INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES
1818 H STREET, NW | WASHINGTON, DC 20433 | USA
TELEPHONE (202) 458 1534 | FACSIMILE (202) 522 2615
WWW.WORLDBANK.ORG/ICSID

Niko Resources (Bangladesh) Ltd.
v.
Bangladesh Petroleum Exploration & Production Company Limited ("Bapex"), and Bangladesh Oil Gas and Mineral Corporation ("Petrobangla")
(ICSID Case Nos. ARB/10/11 and ARB/10/18)

On 30 April 2014, during the hearing on provisional measures, the parties informed the Tribunals of an understanding they had reached with regard to their respective requests for provisional measures of 23 December 2013 and 28 February 2014, respectively.

Following consultations between the parties and the Tribunals, amendments to the proposed arrangement were agreed by the parties, and the Tribunals decided to issue the following Procedural Order No. 6.

Procedural Order No. 6
(PARTIES'AGREED POSITIONS ON PROVISIONAL MEASURES)

1. Subject to any order that they may make in respect of the payment claim, these Tribunals make the following Order on provisional measures further to the agreement between Niko and Petrobangla, and at their request:

   (a) Petrobangla will withdraw the Application for Attachment (C-25).

   (b) Niko will not directly or indirectly dispose of its assets in Bangladesh until disposal of the Money Suit without the prior written consent of Petrobangla and the Government of Bangladesh.

   (c) Niko will withdraw its application for a stay of Money Suit No. 224 of 2008 (C-93).

   (d) Niko will give an undertaking to the Court in Money Suit No. 224 of 2008 that it will not directly or indirectly dispose of its assets in Bangladesh until the disposal of the Money Suit without the prior written consent of Petrobangla and Government of Bangladesh.

   (e) The plaintiffs in the Money Suit will not object to Niko's

      (i) submitting a written statement setting out its defense and

      (ii) cross-examination of the plaintiffs' witnesses and deposition of defendant's witnesses.

(f) Niko agrees not to unreasonably delay the efficient completion of the Money Suit.

(g) Niko's request for provisional measures and Petrobangla's request for provisional measures filed before these Tribunals will be dismissed.

(h) All of the above measures will be taken expeditiously by the respective parties.

(i) The above will otherwise be without prejudice to the parties' positions in the ICSID arbitrations.

2. This Order disposes of all pending requests for provisional measures.

[Signed]
On behalf of the two Arbitral Tribunals
Michael E. Schneider
President
1 May 2014