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2 December 2016

RE: ARCTIC SUNRISE ARBITRATION (NETHERLANDS V. RUSSIA)

Dear Madam, Dear Sirs,

I write under the instructions of the President and on behalf of the Tribunal.

By letter dated 17 November 2016, the Tribunal sought the views of the Parties in respect of proposed additional instructions to be given to the Tribunal-appointed expert Mr. Iain Potter. The Netherlands provided its comments by letter dated 24 November 2016. The Russian Federation did not make any comments within the time limit granted.

Having carefully considered the comments received, the Tribunal has decided to give Mr. Potter the following additional instructions:

1. The Tribunal confirms that the Expert's review and report should be limited to the components of the heads of claim detailed in the two costs overviews prepared by WEA Accountants.
2. The Tribunal considers that a reasonable approach would be for the Expert to limit his review to the items with values exceeding EUR 1,000.
3. The Tribunal confirms that it is sufficient for the Expert to establish that travel and accommodation expenses in the amounts claimed were incurred by Greenpeace.
4. Finally, the Tribunal requests the Expert to prepare his report on the question of whether the costs overviews prepared by WEA Accountants are reasonable based on the information presently available to him and any additional information that the Netherlands may provide in response to his document request of 7 November 2016, without making any further document requests. To the extent that any of the costs cannot be verified, or that his review of the costs is hampered by a lack of information, the Expert should so indicate in his report.

A copy of this letter will be communicated to Mr. Potter by the Registry.

Please do not hesitate to contact me should you have any questions regarding this letter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'E. Goriatcheva', with a stylized flourish extending downwards from the end.

Evgeniya Goriatcheva
Registrar
Legal Counsel

cc: Judge Thomas A. Mensah (*by e-mail*: tamensah@yahoo.co.uk)
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