

PCA Case No. 2023-60

**IN THE MATTER OF AN ARBITRATION UNDER  
THE CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS OF 19 SEPTEMBER 1979**

- between -

**THE REPUBLIC OF AZERBAIJAN**

- and -

**THE REPUBLIC OF ARMENIA**

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**PROCEDURAL ORDER NO. 3**  
**(Procedural Timetable for the Preliminary Objections Phase)**

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**Arbitral Tribunal**

Dr. Václav Mikulka (Presiding Arbitrator)  
Judge Bruno Simma  
Judge Nicolas Michel

**Registry**

Mr. Bryce Williams  
Mr. Martin Doe  
Permanent Court of Arbitration

27 January 2026

**WHEREAS** on 18 January 2023, the Republic of Azerbaijan (“**Azerbaijan**”), by way of its Notice of Arbitration, commenced arbitral proceedings against the Republic of Armenia (“**Armenia**”) pursuant to Article 18(2) of the Convention on the Conservation of European Wildlife and Natural Habitats of 19 September 1979 (the “**Bern Convention**”);

**WHEREAS** on 5 July 2023, the arbitral tribunal (the “**Tribunal**”) in these proceedings was fully constituted with the appointment of the presiding arbitrator;

**WHEREAS** on 29 March 2024, following written submissions from the Parties, the Tribunal issued Procedural Order No. 1, establishing the rules of procedure for these proceedings (the “**Rules of Procedure**”), pursuant to Article 18(4) of the Bern Convention;

**WHEREAS** on 15 May 2024, following written and oral submissions from the Parties, the Tribunal issued Procedural Order No. 2, establishing the initial procedural timetable for the proceedings (the “**Initial Procedural Timetable**”) including the procedural steps up until the Hearing on Bifurcation, in the event that Armenia submitted preliminary objections and Azerbaijan opposed bifurcation of the proceedings;

**WHEREAS** the Initial Procedural Timetable provided for the Tribunal to determine further steps in the proceedings (that is, following the Hearing on Bifurcation), after inviting the views of the Parties;

**WHEREAS** on 12 February 2025, Azerbaijan submitted its Statement of Claim, in accordance with the Initial Procedural Timetable;

**WHEREAS** on 12 June 2025, Armenia submitted its Memorial on Preliminary Objections, in accordance with the Initial Procedural Timetable;

**WHEREAS** on 24 July 2025, Azerbaijan submitted its Opposition to Bifurcation of Preliminary Objections, in accordance with the Initial Procedural Timetable;

**WHEREAS** on 4 September 2025, Armenia submitted its Response to Opposition to Bifurcation, in accordance with the Initial Procedural Timetable;

**WHEREAS** on 16 October 2025, the Hearing on Bifurcation was held at the Peace Palace in The Hague, the Netherlands;

**WHEREAS** at the conclusion of the Hearing on Bifurcation, the Tribunal sought the Parties’ views on the procedural timetable for the next phase of the proceedings;

**WHEREAS** on 30 October 2025, the Parties submitted a joint proposal for procedural steps following the Decision on Bifurcation, with different scenarios dependent on the outcome of the Decision on Bifurcation;

**WHEREAS** on 23 December 2025, the Tribunal issued its Decision on Bifurcation, in which it “decide[d] to rule on Armenia’s Article 18 Objections in a preliminary phase of the proceedings”, decided to “suspend the proceedings on the merits, in accordance with Article 14(5) of the Rules of Procedure”, and “decide[d] that the remainder of Armenia’s Objections shall only be ruled upon in conjunction with the merits”;

**WHEREAS** in its Decision on Bifurcation, the Tribunal envisaged that “the Parties may wish either to confirm or to reconsider their joint proposal for [procedural steps following the Decision on Bifurcation]”, in light of the Decision, and in its letter enclosing the Decision on Bifurcation, invited the Parties to confer and revert to the Tribunal on these procedural matters by 9 January 2026;

**WHEREAS** on 9 January 2026, the Parties jointly requested an extension of time to revert to the Tribunal, to 14 January 2026, which request was granted by the Tribunal on 12 January 2026;

**WHEREAS** on 14 January 2026, the Parties submitted a revised joint proposal for the procedural timetable for the Preliminary Objections phase (the “**Proposed Timetable**”);

**WHEREAS** on 17 January 2026, the Tribunal wrote to the Parties, observing that it was “agreeable in principle to the Proposed Timetable” but noting that the Tribunal was not available for a Hearing on the dates indicated in the Proposed Timetable. The Tribunal further invited the Parties to confirm their availabilities for a Hearing and Pre-Hearing Conference on alternative dates;

**WHEREAS** on 22 January 2026, the Parties confirmed their availabilities on certain alternative dates proposed by the Tribunal;

**WHEREAS** Articles 14(5) and 14(6) of the Rules of Procedure provide that:

5. In the event that a Preliminary Objection submitted by a Party is addressed in a preliminary phase, the proceedings on the merits shall be suspended and the Tribunal shall fix a deadline within which the other Party may present its written observations and submissions.
6. Unless the Tribunal decides otherwise after inviting the views of the Parties, the further proceedings shall be oral, and the hearing shall be held as expeditiously as is practicable.

**THE TRIBUNAL HEREBY DECIDES:**

**1. Adoption of the Procedural Timetable for the Preliminary Objections Phase**

- 1.1 In accordance with the agreement of the Parties, the Tribunal adopts the procedural timetable for the Preliminary Objections phase as annexed to this Order (“**Preliminary Objections Procedural Timetable**”).
- 1.2 Further to Article 4(4) of the Rules of Procedure, the Tribunal may, on the application of a Party or on its own initiative, extend or abridge any period of time indicated in the Preliminary Objections Procedural Timetable, after inviting the views of the Parties.

Date: 27 January 2026



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Dr. Václav Mikulka  
Presiding Arbitrator  
(on behalf of the Tribunal)

**ANNEX – PRELIMINARY OBJECTIONS PROCEDURAL TIMETABLE**

**TIMETABLE A (NO DOCUMENT PRODUCTION REQUIRED)**

<b>#</b>	<b>STEP</b>	<b>PARTY</b>	<b>INTERVAL (DAYS)</b>	<b>DEADLINE</b>
-	Decision on Bifurcation	Tribunal	-	23 December 2025
<b>A1</b>	Counter-Memorial on Preliminary Objections	Azerbaijan	121	23 April 2026 (Thu)
<b>A2</b>	Deadline for Parties to confirm that no document production is required	Parties	7	30 April 2026 (Thu)
<p><i>If no document production is required, proceedings continue with Step A3.</i></p> <p><i>If document production is required, proceedings continue in accordance with Timetable B (Step B1).</i></p>				
<p><b><i>Second Round Submissions (Preliminary Objections) (per Article 14(6) of the Rules of Procedure)</i></b></p>				
<b>A3</b>	Reply on Preliminary Objections	Armenia	105 <i>(from Step A1)</i>	6 August 2026 (Thu)
<b>A4</b>	Rejoinder on Preliminary Objections	Azerbaijan	105	19 November 2026 (Thu)
<p><b><i>Pre-Hearing / Hearing (Preliminary Objections)</i></b></p>				
<b>A5</b>	Pre-Hearing Conference	All	91	18 February 2027 (Thu)
<b>A6</b>	<b>Hearing on Preliminary Objections</b> <i>(2 days; 1 day in reserve)</i>	<b>All</b>	26	16 March 2027 (Tue) – 18 March 2027 (Thu)
<p><b><i>Tribunal to determine further steps in the proceedings (if any) after inviting the views of the Parties</i></b></p>				

**TIMETABLE B (DOCUMENT PRODUCTION REQUIRED)**

#	STEP	PARTY	INTERVAL (DAYS)	DEADLINE
<b><i>Document Production (Preliminary Objections only)</i></b>				
<b>B1</b>	Exchange Production Requests	Parties	14	14 May 2026 (Thu)
<b>B2</b>	Exchange Production Objections	Parties	14	28 May 2026 (Thu)
<b>B3</b>	Exchange Production Replies / Submit to Tribunal	Parties	7	4 June 2026 (Thu)
<b>B4</b>	Target Decision Date for Production Disputes	Tribunal	14	18 June 2026 (Thu)
<b>B5</b>	Production Deadline	Parties	21	9 July 2026 (Thu)
<b><i>Second Round Submissions (Preliminary Objections) (per Article 14(6) of the Rules of Procedure)</i></b>				
<b>B6</b>	Reply on Preliminary Objections	Armenia	57	4 September 2026 (Fri)
<b>B7</b>	Rejoinder on Preliminary Objections	Azerbaijan	104	17 December 2026 (Thu)
<b><i>Pre-Hearing / Hearing (Preliminary Objections)</i></b>				
<b>B8</b>	Pre-Hearing Conference	All	63	18 February 2027 (Thu)
<b>B9</b>	<b>Hearing on Preliminary Objections</b> <i>(2 days; 1 day in reserve)</i>	All	26	16 March 2027 (Tue) – 18 March 2027 (Thu)
<b><i>Tribunal to determine further steps in the proceedings (if any) after inviting the views of the Parties</i></b>				