

**INTERNATIONAL CENTRE FOR SETTLEMENT  
OF INVESTMENT DISPUTES**

WASHINGTON, D.C.

In the arbitration proceeding between

**NUSA TENGGARA PARTNERSHIP B.V. AND PT NEWMONT NUSA TENGGARA**  
Claimants

and

**REPUBLIC OF INDONESIA**

Respondent

(ICSID CASE NO. ARB/14/15)

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**ORDER OF THE SECRETARY-GENERAL TAKING NOTE OF THE  
DISCONTINUANCE OF THE PROCEEDING**

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DATE: August 29, 2014

**REPRESENTATION OF THE PARTIES**

Representing Nusa Tenggara Partnership B.V.  
and PT Newmont Nusa Tenggara:

Mr. Gary B. Born  
Wilmer Cutler Pickering Hale and Dorr LLP  
49 Park Lane  
London W1K 1PS  
United Kingdom

Representing the Republic of Indonesia:

Coordinating Minister for Economic Affairs  
Jalan Lapangan Banteng Timur 2-4  
Jakarta 10710  
Republic of Indonesia

And

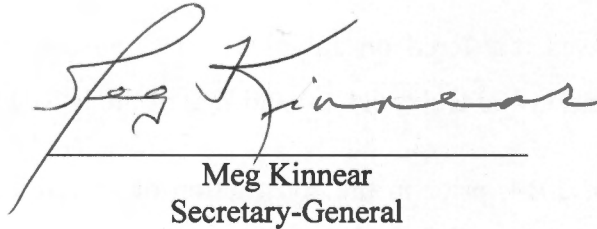
Ms. Rachael D. Kent  
Mr. Claudio Salas  
Ms. Danielle Morris  
Ms. Maria L. Banda  
Wilmer Cutler Pickering Hale and Dorr LLP  
187 5 Pennsylvania Ave., NW  
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1. On June 30, 2014, the International Centre for Settlement of Investment Disputes (“ICSID”) received a request for arbitration from Nusa Tenggara Partnership B.V. and PT Newmont Nusa Tenggara (“the Claimants”) for the institution of arbitration proceedings under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States (“the ICSID Convention”), in respect of a dispute with the Republic of Indonesia.
2. The Request was registered on July 15, 2014, pursuant to Article 36(3) of the ICSID Convention and Rules 6(1)(a) and 7(a) of the ICSID Institution Rules.
3. On August 25, 2014, prior to the constitution of an Arbitral Tribunal, the ICSID Secretariat received a letter from the Claimants, requesting the discontinuance of the proceeding pursuant to Rule 44 of the ICSID Rules of Procedure for Arbitration Proceedings (“Arbitration Rules”).
4. Rule 44 of the ICSID Arbitration Rules provides:

If a party requests the discontinuance of the proceeding, the Tribunal, or the Secretary-General if the Tribunal has not yet been constituted, shall in an order fix a time limit within which the other party may state whether it opposes the discontinuance. If no objection is made in writing within the time limit, the other party shall be deemed to have acquiesced in the discontinuance and the Tribunal, or if appropriate the Secretary-General, shall in an order take note of the discontinuance of the proceeding. If objection is made, the proceeding shall continue.
5. On August 25, 2014, the Secretary-General sent a letter to the parties, in accordance with Rule 44 of the ICSID Arbitration Rules, ordering the Republic of Indonesia to state whether or not it opposed the discontinuance of the proceeding by September 24, 2014.
6. On August 29, 2014, the ICSID Secretariat received a letter from the Republic of Indonesia stating that it had no objections to the discontinuance of the proceeding.

**ORDER**

7. **THEREFORE, considering the above and in accordance with Rule 44 of the ICSID Arbitration Rules, I hereby take note of the discontinuance of the proceeding.**



Meg Kinnear  
Secretary-General