

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

Almaden Minerals Ltd. and Almadex Minerals Ltd.

v.

United Mexican States

(ICSID Case No. ARB/24/23)

PROCEDURAL ORDER No. 7
Decision on the Parties' remaining applications on document production

Members of the Tribunal

Prof. Luca G. Radicati di Brozolo, President of the Tribunal
Mr. Oscar M. Garibaldi, Arbitrator
Prof. Jorge E. Viñuales, Arbitrator

Secretary of the Tribunal

Ms. Anneliese Fleckenstein

Assistant to the Tribunal

Ms. Lucia Pontremoli

July 6, 2026

WHEREAS

1. On June 24, 2026, the Tribunal issued Procedural Order No. 6 (“**PO6**”), ruling on:
 - a. The Claimants application of April 27, 2026, on the Respondent’s alleged failure to comply with its document production obligations under PO5 by withholding certain documents responsive to Claimants’ Document Requests that were either granted by the Tribunal or not objected by Respondent and by producing documents with excessive and unjustified redactions. Claimants applied for an order that Respondent produce (i) the non-produced documents, (ii) unredacted versions of the produced documents, and (iii) a privilege log compliant with PO5 (“**Claimants’ Requests**”).
 - b. The Respondent’s application of May 8, 2026, on the Claimants’ alleged failure to comply with their production obligations under PO5 by withholding documents on the grounds of privilege, and accordingly requested that the Tribunal (i) deny Claimants’ objections based on privilege and (ii) order the production of the withheld documents, permitting redactions only to the extent that Claimants demonstrate a valid basis under Article 9.2 of the IBA Rules (“**Respondent’s Requests**”).
2. In its PO6 the Tribunal decided as follows:
 - a) **denies** Claimants’ Request (i) with respect to Document Requests Nos. A4, C4, D2, D3, D4, E1, E5, E8 and G6;
 - b) **reserves** its decision on Claimants’ Request (i) with respect to Document Requests Nos. G1 and G3 and **orders** Respondent to clarify by June 30, 2026, whether any responsive documents exist beyond those already produced with respect to Document Requests Nos. G1 and G3;
 - c) **denies** Claimants’ Request (i) with respect to Document Requests Nos. C1, C3 and D5;
 - d) **reserves** its decision on Claimants’ Request (ii) and **orders** the Parties to file by June 30, 2026, short submissions (15 pages maximum) as indicated in ¶ 19 above;
 - e) **denies** Claimants’ Request (iii);
 - f) **grants** Respondent’s Request for the production of the Video Interviews only in the form of transcripts of the Video Interviews files or edited versions of such files redacted so as to protect any personal data contained therein, **orders** Claimants to

*produce, at their election, such redacted transcripts or edited video files, and **denies** such Respondent's Request in all other respects;*

*g) **denies** Respondent's Request for production of the Engagement Letter and the Set of Allegedly Privileged Documents;*

*h) **denies** Respondent's Request for production of an unredacted version of Document No. 89; and*

*i) **reserves** its decision on the costs of this incident.*

THE TRIBUNAL DECIDES AS FOLLOWS:

3. On June 30, 2026, the Respondent submitted its Response to the Tribunal's orders b) and d) of PO6 confirming that no documents responsive to Claimants' Document Requests Nos. G1 and G3 exist beyond those already produced.
4. Regarding the objected redactions, the Respondent explained that the information it redacted from documents produced consisted solely of personal data belonging mostly to members of indigenous communities near the Ixtaca Project and their legal representatives. It argued that the redaction was justified because such data qualifies as protected information under Articles 9.1, 9.24(3), and 29.7 of the CPTPP and as confidential information under Mexican law, which prohibits disclosure without the data subjects' consent.
5. On the same day, the Claimants withdrew their request that the Tribunal order the Respondent to produce unredacted versions of the documents listed in the Respondent's April 17, 2026, privilege log.
6. The Tribunal takes note of the Parties' communications of June 30, 2026, and decides as follows regarding Claimants' Requests (i) and (ii) on which it reserved its decision in Procedural Order No. 6 (¶¶ 12, 18-19, 46(b) and (d)).

a. Claimants' Request (i)

7. In light of Respondent's confirmation that no documents responsive to Claimants' Document Requests Nos. G1 and G3 exist beyond those already produced (Respondent's letter of June 30, 2026, p. 1), Claimants' Request (i) is dismissed with respect to these Document Requests. This decision is without prejudice to any subsequent request Claimants might submit – including a request for adverse inferences under Article 9.6 of the IBA Rules – should additional responsive documents be shown to exist.

b. Claimants' Request (ii)

8. In light of Claimants' withdrawal of their request that the Tribunal order Respondent to produce unredacted versions of the documents produced in response to Claimants' Document Requests Nos. C1, C2, D1, E2, E6, and H3 (Claimants' email to the Tribunal of June 30, 2026), Request (ii) has become moot and no decision by the Tribunal is required.

On behalf of the Tribunal,

[Signed]

Prof. Luca G. Radicati di Brozolo
President of the Tribunal
Date: July 6, 2026