

September 27, 2022

By email

**Bolivarian Republic of Venezuela**  
c/o Dr. Reinaldo Enrique Muñoz Pedroza  
Viceprocurador General de la  
República (E)  
Mr. Henry Rodríguez Facchinetti  
Gerente General de Litigio  
Procuraduría General de la República  
Bolivariana de Venezuela  
Paseo Los Ilustres c/c Av. Lazo Martí  
Ed. Sede Procuraduría General de la  
República, Piso 8  
Urb. Santa Mónica  
Caracas 1040  
República Bolivariana de Venezuela  
and  
c/o Mr. Alfredo De Jesús S.  
De Jesús & De Jesús  
Edificio Magna Corp, Piso 5  
Calle 51 Este y Manuel María Icaza  
Bella Vista  
City of Panamá  
Republic of Panama  
and  
Torre Banco del Orinoco, Piso 4  
Avenida Francisco de Miranda  
Caracas 1060  
Bolivarian Republic of Venezuela  
and  
c/o Dr. Alfredo De Jesús O.  
Ms. Marie Thérèse Hervella  
Ms. Eloisa Falcón López  
Mr. Pierre Daureu  
Alfredo De Jesús O. – Transnational  
Arbitration,  
Litigation & Business Law  
20, rue Quentin Bauchart  
75008 Paris  
France  
and  
c/o Mr. George Kahale, III  
Mr. Benard Preziosi, Jr.

**ConocoPhillips Petrozuata B.V.,  
ConocoPhillips Hamaca B.V. and  
ConocoPhillips Gulf of Paria B.V.**  
c/o Ms. Laura M. Robertson  
Arbitration Deputy General Counsel  
Ms. Suzana M. Blades  
Associate General Counsel  
Mr. Alberto Ravell  
Senior Legal Counsel  
Mr. Fernando Avila-Bavaresco  
Senior Legal Counsel  
ConocoPhillips Company  
925 N. Eldridge Pkwy.  
Houston, Texas  
United States of America  
and  
c/o Mr. Elliot Friedman  
Mr. Sam Prevatt  
Mr. Lee Rovinescu  
Ms. Madeline Snider  
Mr. Cameron Russell  
Freshfields Bruckhaus Deringer US LLP  
601 Lexington Avenue, 31st Floor  
New York, NY 10022  
United States of America  
and  
c/o Mr. Jan Paulsson  
Mr. Luke Sobota  
Mr. Mihir Chattopadhyay  
Three Crowns LLP  
3000 K Street NW, Suite 101  
Washington, D.C. 20007-5109  
United States of America  
and  
c/o Mr. Constantine Partasides  
Three Crowns LLP  
New Fetter Place  
8-10 New Fetter Lane  
London EC4A 1AZ  
United Kingdom  
and

Ms. Arianna Sanchez  
Ms. Simon N. Batifort  
Mr. Kevin A. Meehan  
Ms. Irene Petrelli  
Mr. Enrique Urdaneta Cordido-Freytes  
Curtis, Mallet-Prevost, Colt & Mosle LLP  
101 Park Avenue  
New York, NY 10178  
United States of America

c/o D. Brian King  
New York University School of Law  
40 Washington Square South  
New York, NY 10012  
United States of America

**Re: ConocoPhillips Petrozuata B.V., ConocoPhillips Hamaca B.V. and  
ConocoPhillips Gulf of Paria B.V. v. Bolivarian Republic of Venezuela**  
(ICSID Case No. ARB/07/30)

Dear Mesdames and Sirs,

I refer to the Proposal for the Disqualification of Judge Hascher and Professor Fernández Arroyo filed on June 12, 2022 by De Jesús Law Firm on behalf of the Bolivarian Republic of Venezuela (the “Proposal”).

The Proposal was submitted pursuant to Articles 14 and 57 of the ICSID Convention and ICSID Arbitration Rule 9. Pursuant to Article 57, a party may propose the disqualification of an arbitrator on account of any fact indicating a manifest lack of the qualities required by Article 14(1).

Pursuant to Article 58 of the Convention and Arbitration Rule 9, the Chair of the ICSID Administrative Council shall decide the Proposal.

On July 22, 2022, the Centre informed the parties of my decision to seek a recommendation on the Proposal from Judge Ian Binnie, former Justice of the Supreme Court of Canada. The Centre confirmed that the final decision on the Proposal would be taken by the Chair of the ICSID Administrative Council in accordance with Article 58 of the ICSID Convention.

The parties have been given a full opportunity to present their positions on this matter. The Centre provided Judge Binnie with copies of all parties’ submissions on the Proposal and the explanations furnished by Judge Hascher and Professor Fernández Arroyo.

The Centre received the recommendation from Judge Binnie on September 16, 2022. A copy of the recommendation is attached.

I have carefully considered the Proposal, having regard to the parties’ written arguments, the explanations furnished by Judge Hascher and Professor Fernández Arroyo, and the recommendation from Judge Binnie. Based on these materials, I have concluded

that the Proposal does not meet the standard for disqualification set forth in Article 57 of the ICSID Convention.

Accordingly, the Proposal is hereby rejected.

Yours sincerely,

[signed]

David Malpass  
Chairman of the Administrative Council

Attachment

cc:

Judge Dominique Hascher  
Professor Diego P. Fernández Arroyo  
Mr. Lawrence Boo