



INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

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15 June 2017

By email

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Re: Víctor Pey Casado and Foundation Presidente Allende v. Republic of Chile
(ICSID Case No. ARB/98/2 – Resubmission – Rectification)

Dear Sirs and Mesdames,

The Tribunal has asked me to convey the following message to the Parties:

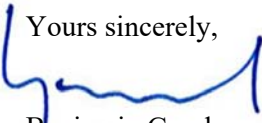
The Tribunal acknowledges receipt of the letter of 9 June 2017 by which Counsel for the Claimants in the present rectification proceedings applies to the Tribunal: to order the Republic of Chile to disclose certain information which the Claimants had earlier requested from the Ministry of Foreign Affairs of Chile; to cause the ICSID Secretariat to make all reasonable enquiries in this regard and report the outcome; and to draw the appropriate conclusions from the outcome.

The information in question relates to professional fees said to have been paid by the Government of Chile to any barrister, member of Essex Court Chambers in London, since January 2005. The Tribunal notes that the request is placed in a context that had already been referred to in applications to disqualify one or more of the Members of the Tribunal,

which applications were disposed of by Decisions by the Chairman of the Administrative Council dated 21 February 2017 and 13 April 2017, respectively.

Having now reviewed the Claimants' requests for rectification and the Respondent's written response to those requests contained in its submission of 9 June 2017, the Tribunal concludes that the orders sought by the Claimants in their application lack any connection with the rectifications requested, and therefore lie outside the powers and functions of the Tribunal in the present rectification proceedings.

The Claimants' application is accordingly rejected.

Yours sincerely,

Benjamin Garel
Secretary of the Tribunal

cc: Members of the Tribunal