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BY E-MAIL

Your ref.:

Our ref.:

Date

25 March 2021

Subject: Mr. Peteris Pildegovics and SIA North Star ("the Claimants") v the Kingdom of Norway ("Norway"), ICSID Case ARB/20/11 – Bifurcation

Dear Sirs,

Reference is made to the Claimants' Memorial dated 11 March 2021 in the above-captioned matter ("**the Memorial**"). Further reference is made to Annex B (Timetable of proceedings) of Procedural Order No. 1, dated 12 October 2020 ("**PO-1**").

Upon reading the Memorial, it is clear to us that the efficiency and judicial economy of the proceedings will be best served by bifurcating issues of jurisdiction and liability on the one hand, and reparations on the other. In that way, expert evidence on quantum can be focused upon the actual findings of the Tribunal and need not address a wide range of hypothetical scenarios concerning liability, most of which will be irrelevant because they do not fit with the Tribunal's analysis.

Norway will dispute the jurisdiction of the Tribunal and contest the allegations of breaches of the Norway-Latvia BIT, which it considers to be ill-founded. It is clear to us, however, that it would be wasteful of costs and time for full argument to be heard on reparation before the Tribunal has ruled on jurisdiction and liability.

We therefore propose that the proceedings be bifurcated between (stage 1) jurisdiction and liability, and (stage 2) reparation and quantum. We invite you to agree to such bifurcation by no later than **Monday, 29 March 2021**. Should we not be able to reach an agreement on this, we will request such bifurcation directly from the Tribunal.

We look forward to a reply at your earliest convenience and no later than 29 March 2021.

Sincerely,


Helge Seland
Director General

Copy by email:

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