

ARBITRATION UNDER THE UNCITRAL RULES

PCA CASE N° 2010-21 / DUN-BZII

DUNKELD INTERNATIONAL INVESTMENT LTD (CLAIMANT)

v.

THE GOVERNMENT OF BELIZE (RESPONDENT)

ORDER NO. 8

6 FEBRUARY 2014

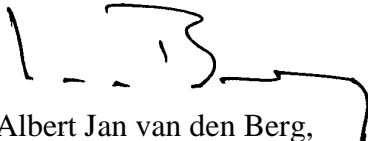
CONSIDERING:

- (A) The Tribunal's communication of 11 March 2011, postponing the previously scheduled hearing until further notice;
- (B) The Claimant's communication of 20 November 2013, referring to a judgment of the Court of Appeal of Belize in which it, *inter alia*, discharged the anti-arbitration injunction against the Claimant; and the Claimant's communication of 16 December 2013 requesting that the Tribunal schedule a procedural meeting with the Parties in order to determine the further steps in these arbitration proceedings;
- (C) The Respondent's communication of 17 December 2013, indicating that in light of the judgment of the Court of Appeal of Belize, the Respondent has decided to participate in these arbitration proceedings and advising the Tribunal and the Claimant of the counsel retained by the Respondent to represent it;
- (D) The Tribunal's communication of 20 December 2013, advising the Parties that the Tribunal would be available to hold a procedural telephone conference on 7 January 2014;
- (E) The Respondent's communication of 27 December 2013, requesting to reschedule the procedural telephone conference to a date as of 27 January 2014;
- (F) The Tribunal's communication of 31 December 2013, advising that the procedural telephone conference would be rescheduled to the week of 27 January 2014;
- (G) The Tribunal's communication of 10 January 2014, fixing the initial agenda and the date of the procedural telephone conference as 27 January 2014;
- (H) The procedural telephone conference held between the Tribunal and the Parties on 27 January 2014;

THE ARBITRAL TRIBUNAL HEREBY DECIDES AS FOLLOWS AS AGREED BY THE PARTIES:

1. For the time being the procedural orders, decisions and awards issued and rendered by the Tribunal shall be published on the website of the Permanent Court of Arbitration, subject to redactions based on confidentiality of commercially or politically sensitive or privileged matters as requested by either Party. To the extent that information is produced or discussed during the arbitration proceedings which a Party considers to be commercially or politically sensitive or privileged, that Party may request that the Tribunal deems it confidential.
2. The arbitration proceedings are suspended until further notice.
3. The deposit held by the PCA in relation to this arbitration shall be used in connection with PCA Case N° 2010-13 (*Dunkeld International Investment Ltd v. The Government of Belize*).

On behalf of the Arbitral Tribunal,

A handwritten signature in black ink, appearing to read 'A. J. van den Berg', with a long horizontal line extending to the right.

Albert Jan van den Berg,
Presiding Arbitrator