

ARBITRATION UNDER THE UNCITRAL RULES

PCA CASE NO. 2010-18 / BCB-BZ

BRITISH CARIBBEAN BANK LTD (CLAIMANT)

v.

THE GOVERNMENT OF BELIZE (RESPONDENT)

ORDER NO. 3

3 DECEMBER 2010

CONSIDERING:

- (A) Paragraph 7.3 of Order No. 1;
- (B) Claimant's letter of 17 November 2010, requesting, *inter alia*, to submit a limited number of documentary evidence by 3 December 2010, which are "likely to consist of submissions and documents that have recently been filed in the domestic proceedings in Belize in which the Parties are involved, official correspondence issued by the United Kingdom concerning the validity of the Treaty, and documents relating to recent developments in Belize affecting the Claimant's investments." In its letter, Claimant submitted that these documents relate and are material to the Arbitral Tribunal's jurisdiction and to the alleged expropriation of Claimant's investments (hereinafter "Claimant's Request");
- (C) The Arbitral Tribunal's letter of 23 November 2010, requesting Respondent to comment on Claimant's Request on or before Tuesday, 30 November 2010;
- (D) The fact that Respondent has not commented on Claimant's Request;
- (E) Claimant's letter of 2 December 2010;
- (F) The Arbitral Tribunal's findings that the documents Claimant wishes to submit appear to be relevant and material to the outcome of these arbitral proceedings;

THE ARBITRAL TRIBUNAL HEREBY DECIDES AS FOLLOWS:

1. Pursuant to paragraph 7.3 of Order No. 1, Claimant's Request is granted, limited to the documents and category of documents mentioned in Claimant's Request.
2. Claimant is requested to submit the documents in accordance with paragraph 1 above on or before **Tuesday, 7 December 2010**.

On behalf of the Arbitral Tribunal,



Albert Jan van den Berg,
Presiding Arbitrator