

UPDATE ON ARBITRATION AGAINST CONGO

Equatorial Resources Limited (Equatorial or Company) advises that the postponed final hearing in the arbitration brought by Equatorial's Mauritian subsidiary, EEPL Holdings (**EEPL**), against the Republic of Congo (**Congo**) at the International Centre for Settlement of Investment Disputes in Washington, D.C. (**ICSID**) has now been confirmed to take place in Washington, DC from 7 to 12 November 2025.

In addition to fixing the final hearing date, the ICSID arbitral tribunal (**Tribunal**) has ordered Congo to pay EEPL A\$1.2 million, reflecting costs that EEPL incurred as a result of the last-minute postponement of the final hearing. Congo must pay those costs to EEPL by 13 July 2025, following which interest will accrue at a rate of 5.10% per annum.

Further, the Tribunal has ordered that two pre-hearing arbitration case management conferences be held, one in September 2025 and another in October 2025, so that the Tribunal is kept apprised of procedural matters to ensure the efficient conduct of the final hearing.

EEPL referred its investment dispute with Congo to arbitration at ICSID in 2021. The dispute arose out of unlawful measures taken by Congo against EEPL's investments in two iron ore projects in Congo: the Badondo Iron Ore Project and the Mayoko-Moussondji Iron Ore Project (together the **Projects**). EEPL commenced arbitration against Congo under the Agreement between the Government of the Republic of the Congo and the Government of the Republic of Mauritius for the Promotion and Reciprocal Protection of Investments (**Congo-Mauritius BIT**), under which EEPL's investments in Congo are protected by virtue of EEPL being a Mauritian company. EEPL's claims include that Congo unlawfully expropriated its investments in the Congo Projects, and failed to accord EEPL fair and equitable treatment, in violation of the Congo-Mauritius BIT.

EEPL is seeking compensation for an amount equal to the fair market value of its investment in the projects, and other relief as appropriate. EEPL has set out its claims against Congo in full, with supporting documentary evidence, witness testimony and expert evidence on issues including the valuation of EEPL's investments and related technical matters. In its most recent written submissions on damages to the Tribunal, EEPL demonstrated that the value of the compensation that EEPL is claiming from Congo ranges from US\$395 million to US\$1,254 million. These amounts do not include pre-award interest and costs, which are also claimed from Congo, which (to 15 November 2025) ranges from an additional US\$134 million to US\$741 million. In total, depending on the valuation and interest calculation methodology adopted, the compensation that EEPL will seek at the final hearing ranges from US\$529 million to US\$1,995 million.

The final hearing in EEPL's arbitration against Congo was previously scheduled to take place in Paris from 10 to 14 March 2025. However, the hearing was postponed at the last minute, on 8 March 2025 (Australia time), at the request of counsel representing Congo. In deciding to postpone the final hearing the Tribunal noted the decision was made reluctantly and with regret. Further, the Tribunal ordered Congo to bear all costs incurred by EEPL arising from the hearing's last-minute cancellation. Equatorial therefore sought immediate reimbursement of those costs, including legal fees, travel expenses, and other non-recoverable costs resulting from the last-minute cancellation.

Equatorial is pleased that the Tribunal has taken immediate action to compensate EEPL for the A\$1.2 million in costs incurred due to the postponement of the final hearing. The Company is well prepared and looking forward to the rescheduled final hearing in Washington, D.C. in November 2025 and remains confident that EEPL is in a strong position to achieve a satisfactory outcome to the investment dispute with Congo.

This announcement has been authorised for release by Equatorial Director, Mr John Welborn.

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