


De: Norum, Margrethe Margrethe.Norum@mfa.no 
Objet: SIA North Star and Peteris Pildegovics. Regarding a request for public access
Date: 27 septembre 2019 à 14:58
À: Pierre-Olivier Savoie pierre-olivier@savoie.com
Cc: Seland, Helge helge.seland@mfa.no, Jervell, Kristian kristian.jervell@mfa.no

Dear Mr. Savoie,

Reference is made to previous contact regarding the Notification of Dispute by SIA North Star and Peteris Pildegovics, particularly our e-mails of 28 June and 27 August 2019 and your e-mails of 1 July and 3 September 2019, accordingly, regarding public access to documents.

As mentioned in our previous correspondence, the request for disclosure was directed to the Norwegian Ministry of Justice and Public Security. According to the Norwegian act relating to the right of access to documents held by public authorities and public undertakings (the Freedom of Information Act) § 29 an administrative agency that receives a request for access shall consider the request on a concrete and independent basis.

As explained in our previous e-mails, under Freedom of Information Act the main rule is that case documents, journals and similar registers of an administrative agency are public except as otherwise provided by statute or by regulations pursuant thereto. To assist the Ministry of Justice and Public Security in preparing its decision we have forwarded your input regarding the request for access. However, the Ministry of Justice and Public Security only found legal basis for an exception regarding elements of the documents, but no legal basis to exempt the documents as such.

As a result the Ministry of Justice and Public Security has decided to release a redacted version of your e-mail and letter of 8 March 2019 titled "Notification of Dispute of SIA North Star (Latvia) and Mr. Peteris Pildegovics against the Kingdom of Norway under the Latvia-Norway BIT" (redacted version enclosed). Taking note of your input regarding the issue, the Ministry of Justice and Public Security has edited the document to exclude information considered to be confidential (cf. the Norwegian Public Administration Act of 1967 section 13).

The ICSID Convention and Arbitration Rules does not contain a general presumption of confidentiality (see eg. ICSIDs homepage; <https://icsid.worldbank.org/en/Pages/process/Confidentiality-and-Transparency.aspx>), and the Agreement between Norway and Latvia on the mutual promotion and protection of investments does not include provisions on this issue.

Best regards,



Margrethe R. Norum

Seniorrådgiver / Senior Adviser

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