

**INTERNATIONAL CENTRE FOR SETTLEMENT
OF INVESTMENT DISPUTES**

WASHINGTON, D.C.

In the arbitration proceeding between

NUSA TENGGARA PARTNERSHIP B.V. AND PT NEWMONT NUSA TENGGARA
Claimants

and

REPUBLIC OF INDONESIA

Respondent

(ICSID CASE NO. ARB/14/15)

**ORDER OF THE SECRETARY-GENERAL TAKING NOTE OF THE
DISCONTINUANCE OF THE PROCEEDING**

DATE: August 29, 2014

REPRESENTATION OF THE PARTIES

Representing Nusa Tenggara Partnership B.V.
and PT Newmont Nusa Tenggara:

Mr. Gary B. Born
Wilmer Cutler Pickering Hale and Dorr LLP
49 Park Lane
London W1K 1PS
United Kingdom

Representing the Republic of Indonesia:

Coordinating Minister for Economic Affairs
Jalan Lapangan Banteng Timur 2-4
Jakarta 10710
Republic of Indonesia

And

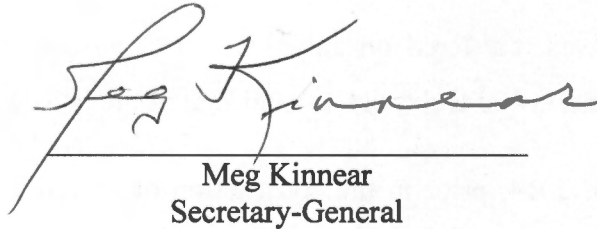
Ms. Rachael D. Kent
Mr. Claudio Salas
Ms. Danielle Morris
Ms. Maria L. Banda
Wilmer Cutler Pickering Hale and Dorr LLP
187 5 Pennsylvania Ave., NW
Washington, DC 20006
United States of America

1. On June 30, 2014, the International Centre for Settlement of Investment Disputes (“ICSID”) received a request for arbitration from Nusa Tenggara Partnership B.V. and PT Newmont Nusa Tenggara (“the Claimants”) for the institution of arbitration proceedings under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States (“the ICSID Convention”), in respect of a dispute with the Republic of Indonesia.
2. The Request was registered on July 15, 2014, pursuant to Article 36(3) of the ICSID Convention and Rules 6(1)(a) and 7(a) of the ICSID Institution Rules.
3. On August 25, 2014, prior to the constitution of an Arbitral Tribunal, the ICSID Secretariat received a letter from the Claimants, requesting the discontinuance of the proceeding pursuant to Rule 44 of the ICSID Rules of Procedure for Arbitration Proceedings (“Arbitration Rules”).
4. Rule 44 of the ICSID Arbitration Rules provides:

If a party requests the discontinuance of the proceeding, the Tribunal, or the Secretary-General if the Tribunal has not yet been constituted, shall in an order fix a time limit within which the other party may state whether it opposes the discontinuance. If no objection is made in writing within the time limit, the other party shall be deemed to have acquiesced in the discontinuance and the Tribunal, or if appropriate the Secretary-General, shall in an order take note of the discontinuance of the proceeding. If objection is made, the proceeding shall continue.
5. On August 25, 2014, the Secretary-General sent a letter to the parties, in accordance with Rule 44 of the ICSID Arbitration Rules, ordering the Republic of Indonesia to state whether or not it opposed the discontinuance of the proceeding by September 24, 2014.
6. On August 29, 2014, the ICSID Secretariat received a letter from the Republic of Indonesia stating that it had no objections to the discontinuance of the proceeding.

ORDER

7. **THEREFORE, considering the above and in accordance with Rule 44 of the ICSID Arbitration Rules, I hereby take note of the discontinuance of the proceeding.**



Meg Kinnear
Secretary-General