

Decisions on Non-Disputing Party Participation

CASE NAME	DECISION (LANGUAGE(S))	DATE OF DECISION	REQUEST TO FILE WRITTEN SUBMISSION GRANTED/DENIED?
Aguas del Tunari, S.A. v. Bolivia (ICSID Case No. ARB/02/3)	Tribunal's Letter in Response to Non-Disputing Parties' Petition (English)	January 29, 2003	Denied
Suez, Sociedad General de Aguas de Barcelona S.A. and Interagua Servicios Integrales de Agua S.A. v. Argentine Republic (ICSID Case No. ARB/03/17)	Order in Response to a Petition for Participation as <i>Amicus Curiae</i> (English & Spanish)	March 17, 2006	Granted
Suez, Sociedad General de Aguas de Barcelona, S.A. and Vivendi Universal, S.A. v. Argentine Republic (ICSID Case No. ARB/03/19)	Order in Response to a Petition for Transparency and Participation as <i>Amicus Curiae</i> (English & Spanish)	May 19, 2005	Granted
Suez, Sociedad General de Aguas de Barcelona, S.A. and Vivendi Universal, S.A. v. Argentine Republic (ICSID Case No. ARB/03/19)	Order in Response to a Petition by Five Non-Governmental Organizations for Permission to make an <i>Amicus Curiae</i> Submission (English & Spanish)	February 12, 2007	Granted
Ioan Micula, Viorel Micula and others v. Romania (ICSID Case No. ARB/05/20)	Decision on the Application of a Non-Disputing Party to File a Written Submission (English)	May 15, 2009	–
Ioan Micula, Viorel Micula and others v. Romania (ICSID Case No. ARB/05/20) – Annulment Proceeding	Decision on Application to Intervene as a Non-Disputing Party (English)	December 3, 2014	–
Biwater Gauff (Tanzania) Limited v. United Republic of Tanzania (ICSID Case No. ARB/05/22)	Procedural Order No. 5 (English)	February 2, 2007	Granted
Piero Foresti, Laura de Carli and others v. Republic of South Africa (ICSID Case No. ARB(AF)/07/1)	Decision Concerning the Procedural Calendar and the Applications of the Non-Disputing Parties (English)	September 11, 2009	–
Piero Foresti, Laura de Carli and others v. Republic of South Africa (ICSID Case No. ARB(AF)/07/1)	Further Decision Concerning the Applications of the Non-Disputing Parties (English)	September 25, 2009	Granted
Electrabel S.A. v. Hungary (ICSID Case No. ARB/07/10)	Procedural Order Concerning the Application for Non-Disputing Party Participation	April 28, 2009	

Case No. ARB/07/19)

Application of a Non-Disputing Party
to File a Written Submission (English)

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AES Summit Generation Limited and
AES-Tisza Erömu Kft. v. Hungary
(ICSID Case No. ARB/07/22)Procedural Order Concerning the
Application of a Non-Disputing Party
to File a Written Submission (English)November 26,
2008

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Caratube International Oil Company
LLP v. Republic of Kazakhstan
(ICSID Case No. ARB/08/12)Decision on the Non-Disputing Party's
Application to File a Written
Submission (English)

June 22, 2011

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Iberdrola Energía, S.A. v. Republic of
Guatemala (ICSID Case No.
ARB/09/5) - Annulment ProceedingDecision on the Non-Disputing Party's
Application to File a Written
Submission (Spanish)February 12,
2014

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Pac Rim Cayman LLC v. Republic of
El Salvador (ICSID Case No.
ARB/09/12)Procedural Order on *Amicus Curiae*
(English)

March 23, 2011

Granted

Philip Morris Brand Sàrl
(Switzerland), Philip Morris Products
S.A. (Switzerland) and Abal
Hermanos S.A. (Uruguay) v. Oriental
Republic of Uruguay (ICSID Case
No. ARB/10/7)Procedural Order No. 3
(English)February 17,
2015

Granted

Philip Morris Brand Sàrl
(Switzerland), Philip Morris Products
S.A. (Switzerland) and Abal
Hermanos S.A. (Uruguay) v. Oriental
Republic of Uruguay (ICSID Case
No. ARB/10/7)

Procedural Order No. 4 (English)

March 24, 2015

Granted

Philip Morris Brand Sàrl
(Switzerland), Philip Morris Products
S.A. (Switzerland) and Abal
Hermanos S.A. (Uruguay) v. Oriental
Republic of Uruguay (ICSID Case
No. ARB/10/7)Decision on the Non-Disputing Party's
Application to File a Written
Submission (English)

August 7, 2015

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Philip Morris Brand Sàrl
(Switzerland), Philip Morris Products
S.A. (Switzerland) and Abal
Hermanos S.A. (Uruguay) v. Oriental
Republic of Uruguay (ICSID Case
No. ARB/10/7)Decision on the Non-Disputing Party's
Application to File a Written
Submission (English)September 24,
2015

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Bernhard von Pezold and others v.
Republic of Zimbabwe (ICSID Case
No. ARB/10/15)

Procedural Order No. 2 (English)

June 26, 2012

Denied

Border Timbers Ltd., Border Timbers
International (Private) Limited and

Procedural Order No. 2 (English)

June 26, 2012

Denied

International (Private) Limited, and
Hangani Development Co. (Private)
Limited v. Republic of Zimbabwe
(ICSID Case No. ARB/10/25)

Apotex Holdings Inc. & Apotex Inc. v. United States of America (ICSID Case No. ARB(AF)12/1)	Procedural Order on the Participation of the Applicant BNM as a Non- Disputing Party (English)	March 4, 2013	Denied
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Apotex Holdings Inc. & Apotex Inc. v. United States of America (ICSID Case No. ARB(AF)12/1)	Procedural Order on the Participation of the Applicant Mr. Barry Appleton as a Non-Disputing Party (English)	March 4, 2013	Denied
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Dan Cake S.A. v. Hungary (ICSID Case No. ARB/12/9) - Annulment	Decision on the Application for Leave to intervene as a Non-Disputing Party (English)	January 10, 2019	—
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Vattenfall AB and others v. Federal Republic of Germany (ICSID Case No. ARB/12/12)	Procedural Order No. 13 (English)	August 7, 2015	—
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UAB E energija (Lithuania) v. Republic of Latvia (ICSID Case No. ARB/12/33) – Annulment	Procedural Order No. 2 (English)	January 4, 2019	—
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Imprese Grassetto S.p.a., in liquidation v. Republic of Slovenia	Procedural Order No. 3 (English)	May 17, 2019	—
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EVN AG v. Republic of Bulgaria (ICSID Case No. ARB/13/17)	Procedural Order No. 17 (English)	January 22, 2019	—
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Marfin Investment Group Holdings S.A., Alexandros Bakatselos and others v. Republic of Cyprus (ICSID Case No. ARB/13/27)	Procedural Order No. 11 (English)	February 17, 2017	—
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RREEF Infrastructure (G.P.) Limited and RREEF Pan-European Infrastructure Two Lux S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/30)	Procedural Order No. 2 (English & Spanish)	February 5, 2015	—
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RREEF Infrastructure (G.P.) Limited and RREEF Pan-European Infrastructure Two Lux S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/30)	Procedural Order No. 7 (English & Spanish)	January 14, 2016	—
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Antin Infrastructure Services Luxembourg S.à.r.l. and Antin Energia Termosolar B.V. v. Kingdom of Spain (ICSID Case No. ARB/13/31)	Decision on Application to Intervene as a Non-Disputing Party (English & Spanish)	December 15, 2014	—
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Antin Infrastructure Services Luxembourg S.à.r.l. and Antin Energia Termosolar B.V. v. Kingdom of Spain (ICSID Case No. ARB/13/31)	Second Decision on the Application to Intervene as a Non-Disputing party (English & Spanish)	February 5, 2016	—
Antin Infrastructure Services Luxembourg S.à.r.l. and Antin Energia Termosolar B.V. v. Kingdom of Spain (ICSID Case No. ARB/13/31)	Decision on the Non-Disputing Party Request for Reconsideration of the Tribunal's Decision of February 5, 2016 (English & Spanish)	February 26, 2016	—
MOL Hungarian Oil and Gas Company Plc v. Republic of Croatia (ICSID Case No. ARB/13/32)	Decision on the Application for Leave to Intervene as a Non-Disputing Party (English)	September 20, 2018	—
UP and C.D Holding Internationale v. Hungary (ICSID Case No. ARB/13/35)	Procedural Order No. 12 (English)	August 27, 2018	—
Eiser Infrastructure Limited and Energia Solar Luxembourg S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/36)	Decision on Application for Leave to Intervene as a Non-Disputing Party (English & Spanish)	December 17, 2014	—
Eiser Infrastructure Limited and Energia Solar Luxembourg S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/36)	Procedural Order No. 7 (English & Spanish)	December 21, 2015	—
Eiser Infrastructure Limited and Energia Solar Luxembourg S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/36)	Procedural Order No. 8 (English & Spanish)	January 8, 2016	—
Eiser Infrastructure Limited and Energía Solar Luxembourg S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/36) - Annulment Proceeding	Procedural Order No. 3 (English)	October 11, 2018	—
Masdar Solar & Wind Cooperatief U.A. v. Kingdom of Spain (ICSID Case No. ARB/14/1)	Ruling on Application to Intervene as a Non-Disputing Party (English & Spanish)	January 9, 2015	—
Infinito Gold Ltd. v. Republic of Costa Rica (ICSID Case No. ARB/14/5)	Procedural Order No. 2 (English)	June 1, 2016	Granted
Infinito Gold Ltd. v. Republic of Costa Rica (ICSID Case No. ARB/14/5)	Procedural Order No. 5 (English)	February 22, 2018	—

INTINITO Gold Ltd. v. Republic of Costa Rica (ICSID Case No. ARB/14/5)	Decision on the Application for Leave to intervene as a Non-Disputing Party (English)	September 18, 2018	—
NextEra Energy Global Holdings B.V. and NextEra Energy Spain Holdings B.V. v. Kingdom of Spain (ICSID Case No. ARB/14/11)	Procedural Order No. 3 (English & Spanish)	January 6, 2016	—
InfraRed Environmental Infrastructure GP Limited and others v. Kingdom of Spain (ICSID Case No. ARB/14/12)	Procedural Order No. 2 (English & Spanish)	February 9, 2015	—
RENERGY S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/14/18)	Procedural Order No. 2 (English)	July 10, 2015	—
RENERGY S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/14/18)	Procedural Order No. 5 (English)	February 17, 2016	—
Sodexo Pass International SAS v. Hungary (ICSID Case No. ARB/14/20)	Decision on the Non-Disputing Party's Application to File a Written Submission (English)	August 24, 2018	—
United Utilities (Tallinn) B.V. and Aktsiaselts Tallinna Vesi v. Republic of Estonia (ICSID Case No. ARB/14/24)	Decision on the Application for Leave to intervene as a Non-Disputing Party (English)	October 2, 2018	Granted
RWE Innogy GmbH and RWE Innogy Aersa S.A.U. v. Kingdom of Spain (ICSID Case No. ARB/14/34)	Procedural Order No. 2 (English and Spanish)	February 10, 2016	—
RWE Innogy GmbH and RWE Innogy Aersa S.A.U. v. Kingdom of Spain (ICSID Case No. ARB/14/34)	Procedural Order No. 3 (English and Spanish)	July 13, 2016	—
Stadtwerke München GmbH, RWE Innogy GmbH, and others v. Kingdom of Spain (ICSID Case No. ARB/15/1)	Procedural Order No. 3 (English & Spanish)	March 2, 2017	—
Lion Mexico Consolidated L.P. v. United Mexican States (ICSID Case No. ARB(AF)/15/2)	Decision on the Non-Disputing Party's Application to File a Written Submission Pursuant to Article 41(3) of the ICSID Arbitration (Additional Facility) Rules(English)	May 23, 2017	Denied
STEAG GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/4)	Procedural Order No. 7 (English)	November 21, 2018	—
STEAG GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/4)	Decision on the Non-Disputing Party's Request for Reconsideration of the Tribunal's Procedural Order No. 7	December 5, 2018	—

9REN Holding S.a.r.l. v. Kingdom of Spain (ICSID Case No. ARB/15/15)	Procedural Order No. 5 (English)	November 26, 2018	—
BayWa r.e. renewable energy GmbH and BayWa r.e. Asset Holding GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/16)	Procedural Order No. 2 (English and Spanish)	May 23, 2016	—
BayWa r.e. renewable energy GmbH and BayWa r.e. Asset Holding GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/16)	Procedural Order No. 6 (English and Spanish)	April 4, 2017	—
ENERGO-PRO a.s. v. Republic of Bulgaria (ICSID Case No. ARB/15/19)	Procedural Order No. 3 (English)	September 1, 2017	—
ENERGO-PRO a.s. v. Republic of Bulgaria (ICSID Case No. ARB/15/19)	Procedural Order No. 7 (English)	January 15, 2019	—
Mathias Kruck and others v. Kingdom of Spain (ICSID Case No. ARB/15/23)	Decision on the Non-Disputing Party's Application to File a Written Submission (English)	May 13, 2016	—
KS Invest GmbH and TLS Invest GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/25)	Procedural Order No. 2 (English and Spanish)	April 15, 2016	—
KS Invest GmbH and TLS Invest GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/25)	Procedural Order No. 6 (English & Spanish)	January 17, 2017	—
Gabriel Resources Ltd. and Gabriel Resources (Jersey) Ltd. v. Romania (ICSID Case No. ARB/15/31)	Procedural Order No. 19 (English)	December 7, 2018	—
Cavalum SGPS, S.A. v. Kingdom of Spain (ICSID Case No. ARB/15/34)	Procedural Order No. 2 (English and Spanish)	May 20, 2016	—
Cavalum SGPS, S.A. v. Kingdom of Spain (ICSID Case No. ARB/15/34)	Procedural Order No. 3 (English and Spanish)	February 21, 2017	—
E.ON SE, E. ON Finanzanlagen GmbH and E. ON Iberia Holding GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/35)	Procedural Order No. 2 (Revised) (English and Spanish)	January 30, 2017	—
SolEs Badajoz GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/38)	Procedural Order No. 2 (English and Spanish)	May 23, 2016	—

SolEs Badajoz GmbH v. Kingdom of Spain (ICSID Case No. ARB/15/38)	Procedural Order No. 3 (English and Spanish)	February 21, 2017	—
Hydro Energy 1 S.à r.l. and Hydroxana Sweden AB v. Kingdom of Spain (ICSID Case No. ARB/15/42)	Decision on the Application for Leave to Intervene as a Non-Disputing Party (English)	November 19, 2018	—
Watkins Holdings S.à r.l. and others v. Kingdom of Spain (ICSID Case No. ARB/15/44)	Procedural Order No. 2 (English and Spanish)	March 21, 2017	—
Landesbank Baden-Württemberg et al. v. Kingdom of Spain (ICSID Case No. ARB/15/45)	Procedural Order No. 15 (English)	November 11, 2018	—
Landesbank Baden-Württemberg et al. v. Kingdom of Spain (ICSID Case No. ARB/15/45)	Procedural Order No. 18 (English)	April 15, 2019	—
Theodoros Adamakopoulos and others v. Republic of Cyprus (ICSID Case No. ARB/15/49)	Procedural Order No 5. (English)	January 9, 2019	—
Veolia Environnement S.A. and others v. Republic of Lithuania (ICSID Case No. ARB/16/3)	Decision on the Application for Leave to Intervene as a Non-Disputing Party (English)	January 22, 2019	—
Eurus Energy Holdings Corporation v. Kingdom of Spain (ICSID Case No. ARB/16/4)	Procedural Order No. 6 (English)	December 21, 2018	—
Eurus Energy Holdings Corporation v. Kingdom of Spain (ICSID Case No. ARB/16/4)	Procedural Order No. 7 (English)	January 16, 2019	—
ESPF Beteiligungs GmbH, ESPF Nr. 2 Austria Beteiligungs GmbH, and InfraClass Energie 5 GmbH & Co. KG against Italy (ICSID Case No. ARB/16/5)	Procedural Order No. 2 (English)	February 28, 2017	—
ESPF Beteiligungs GmbH, ESPF Nr. 2 Austria Beteiligungs GmbH, and InfraClass Energie 5 GmbH & Co. KG against Italy (ICSID Case No. ARB/16/5)	Procedural Order No. 4 (English)	August 22, 2017	—
Nova Group Investments B.V. v. Romania (ICSID Case No. ARB/16/19)	Procedural Order No. 16 (English)	January 9, 2019	—

Sevilla Beheer B.V. and others v. Kingdom of Spain (ICSID Case No. ARB/16/27)	Procedural Order No. 2 (English)	December 13, 2018	—
UniCredit Bank Austria AG and Zagrebacka banka d.d. v. Republic of Croatia (ICSID Case No. ARB/16/31)	Procedural Order No. 6 (English)	September 11, 2018	—
ENGIE SA, GDF International SAS and ENGIE International Holdings BV v. Hungary (ICSID Case No. ARB/16/14)	Procedural Order No. 4 (English)	July 29, 2017	—
Sun-Flower Olmeda GmbH & Co KG and others v. Kingdom of Spain (ICSID Case No. ARB/16/17)	Procedural Order No. 9 (English)	November 19, 2018	—
Infracapital F1 S.à r.l. and Infracapital Solar B.V. v. Kingdom of Spain (ICSID Case No. ARB/16/18)	Decision on the Application for Leave to Intervene as a Non-Disputing Party (English)	November 28, 2018	—
VC Holding II S.a.r.l. and others v. Italian Republic (ICSID Case No. ARB/16/39)	Procedural Order No. 3 (English)	November 5, 2018	—
Bank of Cyprus Public Company Limited v. Hellenic Republic (ICSID Case No. ARB/17/4)	Procedural Order No. 3 (English)	October 15, 2018	—
Rockhopper Italia S.p.A., Rockhopper Mediterranean Ltd, and Rockhopper Exploration Plc v. Italian Republic (ICSID Case No. ARB/17/14)	Procedural Order No. 4 (English)	December 7, 2018	—
Portigon AG v. Kingdom of Spain (ICSID Case No. ARB/17/15)	Procedural Order No. 6 (English)	December 19, 2018	—
Magyar Farming Company Ltd, Kintyre Kft and Inicia Zrt v. Hungary (ICSID Case No. ARB/17/27)	Decision on the Application for Leave to Intervene as a Non-Disputing Party (English)	September 5, 2018	—
Elitech B.V. and Razvoj Gold D.O.O. v. Croatia (ICSID Case No. ARB/17/32)	Procedural Order No. 3 (English)	December 3, 2018	—
Raiffeisen Bank International AG and Raiffeisenbank Austria d.d. v. Republic of Croatia (ICSID Case No. ARB/17/34)	Procedural Order No. 3 (English)	December 31, 2018	—
DCM Energy GmbH & Co. Solar 1 KG and others v. Kingdom of Spain	Procedural Order No. 2 (English)	December 19, 2018	—

(ICSID Case No. ARB/17/41)

AS Norvik Banka and others v. Republic of Latvia (ICSID Case No. ARB/17/47)	Procedural Order No. 2 (English)	October 16, 2018	—
AS Norvik Banka and others v. Republic of Latvia (ICSID Case No. ARB/17/47)	Decision on the Non-Disputing Party's Application to File a Written Submission (English)	October 22, 2018	—
ACF Renewable Energy Limited v. Republic of Bulgaria (ARB/18/1)	Procedural Order No. 3 (English)	January 16, 2019	—