

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Suntech Power International Ltd.

v.

Italian Republic

(ICSID Case No. ARB/23/14)

PROCEDURAL ORDER NO. 5

Members of the Tribunal

Ms. Olufunke Adekoya SAN, President of the Tribunal
Ambassador (Ret.) David Huebner, Arbitrator
Prof. Thomas Clay, Arbitrator

Secretary of the Tribunal

Ms. Aïssatou Diop

March 27, 2026

1. The hearing on the merits took place from March 16 to March 20, 2026 (the “**Hearing**”). At the conclusion of the Hearing, the Tribunal requested that the Parties confer regarding post-Hearing matters and inform the Tribunal of any agreement reached. Subsequently, by separate emails of March 25, 2026, the Parties agreed on the following timetable and rules for post-Hearing matters, which the Tribunal now confirms in this Order:
 - By March 27, 2026, the Parties will submit their proposed post-hearing briefing schedule to the Tribunal for approval;
 - By April 10, 2026, the Parties will exchange among themselves their respective proposed transcript corrections in Microsoft Word, using the format requested by the Court Reporter;
 - By April 27, 2026, the Parties will submit a single Word-document to the Secretariat (using the format requested by the Court Reporter) containing the Parties’ agreed corrections and any list of corrections which are disputed;
 - By May 11, 2026, the Tribunal will rule upon any disputed corrections to the transcript, and the Secretariat will transmit all corrections to the Court Reporter to prepare a final corrected version of the transcript for all 5 days of the Hearing;
 - By June 19, 2026, the Parties will simultaneously exchange their respective Post-Hearing Briefs with a maximum of 35 pages (double-spaced, using the same format as they used with their respective memorials);
 - By July 2, 2026, the Tribunal will direct specific questions to Parties, if any, after its review of the Post-Hearing Briefs;
 - By July 31, 2026, the Parties will simultaneously exchange (i) their respective Reply Post-Hearing Briefs with a maximum of 25 pages (double-spaced, using the same format as they used with their respective memorials), and (ii) their respective Submissions on Costs.

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2. Pursuant to the Parties' agreement, no new fact exhibits or other evidence (including local legal authorities) can be submitted with the Post-Hearing Briefs. No new international investment awards can be submitted with the Post-Hearing Briefs, absent a timely application and only upon prior express approval from the Tribunal for good cause shown.

On behalf of the Tribunal,

[signed]

Ms. Olufunke Adekoya SAN
President of the Tribunal
Date: March 27, 2026