

**ARBITRAL TRIBUNAL CONSTITUTED PURSUANT TO ARTICLE 287, AND IN
ACCORDANCE WITH ANNEX VII OF
THE UNITED NATIONS CONVENTION ON THE LAW OF SEA**

In the Matter of an Arbitration Between

BARBADOS and the REPUBLIC OF TRINIDAD & TOBAGO

ORDER N° 2

Whereas Article 5 of Annex VII to the United Nations Convention on the Law of the Sea provides that “Unless the Parties to the dispute otherwise agree, the arbitral tribunal shall determine its own procedure, assuring to each Party a full opportunity to be heard and to present its case”;

Whereas the Parties have not themselves agreed Rules of Procedure;

Whereas the Arbitral Tribunal met with the Parties on 23 August 2004 in London, in order, *inter alia*, to consider their views on draft Rules of Procedure, the schedule and order of pleadings, location of hearings, and other procedural matters;

Whereas the Arbitral Tribunal has duly considered the views advanced by the Parties at the meeting of 23 August 2004;

THE ARBITRAL TRIBUNAL UNANIMOUSLY ORDERS:

1. The Rules of Procedure as assented to by the Parties and as attached hereto are adopted;
2. Following the submission of the Counter-Memorial, Barbados shall submit a Reply on or before 9 June 2005, and Trinidad and Tobago shall submit a Rejoinder on or before 18 August 2005;
3. The place of arbitration shall be The Hague;
4. Oral hearings shall be held in London, unless by 1 October 2004 the Parties have agreed on a situs in the Caribbean;
5. Oral hearings will take place in October or November 2005, on dates to be fixed by the Tribunal after further consultation with the Parties;
6. Barbados shall submit its views by 6 September 2004 on the Republic of Trinidad and Tobago’s application for the disclosure of certain information by Barbados.

**Stephen M. Schwebel
President
23 August 2004**