

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Mabco Constructions SA

v.

Republic of Kosovo

(ICSID Case No. ARB/17/25)

PROCEDURAL ORDER NO. 14

Members of the Tribunal

Professor George A. Bermann, President of the Tribunal

Mr. Gianrocco Ferraro, Arbitrator

Professor Dr. August Reinisch, Arbitrator

Secretary of the Tribunal

Francisco Abriani

June 13, 2023

1. On June 5, 2023, Respondent filed an Addendum to its Post-Hearing Brief, as authorized by the Tribunal on May 30, 2023.
2. On June 8, 2023, Claimant sought leave to comment on the Addendum, but in that same request it voiced its objections to paragraphs 9-13 of the Addendum before the Tribunal had granted leave to reply. It should not have done so, inasmuch as the Tribunal had not yet acted upon its request for leave to comment.
3. The Tribunal hereby grants Claimant leave to comment on the Addendum. Since Claimant sought leave to comment on the Addendum, even while commenting on paragraphs 9-13, the Tribunal can only conclude that Claimant intended to make comments additional to those addressing paragraphs 9-13. Out of an excess of caution, the Claimant is therefore invited to make its full set of comments on the Addendum no later than June 20, 2023, being sure to restate in those comments, in addition to any additional pertinent comments it wishes to make, the objections to those paragraphs that it made on June 8, 2023.
4. Similarly, Respondent is invited to file by no later than June 27, 2023, a reply to Claimant's objections, and in so doing should likewise take care to restate in that reply the content of the message it sent on June 13, 2023, while making any further pertinent comments it wishes to make.
5. Finally, Claimant may, by no later than July 4, 2023, submit a final set of pertinent comments, as requested in its own message of June 13, 2023.
6. Counsel are reminded to adhere to the conditions on communications outlined in the Tribunal's ruling of May 30, 2023.

On behalf of the Tribunal,

[Signed]

George A. Bermann
President of the Tribunal
Date: June 13, 2023