

**International Centre for Settlement  
of Investment Disputes**

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*ICSID Case No. ARB/05/22*

**BIWATER GAUFF (TANZANIA) LTD.,  
CLAIMANT**

**V.**

**UNITED REPUBLIC OF TANZANIA,  
RESPONDENT**

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**PROCEDURAL ORDER N° 6**

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**Rendered by an Arbitral Tribunal composed of**

**Gary BORN, Arbitrator  
Toby LANDAU, Arbitrator,  
Bernard HANOTIAU, President**

1. The evidential hearing in the case under reference took place in The Hague from Monday April 16 through Saturday April 21, 2007.
2. At the end of the hearing, three issues were submitted for discussion to the Parties:
  - i. the Amici's intervention;
  - ii. post-hearing briefs;
  - iii. final oral arguments.
3. **The Amici**

By reference to its *Procedural Order No 5*, the Arbitral Tribunal asked the Parties how they intended to deal with the Amici brief, and whether they considered that any further intervention of the Amici was necessary.

The Parties expressed the following agreement:

- i. that they will address the issues raised by the Amici in their final oral submissions;
- ii. that no further intervention of the Amici in these proceedings is necessary.

#### **4. Post-hearing Briefs**

The Arbitral Tribunal expressed the view that it did not need further written submissions, but only an analysis of the oral evidence adduced at the hearing, by reference to each side's existing pleaded case. Full quotations from the transcript should be made whenever appropriate. The briefs may contain a short summary of

the relevant party's case. The Arbitral Tribunal declined to impose restrictions on the length of the submissions.

By agreement of the Parties, the post-hearing briefs shall be filed simultaneously and exchanged on Wednesday,, June 6, 2007.

**5. Oral Closing Arguments**

By agreement of the Parties, there shall be a one-day hearing for closing oral arguments. The date which has been reserved is July 6, 2007. The Parties shall suggest a venue to the Arbitral Tribunal.

**6. Publication of this Procedural Order**

Since, pursuant to *Procedural Order No 5*, the Amici are to be informed of their on-going role, if any, in these proceedings, the Arbitral Tribunal hereby directs, pursuant to *Procedural Order No 3*, that this *Procedural Order No 6* shall be subject to no confidentiality restrictions, and may be freely disclosed to third parties.

25 April 2007

The Arbitral Tribunal

[Signed]  
Gary BORN

[Signed]  
Toby LANDAU

[Signed]  
Bernard HANOTIAU

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