

PCA CASE N° 2020-07

**IN THE MATTER OF AN ARBITRATION
UNDER THE ENERGY CHARTER TREATY**

- and -

THE UNCITRAL ARBITRATION RULES

-between-

NORD STREAM 2 AG

-and-

THE EUROPEAN UNION

PROCEDURAL ORDER NO. 7

The Arbitral Tribunal

Professor Ricardo Ramírez Hernández (Presiding Arbitrator)
Professor Philippe Sands QC
Justice David Unterhalter SC

16 March 2022

I. PROCEDURAL BACKGROUND

1. On 30 July 2020, the Tribunal issued Procedural Order No. 6 establishing a revised procedural calendar for the proceedings.
2. By e-mail of 1 March 2022, the Claimant informed the Tribunal as follows:


The designation of Nord Stream 2 AG as a US Specially Designated National (SDN) on 23 February 2022 and recent geopolitical developments have led to an inability on the part of the Claimant to pursue the arbitration at this time. In particular, the Claimant's bank accounts have been blocked, meaning NSP2AG is unable to make any payments or access finance.

3. The Claimant consequently requested a suspension of the arbitration.
4. By letter dated 7 March 2022, the Respondent requested that the Tribunal order the Claimant to provide a more complete description of its current circumstances, and opposed the Claimant's request for a suspension, except under certain conditions.
5. By letter dated 14 March 2022, the Claimant informed the Tribunal that its external counsel no longer represented it and reiterated its request for a suspension of the arbitration until 1 September 2022, proposing to update the Tribunal in three months as to its ability to continue the proceedings.

II. PROCEDURAL BACKGROUND

6. Having considered the Claimant's request and the Respondent's comments thereon, the Tribunal suspends the proceedings and vacates the hearing scheduled for 20 June-1 July 2022.
7. The Tribunal hereby fixes a procedural meeting to be held by videoconference at **15:00 CET on 20 June 2021**, at which the Claimant shall be invited to update the Tribunal regarding its circumstances and ability to continue the proceedings, and the Parties may thereafter make submissions on the further conduct of the proceedings.

So ordered by the Tribunal.



Professor Ricardo Ramírez Hernández
(Presiding Arbitrator)

On behalf of the Tribunal