

16 July 2025

By email

Peteris Pildegovics and SIA North Star

[REDACTED]

Kingdom of Norway

[REDACTED]

Re: Peteris Pildegovics and SIA North Star v. Kingdom of Norway
(ICSID Case No. ARB/20/11) – Annulment Proceeding

Dear Mesdames and Sirs,

I write on behalf of the *ad hoc* Committee (“Committee”) with reference to the Applicants’ request of 7 July 2025, seeking to formally admit to the record of this annulment proceeding Exhibits A-0206 to A-0224 (“Request”) and the Respondent’s observations of 14 July 2025 (“Response”).

The Applicants request the admission of:

- (i) Exhibits A-0206 to A-0221, being documents produced by the Respondent in accordance with Procedural Order No. 4 (“PO4”) but not yet entered into the record, as the result of Applicants’ second request for document production. According to the Applicants, these documents should be admitted as they were produced by the Respondent in response to Request Nos. 4, 5, 6, 7, 8, 14, 15 and 16 of the Redfern Schedule of PO4.

- (ii) Exhibits A-0222 and A-0223, being the lists of documents submitted by the Respondent in accordance with Procedural Order No. 3 (“PO3”) and PO4. The Applicants deem it necessary to include the lists because they concisely identify the documents as produced by the Respondent; and
- (iii) Exhibit A-0224, being the LinkedIn profile page of Mr. Kristian Jervell, Norway’s lead counsel. According to the Applicants, the LinkedIn profile aims to illustrate that from August 2012 to August 2017, Mr. Jervell held functions as Director and Head of the Section for the Law of the Sea, Environment and Treaty Law of Norway’s Ministry of Foreign Affairs and at the time, policy measures affecting Applicants were adopted by the Legal Department of the Ministry of Foreign Affairs of Norway. In the Applicants’ view, this document supports the argument of inequality of the Parties because of Mr. Jervell’s involvement.

In its Response, the Respondent refers to its earlier submissions and does not oppose including the documents if the Committee determines that special circumstances exist but clarifies that this lack of objection does not imply agreement on their relevance. Regarding Exhibit 224, the Respondent objects to the Applicants’ rationale for including Mr. Jervell’s LinkedIn profile and the proposal to cross-examine him about his independence as a State agent but does not object to the document’s inclusion itself. The Respondent believes that these matters would be best addressed in the Rejoinder on Annulment.

In accordance with section 15.5 of Procedural Order No. 1, the Committee has considered the Parties’ submissions. The Committee considers that Exhibits A-0206 to A-0223 present special circumstances justifying their admission into the record of these annulment proceedings.

As regards Exhibit A-0224, the Committee has decided not to allow the admission of this document. Mr. Jervell’s LinkedIn profile is a publicly available document that as such has presumably previously been accessible by the Applicants. The Committee is not persuaded that special circumstances have been demonstrated sufficiently to warrant its production.

Yours sincerely,

[signed]

Leah W. Njoroge
Secretary of the *ad hoc* Committee

cc (*by email*): Members of the *ad hoc* Committee

Applicants on Annulment:

[REDACTED]

Respondent on Annulment:

[REDACTED]