

# **Standard Directions**

In every case, usually after pleadings have been exchanged, the Court will issue directions for the future procedure and progress of a case. In cases other than those on the Small Claims track, those directions will address a number of issues, including trial dates and time estimates, logistical arrangements for the hearing, E-Bundles, disclosure, witness statements, and skeleton arguments. These directions may be given following a directions hearing/case management conference, although these hearings will not be held in every case. The Court endeavours to ensure that its procedures are as consistent as possible so as to provide predictability for parties. In light of the above, therefore, the Court will generally issue standard directions in every case – unless the Court is of the view that the circumstances require it not to do so – and those directions will likely take the form of the directions noted below.

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#### IT IS ORDERED THAT:

#### 1. Fixing the date for the hearing

By no later than [\*\*\*], each party is to provide the Court with its proposed timetable/schedule for the conduct of the hearing (e.g. opening submissions, closing submissions, order of witnesses etc.). The parties should endeavour to agree the timetable for approval by the Court and to enable the court to fix the date for the hearing.

#### 2. Disclosure

- a. If either party wishes to make disclosure requests pursuant to article 26.2.2 of the Regulations and Procedural Rules of the Court (the "**Rules**"), these must be done no later than [\*\*\*].
- b. If either party wishes to object to a request made pursuant to article 26.2.2 of the Rules, such objection must be communicated to the other party no later than [\*\*\*].
- c. To the extent to which the parties cannot agree on disclosure under article 26.2.2 of the Rules in light of such objections, the Court must be provided with a list of outstanding objections no later than [\*\*\*]. The Court will rule on the objections as soon as possible.



## 3. Witness statements

Witness statements must be filed and served no later than [\*\*\*]. Unless ordered otherwise, witness statements shall stand as the evidence-in-chief of the witness at trial. Each witness statement must:

- a. Give the full name and address of the witness.
- b. Be in the witness's own words, if practicable, and drafted in the witness's own language and in the first person (an English translation must be provided if this language is not English).
- c. Explain the relationship if any of the witness to the Claimant or Defendant.
- d. Set out the witness's direct knowledge of matters relevant to the issues in the case.
- e. Refer to all relevant documents, although the text of the relevant document should not be included unless this is appropriate.
- f. Include the following statement of truth: "I confirm that the contents of this statement are true."
- g. Be dated with the date upon which the witness signed the statement.

## 4. Arrangements for the hearing

- a. Each party, no later than [\*\*\*], must inform the Court whether any witness (i) wishes to attend remotely and, if so, why, (ii) requires the assistance of an interpreter, and (iii) whether there is any local law impediment to that witness giving evidence remotely from the jurisdiction in which the witness is located (by providing satisfactory evidence).
- b. By no later than [\*\*\*], the parties are to provide the Court with an agreed chronology and dramatis personae.
- c. Both parties are to liaise with one another with the assistance of the Registrar to produce finalised E-Bundles, no later than [\*\*\*].



## 5. Written submissions

The parties are to file and serve skeleton arguments – limited to 30 pages (A4, Times New Roman, font size 12, with 1.5 sized-spaces between each line) – no later than [\*\*\*]. The skeleton arguments must:

- a. Make it clear what is sought.
- b. Identify concisely:
  - i. The nature of the case generally and the background facts only insofar as they are relevant to the particular matter before the Court.
  - ii. The propositions of law relied upon with references only to the necessary and relevant authorities.
  - iii. The submissions of fact to be made with references to the evidence.

## 6. Further directions

Either party may apply to the Court at any time for an order which it considers necessary for the fair determination of the issues. The Court will normally deal with such applications by reference to the documents provided and without a hearing.

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Parties must be aware that any directions issued by the Court and/or the Registrar, including the standard directions noted above, are mandatory. In other words, compliance with these directions is compulsory, not optional. Should parties find themselves in circumstances in which they are unable to comply with any directions of the Court and/or the Registrar, they must make an application for an extension of time or for a variation of the directions that have already been issued.

The Court takes a dim view of non-compliance with its directions. Parties are reminded of the Court's powers within article 10 of its Regulations and Procedural Rules which gives the Court the power to make any order that may be appropriate and just, in accordance with the overriding objective which includes costs orders against Parties (<u>Regulations of the Court | QICDRC</u>).

**Qatar International Court** 

April 2023

