

UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW
ARBITRATION RULES (1976)

ABDALLAH ANDRAOUS

Claimant

v.

KINGDOM OF THE NETHERLANDS

Respondent

PROCEDURAL ORDER NO. 5

POST-HEARING ISSUES

Arbitral Tribunal

Ms. Claudia Salomon (Presiding Arbitrator)
Prof. Nassib G. Ziadé
Mr. José Emilio Nunes Pinto

Secretary of the Tribunal

Mr. Felipe Aragón

Representative of ICSID

Mr. Alex B. Kaplan

23 January 2025

1. PROCEDURAL BACKGROUND

1. In accordance with Procedural Order No. 4, the Parties and the Tribunal held the hearing on jurisdiction for the bifurcated proceedings on the 20 and 21 January 2025, at the Arbitration Centre (Delos), located at 92 rue Réaumur, 75002 Paris, France.
2. This Procedural Order No. 5 records the Parties' and the Tribunal's agreements regarding the next procedural steps for the bifurcated proceedings.

2. ADDITIONAL DOCUMENTS IN THE RECORD

3. During the hearing, the Parties agreed to introduce into the file the following exhibits and legal authorities:

R-081	Declaration of garnishment on [REDACTED] dated 24 November 2021
RL-071	Judgment of Dutch Supreme Court dated 15 March 2013 (ECLI:NL:HR:2013:BZ4218)
C-116	Assignment Agreement dated 1 January 2024
CLA-263	The European Convention on Human Rights

4. Additionally, Respondent made use of the following demonstrative exhibits:

RD-001	Case timeline
RD-002	Opening Statement
RD-003	Objection I-Dual Nationality
RD-004	Objection II-Shareholding
RD-005	Objection III-Salary and Pension Rights
RD-006	Closing Statement
RD-007	Expert presentation Dr. Filesia

3. TRANSCRIPTS

5. At the end of the hearing, the court reporter transmitted to the Parties and to the Tribunal the draft version of the transcript.

6. In accordance with Procedural Orders Nos. 1 and 4, the Parties agreed to confer and make the relevant corrections to the draft transcript by **11 February 2025**. The court reporter will then enter the agreed corrections and issue the revised transcript.
7. The Tribunal may decide upon any disagreement between the Parties, and the court reporter will enter any corrections adopted by the Tribunal in the revised transcript.
8. The Parties will indicate whether any portions of the revised transcript require redaction prior to publication.
4. **POST-HEARING SUBMISSIONS**
9. The Parties agreed that no post-hearing briefs would be required and that they would only make a simultaneous two-round submission on costs:
 - A first Submission on Costs, accompanied by documentary evidence of the actual costs incurred in this arbitration (*e.g.*, invoices and receipts), shall be filed on **4 March 2025**; and
 - A Response to the counterparty's Submission on Costs shall be filed on **18 March 2025**.
10. The Submission on Costs and the Response shall each be no more than 5 pages (excluding the documentary evidence).

On behalf of the Tribunal

[Signed]

Claudia Salomon
Presiding Arbitrator
Date: 23 January 2025