

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)

PROCEDURAL ORDER No. 21

Stay of the Proceedings

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

8 October 2020

1. The Tribunal refers to Procedural Order No. 20 dated 30 April 2019 (“PO20”), to the communications exchanged since the issuance of PO20 between the Parties and the Centre regarding the status of their settlement discussions and the extensions of time granted by the Tribunal to provide updates on said settlement discussions, to the Tribunal’s letter dated 7 September 2020 and to the Parties’ letters of 30 September 2020.
2. The Tribunal notes from the Claimants’ letter that new Joint Administrators for the Claimants have been appointed, which are in the process of obtaining books, records and documents regarding the Claimants and the ICSID proceedings. The Tribunal also notes that “*at this stage, the new Joint Administrators are not in a position to take any position on either a settlement of the ICSID claims, the merits of lifting the stay or of allowing the Tribunal to proceed to finalise its award*”. The Tribunal further notes that the Claimants seek leave to provide a more substantive update in 60 days.
3. The Tribunal notes from the Respondent’s letter that no progress has been made towards a formal settlement of the dispute between the Parties.
4. In consideration of the Parties’ letters of 30 September, and in light of Article 44 of the ICSID Convention, the Tribunal issues the following order:
 - i. The Parties shall provide a substantive update on their settlement discussions by **Monday, 7 December 2020**;
 - ii. The Tribunal extends the stay of the proceedings until **Monday, 7 December 2020**;
 - iii. The Tribunal recalls that it may lift the stay of the proceedings at any time upon either a motion from either Party or, if necessary, *ex officio*.

On behalf of the Tribunal

[SIGNED]

— Gabrielle Kaufmann-Kohler
President of the Tribunal