**”). The Committee shall decide upon any disagreement between the parties and any correction adopted by the Committee shall be entered by the court reporter in the revised transcripts.

22. Post-Hearing Memorials and Statements of Costs
Convention Article 44; Arbitration Rule 28(2)

- 22.1. The matter of Post-Hearing Memorials and Statements of Costs shall be discussed by the Committee and the parties during the pre-hearing conference, or at the hearing. The Committee may direct the parties to address specific issues in Post-Hearing Memorials at the request of any party or on its own initiative.

23. Publication

Convention Article 48(5), Administrative and Financial Regulation 25, Arbitration Rule 48(4)

- 23.1. The transparency rules applicable under Annex C of the Canada-Romania BIT shall continue to apply, *mutatis mutandis*, to the annulment proceeding.
- 23.2. The parties agree that (i) the designation and protection of confidential information and (ii) the preparation of redacted copies of documents for disclosure under Annex C of the Canada – Romania BIT shall be governed by the procedures and timeframes established in the Confidentiality Order.³ The parties shall use their best efforts to reach an agreement on the designation of confidential information and documents. Any information or documents designated as confidential in the underlying arbitration shall be afforded the same confidential treatment in these proceedings

24. Non-Disputing Party Submissions and *Amicus Curiae*

Annex C of the Canada-Romania BIT; Arbitration Rule 37

- 24.1. The Committee shall, in consultation with the parties, establish all necessary procedures and schedules in the event that a non-disputing party (or prospective *amicus curiae*) seeks leave to file a written submission pursuant to Annex C § III of the Canada-Romania BIT.
- 24.2. The terms of the Canada-Romania BIT and the ICSID Convention and §23 above (Publication) shall govern the access of any non-disputing parties or prospective *amicus curiae* to documents.
- 24.3. Both parties shall have the opportunity to comment in writing on any application by a non-disputing party or prospective *amicus curiae* to file a written submission, and the Committee shall determine whether to admit any such submission in the record.
- 24.4. If the Committee were to admit any written submission by a non-disputing party or prospective *amicus curiae*, the parties shall be permitted to respond in writing to the submission on the date set out by the Committee after consulting with the parties. The non-disputing party or *amicus curiae* shall not be permitted to make any further submissions.

³ Accordingly, pursuant to section 2.3 of the Confidentiality Order, with respect to materials that have already been submitted or received as of the date of the issuance of this Order, the parties shall have four weeks (28 days) after the issuance of this Order to propose confidentiality designations (*i.e.*, by **11 March 2025**). A redacted version of the materials shall also be provided to the other party at that time.

25. Data Privacy and Cybersecurity

- 25.1. The Members of the Committee, the parties and their representatives acknowledge that the processing of their personal data is necessary for the purposes of this annulment proceeding.
- 25.2. The Members of the Committee, 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 annulment proceeding, where necessary. Should compliance with applicable law require action from another participant in the annulment proceeding, the parties are invited to bring that to the attention of that other participant and/or to apply to the Committee for specific data protection measures to be put in place.
- 25.3. The parties and their representatives shall ensure that the storage and exchange of the personal data processed in this annulment proceeding is protected by way of appropriate technical and organizational safeguards.

On behalf of the Committee,

[signed]

Dr. Eduardo Zuleta Jaramillo
President of the Committee
Date: 11 February 2025

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. Translations and originals do not need to be combined and submitted as a single PDF; they may be provided as two separate PDFs, consistent with the practice followed in the underlying arbitration.

SUBMISSION TYPE	ELECTRONIC FILE NAMING GUIDELINES
MAIN PLEADINGS	Title of Pleading–LANGUAGE
	<i>Memorial on Annulment-FR</i>
	<i>Counter-Memorial on Annulment-SPA</i>
	<i>Reply on Annulment-FR</i>
	<i>Rejoinder on Annulment-ENG</i>
SUPPORTING DOCUMENTATION Exhibits	C-####–LANGUAGE
	R-####–LANGUAGE
	To be produced sequentially throughout the case.
	CLAIMANTS’ FACTUAL EXHIBITS
	<i>C-0001-ENG</i>
	<i>C-0002-SPA</i>
	RESPONDENT’S FACTUAL EXHIBITS
	<i>R-0001-FR</i>
	<i>R-0002-SPA</i>
	Legal Authorities
RL-####–LANGUAGE	
To be produced sequentially throughout the case.	
CLAIMANTS’ LEGAL AUTHORITIES	
<i>CL-0001-ENG</i>	
<i>CL-0002-FR</i>	
RESPONDENT’S LEGAL AUTHORITIES	
<i>RL-0001-SPA</i>	
<i>RL-0002-ENG</i>	
Witness Statements (if applicable)	Witness Statement-Name of Witness-Name of Submission-LANGUAGE
	<i>Witness Statement-Maria Jones-Memorial on Annulment-SPA</i>
Expert Reports (if applicable)	Expert Report-Name of Expert-Type-Name of Submission-LANGUAGE
	<i>Expert Report-Lucia Smith-Legal -ENG</i>
Legal Opinions (if applicable)	Legal Opinion-Name of Expert-Name of Submission-LANGUAGE
	<i>Legal Opinion-Tom Kaine- Memorial on Annulment -FR</i>
Exhibits to Witness Statements, Expert Reports,	WITNESS/EXPERT INITIALS–###
	<i>For exhibits filed with the Witness Statement of [Maria Jones]</i> <i>MJ-0001</i>

Gabriel Resources Ltd. and Gabriel Resources (Jersey) v. Romania
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Annulment Proceeding

Procedural Order No. 1 – Annex A

Legal Opinions (if applicable)	<i>For exhibits filed with the Legal Opinion of [Tom Kaine]</i>
	<i>TK-0001</i>
	<i>For exhibits filed with the Expert Report of [Lucia Smith]</i>
	<i>LS-0001</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-###
	<i>Index of Legal Authorities-RLA-0001 to RLA-0023</i>
OTHER APPLICATIONS	Name of Application-[Party]-LANGUAGE
	<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 Calendar

Procedural Step	By	Date
Application for Continuation of the Stay of Enforcement of the Award	Applicants	9 October 2024
Opposition to Application for Continuation of the Stay of Enforcement of the Award	Romania	1 November 2024
Reply on Continuation of the Stay of Enforcement of the Award	Applicants	11 November 2024
Rejoinder on Continuation of the Stay of Enforcement of the Award	Romania	18 December 2024
First Session	All	3 February 2025
Memorial on Annulment	Applicants	1 April 2025
Counter-Memorial on Annulment	Romania	1 July 2025
Reply on Annulment	Applicants	1 September 2025
Rejoinder on Annulment	Romania	3 November 2025
Pre-Hearing Organizational Meeting	All	At least 3 weeks prior to the hearing
Hearing on Annulment	All	22 and 23 January 2026, with 24 January 2026 in reserve
Post-Hearing Submissions	Both Parties	TBD, if directed by the Committee
Costs Submissions	Both Parties	TBD