

IN ACCORDANCE WITH THE PROVISIONS OF
THE TREATY ON THE EURASIAN ECONOMIC UNION OF 29 MAY 2014
UNDER THE 2013 UNCITRAL ARBITRATION RULES

Manolium-Processing LLC

Claimant

v.

Republic of Belarus

Respondent

CLAIMANT'S INTERIM MEASURES REQUEST

CS-IV

28 July 2018

**Baker
McKenzie.**

I. INTRODUCTION

1. Claimant hereby submits this request for interim measures (the "**Interim Measures Request**" or "**CS-IV**") in accordance with Article 26 of the 2013 UNCITRAL Rules.
2. The terms and abbreviations appearing in this Interim Measures Request have the same meanings as defined in the Notice of Arbitration (CS-I) and Statement of Claim (CS-II).

II. FACTUAL CIRCUMSTANCES

3. Claimant has recently learned that Respondent has taken actions that may aggravate the Dispute between the Parties and violate the integrity of the arbitration proceedings, notwithstanding Respondent's agreement in this proceeding and its obligation under international law not to do so.

4. [REDACTED]

5. Second, around the same time, Mr. Vikentiy Koroban, the former Deputy Director of Manolium-Engineering, was summoned to the Minsk City Executive Committee. Mr. Koroban was questioned on numerous issues related to the arbitration proceedings.

¹ [REDACTED]

6. **Third**, Respondent's insistence that Claimants provide Mr. Dolgov's address in his First Witness Statement² strongly suggests that Respondent intends to use this information for the purposes unrelated to this arbitration because any contact with Mr. Dolgov for purposes of this arbitration should be made through counsel.

7. The factual background and Claimant's position supporting this Interim Measures Request are described below.

2.1. [REDACTED]

8. [REDACTED]

9. [REDACTED]⁴

10. [REDACTED]

² **Exhibit C-201.** Respondent's letter to the Claimant of 22 June 2018. **Exhibit C-202.** Claimant's letter to the Respondent of 27 June 2018. **Exhibit C-203.** Respondent's letter to the Claimant of 27 June 2018. **Exhibit C-204.** Claimant's letter to the Arbitral Tribunal of 29 June 2018.

³ **CWS-2.** Second Witness Statement of Andrey Dolgov, para. 3.

⁴ **CWS-2.** Second Witness Statement of Andrey Dolgov, para. 5.

[REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. The fear is justified. Unfortunately, Belarus has used such tactics in the past. It has a track record of initiating criminal cases and jailing key individuals in disputes against the State, along with other politically motivated arrests.⁶

2.2. Summons of Mr. Vikentiy Koroban to the Minsk City Executive Committee in Relation to the Investment Proceedings

15. Shortly before [REDACTED], Mr. Vikentiy Koroban, the former deputy director of [REDACTED]

⁵ CWS-2. Second Witness Statement of Andrey Dolgov, paras. 14-15.
⁶ See, e.g., **Exhibit C-205.** Human Rights Watch World Report 2014: Belarus. Events of 2013. // Available at: <https://www.hrw.org/world-report/2014/country-chapters/belarus>.
Exhibit C-206. Human Rights Watch World Report 2018: Belarus. Events of 2017 // Available at: <https://www.hrw.org/world-report/2018/country-chapters/belarus>
Exhibit C-207. US Department of State, Country Reports on Human Rights Practices for 2017: Belarus, p. 9-10 // Available at: <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dliid=277143>
Exhibit C-208. Charter-97 website, "How Many Investors To Be Imprisoned In Belarus?"

Manolium-Engineering, was summoned for questioning by the Minsk City Executive Committee.

16. According to Mr. Dolgov:⁷

"18. According to the information received by me, the representatives of the [Minsk City Executive Committee] alongside with the representative of the foreign law firm and the interpreter had asked Vikentiy Koroban questions concerning the conclusion of the Investment Contract made upon the results of the Tender for investment projects in 2003, the payments to the contractors related to the construction of the Communal and New Communal Facilities, the legality of Manolium-Engineering's operations, and the sufficiency of funds for investment under the Investment Contract. In addition, Vikentiy Koroban was asked whether I bribed any of the governmental authorities of the Republic of Belarus."

17. This meeting suggests that Respondent is using its powers to collect evidence from Claimant's employees outside of the arbitral process. This attempt to bypass Claimant's counsel and the Tribunal is improper, unfair, and should not be tolerated.

18. Moreover, there can be no doubt that Mr. Koroban felt pressured by this interrogation. In a subsequent private discussion with Mr. Dolgov, Mr. Koroban *"flatly denied the fact that he was invited to the [Minsk City Executive Committee], the conversation he had there and the subject matter of the questions asked."*⁸ This strongly indicates that Respondent's efforts to intimidate Mr. Koroban into silence are likely to have their desired effect.

⁷ CWS-2. Second Witness Statement of Andrey Dolgov, para. 18.

⁸ CWS-2. Second Witness Statement of Andrey Dolgov, para. 20.

2.3. Insisting on Having Mr. Dolgov's Address in His Witness Statement

19. Without explanation, Respondent demanded that Claimant amend Mr. Dolgov's witness statement to include his address.⁹ Although formally required in Procedural Order No. 1, the absence of Mr. Dolgov's address in his witness statement was immaterial because he can and should be contacted through counsel for Claimant or at the address of Claimant itself, which was provided in the Notice of Arbitration.¹⁰
20. The insistence of Respondent's counsel on including Mr. Dolgov's address in his witness statement further indicates that the Respondent is preparing some action against Mr. Dolgov outside of this arbitration. Otherwise, there would be no need for his address.

III. LEGAL GROUNDS AND CRITERIA

21. The legal grounds for application of interim measures is provided in Article 26 of the UNCITRAL Rules, which in relevant part reads as follows:

"1. The arbitral tribunal may, at the request of a party, grant interim measures.

2. An interim measure is any temporary measure by which, at any time prior to the issuance of the award by which the dispute is finally decided, the arbitral tribunal orders a party, for example and without limitation, to:

(a) Maintain or restore the status quo pending determination of the dispute;

⁹ **Exhibit C-201.** Respondent's letter to the Claimant of 22 June 2018. **Exhibit C-202.** Claimant's letter to the Respondent of 27 June 2018. **Exhibit C-203.** Respondent's letter to the Claimant of 27 June 2018. **Exhibit C-204.** Claimant's letter to the Arbitral Tribunal of 29 June 2018.

¹⁰ **CS-I**, para. 10.

(b) Take action that would prevent, or refrain from taking action that is likely to cause, (i) current or imminent harm or (ii) prejudice to the arbitral process itself;

...

3. The party requesting an interim measure under paragraphs 2 (a) to (c) shall satisfy the arbitral tribunal that: (a) Harm not adequately reparable by an award of damages is likely to result if the measure is not ordered, and such harm substantially outweighs the harm that is likely to result to the party against whom the measure is directed if the measure is granted; and (b) There is a reasonable possibility that the requesting party will succeed on the merits of the claim. The determination on this possibility shall not affect the discretion of the arbitral tribunal in making any subsequent determination. [Claimant's emphasis]

22. It is generally accepted that the tribunals have wide discretion to grant interim measures under the UNCITRAL Rules.¹¹
23. As follows from the UNCITRAL Rules, interim measures may be granted if the party seeking the measures demonstrates:¹² (a) *prima facie* jurisdiction of the tribunal; (b) a *prima facie* case on the merits, or the reasonable possibility that the requesting party may succeed on the merits of the claim; (c) necessity; (d) urgency; and (e) proportionality.

¹¹ See: **Exhibit CL-67**. *Sergei Paushok, CJSC Golden East Company and CJSC Vostokneftegaz Company v. The Government of Mongolia*, UNCITRAL. Order on Interim Measures of 2 September 2008, para. 36. ("The Tribunal notes that the wording of Article 26(1) of the UNCITRAL Rules is not the same as under the ICSID Convention; it leaves wider discretion to the Tribunal in the awarding of provisional measures ("any interim measures it deems necessary in respect of the subject-matter of the dispute") than under Article 47 of the ICSID Rules ("provisional measures for the preservation of its rights"))

¹² See: **Exhibit CL-68**. Jan Paulsson and Georgios Petrochilos, UNCITRAL Arbitration, Kluwer Law International, 2017 (excerpt) // Available at: <http://www.kluwerarbitration.com/book-toc?title=UNCITRAL%20Arbitration>. **Exhibit CL-67**. *Sergei Paushok, CJSC Golden East Company and CJSC Vostokneftegaz Company v. The Government of Mongolia*, UNCITRAL. Order on Interim Measures of 2 September 2008, para. 45. **Exhibit CL-69**. *Sergei Viktorovich Pugachev v. The Russian Federation*, UNCITRAL. Interim Award of 17 July 2017, para. 271.

24. The criteria for granting interim measures are satisfied in the present case.

A. *The Arbitral Tribunal Has Prima Facie Jurisdiction to Decide the Case*

25. In deciding a request for interim measures, the Arbitral Tribunal need only find a *prima facie* case of jurisdiction has been established.¹³

26. The jurisdictional issues will be further discussed by both Parties in detail in written and oral submissions. However, taking into account the several legal instruments on which the Claimant relies,¹⁴ and that the EEU Treaty has a direct retroactive application provision¹⁵ (Respondent heavily relied on this issue), Claimant believes that for the purposes of the Interim Measures Request, the *prima facie* jurisdiction of the Arbitral Tribunal is established.

B. Claimant Has Presented a Prima Facie Case on Merits

27. At the present stage of the proceedings, the Arbitral Tribunal does not need to extensively review the case, but rather *"needs to decide only that the claims made are not, on their face, frivolous or obviously outside the competence of the Tribunal."*¹⁶

28. Claimant has developed its arguments on the merits in the Notice of Arbitration (CS-I) and the Statement of Claim (CS-II). Respondent does not dispute that:

¹³ **Exhibit CL-67.** *Sergei Paushok, CJSC Golden East Company and CJSC Vostokneftegaz Company v. The Government of Mongolia*, UNCITRAL. Order on Interim Measures of 2 September 2008, para. 54. ("The Tribunal therefore concludes that, for the purpose of a request for interim measures, the *prima facie* jurisdiction of the Tribunal has been established.") **Exhibit CL-69.** *Sergei Viktorovich Pugachev v. The Russian Federation*, UNCITRAL. Interim Award of 17 July 2017, para. 306. ("This Tribunal is of the view that such assessment does not require it to definitely satisfy itself that it has jurisdiction over the merits of the case. All that is required is that the provisions invoked by Claimant appear, *prima facie*, to afford a basis to establish jurisdiction"). **Exhibit CL-70.** *Occidental Petroleum Corporation and Occidental Exploration and Production Company v. Republic of Ecuador*, ICSID Case No. ARB/06/11, Decision on Provisional Measures of 17 August 2007, para. 55.

¹⁴ **CS-I**, paras. 321 - 348.

¹⁵ **CS-II**, paras. 6 – 51.

¹⁶ **Exhibit CL-67.** *Sergei Paushok, CJSC Golden East Company and CJSC Vostokneftegaz Company v. The Government of Mongolia*, UNCITRAL. Order on Interim Measures of 2 September 2008, para. 55. ("At this stage, the Tribunal need not go beyond whether a reasonable case has been made which, if the facts alleged are proven, might possibly lead the Tribunal to the conclusion that an award could be made in favor of Oaimants. Essentially, the Tribunal needs to decide only that the claims made are not, on their face, frivolous or obviously outside the competence of the Tribunal. ")

- a. the Communal Facilities were built by Claimant;
- b. the Communal Facilities were taken by Belarusian authorities without compensation; and
- c. the costs of Communal Facilities was confirmed by the Belarusian Ministry of Finance in the amount of USD 19,434,679,¹⁷

Claimant has therefore presented at least *prima facie* case on the merits.

C. The Interim Measures Requested by the Claimant are Necessary

29. An interim measure is considered necessary if it is "*required to avoid harm or prejudice being inflicted upon the applicant*".¹⁸
30. The actions of Respondent here create a harm which could not be adequately repaired by the award on damages.¹⁹
31. Precisely, the following rights of Claimant are under threat:
 - (i) Right to the integrity of the overall proceedings;
 - (ii) Right to non-aggravation of the Dispute; and
 - (iii) Equality of the Parties in the proceedings.

¹⁷ **Exhibit C-160.** CAO of the Ministry of Finance Report, p. 15-16.

¹⁸ **Exhibit CL-71.** *Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosc Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, para. 155. *See also*: Berger, K.P., *International Economic Arbitration*, in *Studies in Transnational Economic Law*, vol. 9, Kluwer Law and Taxation Publishers, Deventer, Boston, 1993 at p. 336. *Cited by*: **Exhibit CL-67.** *Sergei Paushok, CJSC Golden East Company and CJSC Vostokneftegaz Company v. The Government of Mongolia*, UNCITRAL. Order on Interim Measures of 2 September 2008, para. 68. ("*To preserve the legitimate rights of the requesting party, the measures must be "necessary". This requirement is satisfied if the delay in the adjudication of the main claim caused by the arbitral proceedings would lead to a "substantial" (but not necessarily "irreparable" as known in common law doctrine) prejudice for the requesting party.*")

¹⁹ *For the criterion, see: Exhibit CL-71. Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosc Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, para. 157.

32. **First**, Respondent's actions threaten the procedural integrity of this proceeding by intimidating Claimant's witnesses and former employees. They also threaten the integrity of this proceeding by using inappropriate means to receive evidence through law enforcement authorities and thereby avoiding the arbitration procedure to which Respondent consented.
33. As the tribunal in the *City Oriente v Ecuador* case stated:²⁰
- " [...] pending a decision on this dispute, the principle that neither party may aggravate or extend the dispute or take justice into their own hands prevails."
34. Respondent attempts to "take justice into its hands" by acting outside the rules of the arbitration proceedings.
35. Claimant's key individuals involved in the Project in dispute (Mr. Dolgov, Mr. Evakyan and Mr. Koroban) were questioned on issues directly related to the subject matter of the Dispute, without any notification to Claimant, let alone authorization from the Arbitral Tribunal. Such action undermines the very grounds of the arbitration proceedings and constitutes a manifest violation of the procedural integrity.
36. For example, in *Quiborax v Bolivia*, the tribunal found that the potential criminal proceeding in relation to the witnesses violated the integrity of the arbitral proceedings, and granted the requested interim measures barring such interference.²¹ In addition, the tribunal noted:²²

²⁰ **Exhibit CL-72.** *City Oriente Limited v. Republic of Ecuador and Empresa Estatal Petróleos del Ecuador (Petroecuador) [I]*, ICSID Case No. ARB/06/21. Decision on Provisional Measures of 19 November 2007, para. 57.

²¹ **Exhibit CL-71.** *Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosk Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, paras. 141 – 148.

²² **Exhibit CL-71.** *Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosk Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, para. 146.

"Even if no undue pressure is exercised on potential witnesses, the very nature of these criminal proceedings is bound to reduce their willingness to cooperate in the [...] proceeding."

37. **Second**, it is apparent that Respondent seeks to use the criminal proceedings to search for harmful information about Claimant it could use in these proceedings. This purpose is evident from the fact that Vikentiy Koroban was asked whether Mr. Dolgov bribed any of Belarusian officials.²³
38. Respondent's actions already have had an adverse effect on at least one potential witness, Mr. Koroban, as evidenced by his contradictory behavior after the meeting with the Minsk City Executive Committee. This is not surprising, unfortunately, because Mr. Koroban is a permanent resident of Belarus and is reasonably afraid of, and susceptible to, pressure from Belarusian authorities.
39. Moreover, Mr. Dolgov had to leave Belarus after initiation of the arbitration and now resides in Russia because of the risk of undue measures against him from the Belarusian authorities.
40. For these reasons, Respondent's actions aggravate the dispute and should be prevented from continuing.
41. **Third**, Respondent's conduct severely infringes the equality of the Parties in the arbitration.
42. While the Respondent achieves additional benefits by using criminal proceedings to obtain evidence, Claimant's right to access the same evidence is under serious threat.

²³ CWS-2. Second Witness Statement of Andrey Dolgov, para. 19.

43. Claimant has no access to the documents related to the [REDACTED] [REDACTED] or any investigation conducted in Belarus.
44. All the above facts create a serious imbalance of the Parties to the proceedings and require application of interim measures.

D. The Requested Interim Measures Are of Urgent Nature

45. The urgency criterion is considered met when "*a question* [on granting the interim measures] *cannot await the outcome of the award on the merits.*"²⁴
46. Tribunals have consistently confirmed that if the requested measure is aimed at the preservation of the procedural integrity, such measure is urgent.²⁵
47. Thus, the tribunal in *Quiborax v Bolivia*, where Prof. Brigitte Stern also served as an arbitrator, noted:²⁶

"The Tribunal agrees with Claimants that if measures are intended to protect the procedural integrity of the arbitration, in particular with respect to access to or integrity of the evidence, they are urgent by definition. Indeed, the question of whether a Party has the opportunity to present its case or rely on the integrity of specific evidence is essential to (and therefore cannot await) the rendering of an award on the merits."

²⁴ **Exhibit CL-73.** *Burlington Resources Inc. v. Republic of Ecuador*, ICSID Case No. ARB/08/5, Procedural Order No. 1 of 29 June 2009, para. 73. **Exhibit CL-74.** *Biwater Gauff (Tanzania) Ltd. v. United Republic of Tanzania*, ICSID Case No. ARB/05/22, Procedural Order No. 1 of 31 March 2006, para. 76. ("*In the Arbitral Tribunal's view, the degree of "urgency" which is required depends on the circumstances, including the requested provisional measures, and may be satisfied where a party can prove that there is a need to obtain the requested measures at a certain point in the procedure before the issuance of an award.*"). **Exhibit CL-75.** *Tokios Tokelés v. Ukraine*, ICSID Case No ARB/02/18, Procedural Order No. 3 of 18 January 2005, para. 8. **Exhibit CL-76.** *Dawood Rawat v. The Republic of Mauritius*, PCA Case 2016-20. Order Regarding Claimant's and Respondent's Requests for Interim Measures of 11 January 2017, para. 45. **Exhibit CL-71.** *Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosk Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, para. 149.

²⁵ **Exhibit CL-73.** *Burlington Resources Inc. v. Republic of Ecuador*, ICSID Case No. ARB/08/5, Procedural Order No. 1 of 29 June 2009, para. 74.

²⁶ **Exhibit CL-71.** *Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosk Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, para. 153.

48. In the analogous circumstances of the threat of criminal proceedings against the Claimant's representatives, the tribunal in *City Oriente v Ecuador* case, where the Tribunal President in the present case also acted as a Presiding Arbitrator, noted as follows:²⁷

"69. [...] Furthermore, where, as is the case here, the issue is to protect the jurisdictional powers of the tribunal and the integrity of the arbitration and the final award, then the urgency requirement is met by the very own nature of the issue"." [Claimant's emphasis]

49. The interim measures requested by Claimant are aimed at protection of the integrity of the proceedings and equality of the Parties to the arbitration, as was demonstrated above.

50. If the requested measures are not granted, Respondent may further proceed with criminal proceedings and severely restrict availability of Claimant's witness and Claimant's access to the arbitration proceedings.

51. Thus, only the earliest possible suspension of any current or potential proceedings related to the arbitration will preserve the integrity of the arbitral proceedings and the equality of the Parties.

E. The Requested Interim Measures Meet the Criterion of Proportionality

52. The criteria of proportionality means that *"the Tribunal is called upon to weigh the balance of inconvenience in the imposition of interim measures upon the parties."*²⁸

²⁷ **Exhibit CL-72.** *City Oriente Limited v. Republic of Ecuador and Empresa Estatal Petróleos del Ecuador (Petroecuador) [I]*, ICSID Case No. ARB/06/21. Decision on Provisional Measures of 19 November 2007, para. 69.

²⁸ **Exhibit CL-67.** *Sergei Paushok, CJSC Golden East Company and CJSC Vostokneftegaz Company v. The Government of Mongolia*, UNCITRAL. Order on Interim Measures of 2 September 2008, para. 79. See also: **Exhibit CL-69.** *Sergei Viktorovich Pugachev v. The Russian Federation*, UNCITRAL. Interim Award of 17 July 2017, paras. 296, 328.

53. The requested interim measures are proportional because they will protect Claimant's rights to procedural integrity, non-aggravation of the Dispute and to preserve the equality of the Parties.
54. At the same time, Respondent will retain its authority to conduct any proceedings it deems appropriate because the requested interim measure is to suspend any current or potential proceedings pending this arbitration, not to terminate them altogether.
55. Arbitral tribunals consistently confirm that the sovereign rights of the state are not violated if criminal proceedings are only suspended, not terminated, and the criterion of proportionality is satisfied in such case.
56. For example, in the *Quiborax v Ecuador* case, the tribunal noted as follows:²⁹

"[...] the Tribunal is of the opinion that a mere stay of the criminal proceedings would not affect Respondent's sovereignty nor require conduct in violation of national law."

57. Further, the tribunal in *Hydro v Albania* stated:³⁰

"In this case the Tribunal has formed the view that the recommendation of provisional measures is, on balance, warranted. The extradition and criminal proceedings concern or relate to the factual circumstances at issue in this arbitration. The possible incarceration of Messrs Becchetti and De Renzis would affect the ability of these two claimants and indeed other claimants to adequately put their cases and participate in the arbitration. The effect of the provisional measures proposed would affect

²⁹ **Exhibit CL-71.** *Quiborax S.A., Non Metallic Minerals S.A. and Allan Fosk Kaplún v. Plurinational State of Bolivia*, ICSID Case No. ARB/06/2. Decision on Provisional Measures of 26 February 2010, para. 165. **Exhibit CL-69.** *Sergei Viktorovich Pugachev v. The Russian Federation*, UNCITRAL. Interim Award of 17 July 2017, para. 332.

³⁰ **Exhibit CL-77.** *Hydro S.r.l. and others v. Republic of Albania*, ICSID Case No. ARB/15/28. Order on Provisional Measures of 3 March 2016, para. 3.41.

the Respondent's ability to proceed with the criminal prosecution in the immediate future. However a stay would not put an end to the criminal proceedings. They would be delayed but not terminated. [...]"

58. For the described reasons, the requested interim measures are proportional.

IV. RELIEF SOUGHT

59. On the basis of the above, Claimant respectfully requests the Arbitral Tribunal grant the Interim Measures Request and order that Respondent:

- (i) Abstain from initiation of any criminal proceedings and/or suspend any current criminal proceedings with regard to the former and current officials and employees of Claimant and Manolium-Engineering related to the arbitration until completion of the arbitration;
- (ii) Refrain from contacting the shareholders, officials and employees of Claimant and Manolium-Engineering without express consent of Claimant and prior authorization of the Arbitral Tribunal;
- (iii) Refrain from any other actions that could further aggravate the Dispute and violate integrity of the arbitration proceedings.

Respectfully submitted,

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LIST OF CLAIMANT'S FACTUAL EXHIBITS TO CS-IV

- Exhibit C-199.** [REDACTED]
- Exhibit C-200.** [REDACTED]
- Exhibit C-201.** Respondent's letter to the Claimant of 22 June 2018
- Exhibit C-202.** Claimant's letter to the Respondent of 27 June 2018
- Exhibit C-203.** Respondent's letter to the Claimant of 27 June 2018
- Exhibit C-204.** Claimant's letter to the Arbitral Tribunal of 29 June 2018
- Exhibit C-205.** Human Rights Watch World Report 2014: Belarus. Events of 2013.
- Exhibit C-206.** Human Rights Watch World Report 2018: Belarus. Events of 2017
- Exhibit C-207.** US Department of State, Country Reports on Human Rights Practices for 2017: Belarus
- Exhibit C-208.** Charter-97 website, *"How Many Investors To Be Imprisoned In Belarus?"*

LIST OF CLAIMANT'S LEGAL EXHIBITS TO CS-IV

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- Exhibit CL-68.** Jan Paulsson and Georgios Petrochilos , UNCITRAL Arbitration, Kluwer Law International, 2017 (excerpt)
- Exhibit CL-69.** *Sergei Viktorovich Pugachev v. The Russian Federation*, UNCITRAL. Interim Award of 17 July 2017
- Exhibit CL-70.** *Occidental Petroleum Corporation and Occidental Exploration and Production Company v. Republic of Ecuador*, ICSID Case No. ARB/06/11, Decision on Provisional Measures of 17 August 2007
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- Exhibit CL-72.** *City Oriente Limited v. Republic of Ecuador and Empresa Estatal Petróleos del Ecuador (Petroecuador) [I]*, ICSID Case No. ARB/06/21. Decision on Provisional Measures of 19 November 2007
- Exhibit CL-73.** *Burlington Resources Inc. v. Republic of Ecuador*, ICSID Case No. ARB/08/5, Procedural Order No. 1 of 29 June 2009
- Exhibit CL-74.** *Biwater Gauff (Tanzania) Ltd. v. United Republic of Tanzania*, ICSID Case No. ARB/05/22, Procedural Order No. 1 of 31 March 2006

- Exhibit CL-75.** *Tokios Tokelés v. Ukraine*, ICSID Case No ARB/02/18, Procedural Order No. 3 of 18 January 2005
- Exhibit CL-76.** *Dawood Rawat v. The Republic of Mauritius*, PCA Case 2016-20. Order Regarding Claimant's and Respondent's Requests for Interim Measures of 11 January 2017
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