

## **Guidelines on the preparation and conduct of online (“virtual”) hearings in arbitrations administered by BCDR (or “the Chamber”)**

BCDR is committed to providing the same level of administrative and practical support in its online hearings as it does in those conducted in person.

This applies whether parties and arbitrators are all at different locations, or (subject to strict adherence to the Chamber’s instructions and procedures in compliance with any Bahrain Government-advised precautionary health measures) whether some are located at separate rooms at the Chamber’s premises and others elsewhere.

The adoption by the parties of the following guidelines (in consultation with the arbitral tribunal, as appropriate) will help to ensure the smooth conduct of the virtual hearing.

### **1. *Schedule and timings***

Well in advance of the hearing, the parties should agree with the arbitral tribunal on the timetable for the virtual hearing (having in mind any relevant differences in time zones) and should notify the Chamber accordingly at least 15 (fifteen) days in advance.

Sufficient time should be allowed in the schedule to set up and test equipment, connectivity, and audio and video connections at the start of the hearing.

If consecutive translation is to be used, more time than would normally be allowed in in-person hearings should be factored into the schedule.

### **2. *Participants***

At least 10 (ten) days before the hearing, the parties should provide the Chamber with:

- (a) a list of all expected participants in the hearing according to their role, law firm or company, and whether with Claimant or with Respondent; and
- (b) the name, telephone number and email address for a designated contact at each location to be joined by video, so that the Chamber may establish and maintain the video link and deal with any technical issues that may arise.

The chosen virtual platform will be access-restricted to participants identified on the list submitted by the parties.

### **3. *Platform and equipment***

The Chamber's IT services are compatible with most leading audio/video conferencing platforms, including BlueJeans, Cisco WebEx, Microsoft Teams, Skype for Business, and Zoom.

BCDR can assist the arbitral tribunal and the parties to identify virtual conferencing platforms that do not require special hardware or software.

The parties should notify the Chamber at least 15 (fifteen) days in advance of the hearing of the agreed platform.

Every location to be joined in the hearing should have a reliable high-speed internet connection; a personal computer with a high-definition webcam and microphone; and, if necessary, a second screen or personal computer to access any shared or confidential electronic materials and any real-time transcription.

### **4. *Documents***

All documents, including all the parties' written submissions, witness statements, exhibits etc., should be in digital form, with restricted access as appropriate.

The parties and the arbitral tribunal should agree on the means of securely storing and transmitting electronic documents and other files, both for the participants together and for individual participants confidentially.

BCDR can assist the arbitral tribunal and the parties to identify means for securely storing and transmitting electronic documents and other files.

### **5. *Testing***

The Chamber will organise a test session at least 7 (seven) days before the start of the hearing to ensure that the virtual platform is properly functioning and that all participants are familiar with it.

### **6. *The hearing***

The Chamber suggests that, at the hearing:

- all mobile phones be muted/put on silent mode;
- microphones be muted when not in use, to minimise audio disruptions;
- the number of connected devices be kept to a minimum to maximise the quality of the internet connection;

- any confidential notes not be made visible on participants’ screens;
- breaks be scheduled as for an in-person hearing; and
- measures be in place to minimise disturbances, noises-off, interruptions, or disruptions by any third party.

Dedicated BCDR IT professionals will be on hand throughout the hearing to assist with any technical difficulties.

## **7. *Costs***

The Fee Schedule will apply to all virtual hearings. For the avoidance of doubt, the fees set out in the Fee Schedule do not cover the cost of hire of hearing rooms (when applicable) or the cost of any support services related to virtual hearings (such as video conference charges), which will be charged separately.

## **8. *Queries and support***

For any questions or assistance relating to the implementation these guidelines, contact your dedicated BCDR case manager or [info@bcdr-aaa.org](mailto:info@bcdr-aaa.org).