

Case Management Conference – WP#4-AR 31; (AF)AR 40

Rule 31 **Case Management Conference**

With a view to conducting an expeditious and cost-effective proceeding, the Tribunal shall convene one or more case management conferences with the parties at any time after the first session to:

- (a) identify uncontested facts;
- (b) clarify and narrow the issues in dispute; or
- (c) address any other procedural or substantive issue related to the resolution of the dispute.

Pre-Adoption of AR 31: Current ICSID Practice- Case Management Conferences (CMCs)

- Nascent CMC practice in ICSID proceedings.
- **Timing**: CMCs usually scheduled at the first session to take place after the first round of written submissions.
- **Mode**: In-person/teleconference/videoconference.
- **Topics**: Procedural timetable; scope of further submissions; document production and hearing-related matters.

Post-Adoption of AR 31: Case Management Conferences (CMCs)

- **Proactive Management** for an expeditious and cost-effective arbitration.
- **Timing**: Tribunals shall convene **at least one** CMC after the first session.
- **Topics**: CMCs can be used to address **broad matters**, including:
 - (1) identifying uncontested facts;
 - (2) clarifying and narrowing the disputed issues; or
 - (3) any other procedural/substantive issues related to resolving the dispute.

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ICSID

1818 H Street, NW

Washington, DC 20433, USA

Tel: +1 (202) 458-1534

Fax: +1 (202) 522-2615

Email: icsidsecretariat@worldbank.org

www.worldbank.org/icsid