

**INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES**

**BSG Resources Limited (In Administration), BSG Resources (Guinea) Limited and  
BSG Resources (Guinea) SARL**

**v.**

**Republic of Guinea**

**(ICSID Case No. ARB/14/22)**

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**PROCEDURAL ORDER No. 18**

**Post-Hearing Matters**

Professor Gabrielle Kaufmann-Kohler, President of the Tribunal  
Professor Albert Jan van den Berg, Arbitrator  
Professor Pierre Mayer, Arbitrator

***Secretary of the Tribunal***

Mr. Benjamin Garel

***Assistant to the Tribunal***

Dr. Magnus Jesko Langer

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4 April 2018

1. Following the procedural discussion at the end of the Hearing held on 26 and 27 March 2018, the Tribunal renders the following order:

**I. PRESENTATIONS AND DEMONSTRATIVE EXHIBITS USED DURING THE HEARING**

2. To the extent they have not yet done so, the Parties shall upload on the case's Box folder all the presentations and demonstrative exhibits used during the Hearing by **5 April 2018**.
3. Pictures of the sketches drawn by Mr. Radley during the Hearing, numbered Radley Hearing Sketches 1 to 5 have been transmitted to the Parties by email and have also been uploaded to the Box folder of the case.
4. The revised versions of the PowerPoint presentations prepared by the Tribunal-appointed Experts, which only contain the slides admitted, referred to and shown during the Hearing, have been uploaded to the Box folder of the case. The documents transmitted to the Parties on 25 March 2018 have been removed from the case's Box folder.

**II. CORRECTION OF THE TRANSCRIPT**

5. Pursuant to paragraph 22.3 of Procedural Order No. 1, the Parties shall attempt to agree on any corrections to the transcript by **6 April 2018**, it being understood that the Parties shall only correct the actual language spoken at the hearing and not the translations.
6. Within that time limit, the Parties shall also seek to agree on the passages of the transcripts which are protected under Procedural Order No. 2 ("PO2") and Article 6(3)(iii) of the consolidated text of the UNCITRAL Rules on Transparency as amended by PO2.
7. In case of disagreement on corrections or redactions, the Tribunal will decide.

**III. EFFECT OF RECEIVERSHIP OF BSG RESOURCES LIMITED (IN ADMINISTRATION)**

8. The Respondent shall file its comments on the letter of 21 March 2018 from the administrators of BSG Resources Limited (In Administration) by **17 April 2018**. The Tribunal will thereafter decide on further actions as appropriate.

**IV. TRANSPARENCY**

9. In light of the Tribunal's decision of 4 April 2018 to reject the Claimants' Proposal to disqualify the Tribunal-appointed experts and to declare the Final Report inadmissible, the Final Report, the Parties' written submissions, the audio-video recording and the transcript of the hearing of 26-27 March 2018 shall be made public in accordance with the rules on transparency governing this arbitration.

**V. POST-HEARING BRIEFS**

10. In conformity with paragraph 18 of Procedural Order No. 11, and as discussed with the Parties during the hearing, the Parties may simultaneously file two rounds of post-hearing briefs ("PHBs"). In these PHBs, the Parties may address the evidence gathered at the hearings in May-June 2017 and March 2018, as well as Exhibits C-364 to C-366 regarding the witness evidence of Ms. Mamadie Touré before the Swiss Prosecutor, and place such evidence in the context of each Party's case.
11. The first PHBs shall be limited to 150 pages and shall be filed on **4 June 2018**.
12. The second PHBs shall be limited to 40 pages and shall be filed on **2 July 2018**.
13. The PHBs may not append new evidence, except upon prior leave of the Tribunal.

**VI. STATEMENT OF COSTS**

14. The Parties shall submit their statements of costs by **14 September 2018** and may then comment on the other Party's statement by **21 September 2018**. The statements shall itemize the costs incurred by category, without appending supporting documentation. As discussed at the hearing, the Tribunal does not expect submissions on the entitlement and allocation of costs.

For and on behalf of the Tribunal

[SIGNATURE]

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Gabrielle Kaufmann-Kohler  
President of the Tribunal  
Date: 4 April 2018