

**ALBERTO CARRIZOSA GELZIS, FELIPE CARRIZOSA GELZIS,  
ENRIQUE CARRIZOSA GELZIS v. THE REPUBLIC OF COLOMBIA**

**PCA Case N° 2018-56**

**Claimants' Exhibits and Legal Authorities**

<u>Exhibit</u>	<u>Date</u> (MM/DD/YYYY)	<u>Documentary Evidence</u>
C- 0	01/24/2018	Notice of and Request for Arbitration
C- 1	08/--/1998	Lehman Brothers, Information Memorandum
C- 2	01/--/2000	Composite Exhibit: (i) Alejandro Torres G, La Crisis Colombiana de Finales del Siglo XX: Choque Real o Financiero, Perfil de Coyuntura Económica No. 18, Diciembre 18, 2011; (ii) Clara Elena Parra and Natalia Salazar, La Crisis Financiera y la Experiencia Internacional, Boletines de Divulgación Económica, Unidad de Análisis Macroeconómico del Departamento Nacional de Planeación
C- 3	10/03/1998	Fondo de Garantía de Instituciones Financieras, Actas de la Junta Directiva No. 225
C- 4	09/--/1997	Echeverry and Mejía, <i>Notas sobre la tasa de interés y la inflación en Colombia</i> , Serie Borradores de Economía, Banco de la República
C- 5	07/06/1998	Covenant between Fondo de Garantía de Instituciones Financieras and Corporación Grancolombiana de Ahorro y Vivienda GRANAHORRAR
C- 6	06/02/1998 07/01/1998 07/03/1998	Communications between GRANAHORRAR and the Central Bank concerning three (3) short-term credits
C- 7	10/01/1998	Análisis Solicitud Nuevo Plan De Amortización Apoyo Especial De Liquidez C.A.V. Granahorrar, Central Bank
C- 8	09/23/1998	Minutes of the Board of Directors of FOGAFIN, Minutes

No. 223

- C- 9 07/02/1998 Minutes of the Board of Directors of FOGAFIN, Minutes No. 217, July 2, 1998
- C- 10 12/31/1997 GRANAHORRAR's accounting records  
12/31/1996  
06/30/1996
- C- 11 09/24/1998 Contract between FOGAFIN and GRANAHORRAR
- C- 12 07/06/1998 Contract between FOGAFIN and GRANAHORRAR, (*repetido*, C-5)
- C- 13 07/22/1998 Minutes of the Board of Directors of FOGAFIN, Minutes No. 218
- C- 14 02/--/2015 Crisis de la Banca Hipotecaria Colombiana de 1998-2001, magister thesis authored by Héctor José Cadena Clavijo, under the auspices of Prof. Dr. Álvaro Montenegro, Pontificia Universidad Javeriana, Facultad de Ciencias Económicas y Administrativas
- C- 15 12/--/1999 Central Bank's table of historical interest rates
- C- 16 10/02/1998 Correspondence from Francisco Azuero Zuñiga of FOGAFIN to Dr. Sara Ordoñez Noriega (Superintendent of Banking)
- C- 17 10/02/1998 Correspondence from the Superintendent of Banking, Dr. Sara Ordoñez Noriega to Dr. Miguel Urrutia Montoya of the Central Bank, (10:17 PM)
- C- 18 10/02/1998 Correspondence from José Darío Uribe of the Central Bank to Dr. Jorge Enrique Amaya Pacheco (GRANAHORRAR)
- C- 19 10/02/1998 Correspondence from Sara Ordoñez Noriega to Dr. Jorge Enrique Amaya Pacheco, reference No. 1998050714, (11:50 PM)
- C- 20 10/03/1998 FOGAFIN's Resolution No. 002
- C- 21 11/05/2005 Composite Exhibit: (i) El Banco Granahorrar es ahora

- 10/31/2005 del Bbva  
(<http://www.portafolio.co/economia/finanzas/banco-granahorrar-bbva-431334>), and (ii) El BBVA se "quedó" con el Banco Granahorrar que será fusionado ([http://caracol.com.co/radio/2005/10/31/economia/1130770680\\_216914.html](http://caracol.com.co/radio/2005/10/31/economia/1130770680_216914.html))
- C- 22 11/01/2007 Council of State: Compto S.A. en liquidación y otros, contra Superintendencia Bancaria y Fondo de Garantías de Instituciones Financieras (FOGAFIN), file No. 25000-23-24-000-2000-00521-02-15728
- C- 23 11/01/2007 Constitutional Court: Superintendencia Financiera y Fondo de Garantías de Instituciones Financieras contra el Consejo de Estado, Sección Cuarta, Sentencia de 1 de noviembre de 2007, proferida en proceso de nulidad y restablecimiento de derecho iniciado por las sociedades Compto S.A. y otras contra Superintendencia Bancaria y Fondo de Garantías de Instituciones Financieras, file No. T-2.089.121 and T-2.180.640
- C- 24 02/05/1999 Correspondence from the Delegate Superintendent, Mr. Edgar Enrique Lasso Fonseca of the Superintendency of Banking to FOGAFIN's Director, Mr. Jorge Castellanos Rueda titled with the reference "Final Response", dated February 5, 1999
- C- 25 12/11/2011 Council of State's motion for annulment
- C- 26 06/24/2014 Auto 188/14, dated June 24, 2014
- C- 27 06/25/2014 Comunicado No. 25, June 25/26, 2014, issued by  
06/26/2014 Colombia's Constitutional Court (containing Justice Rojas Rios' dissenting opinion)

### **Witness Statements**

- CWS-1 Alberto Carrizosa
- CWS-2 Felipe Carrizosa

- CWS-3 Enrique Carrizosa  
CWS-4 Astrida Benita Carrizosa

**Expert Reports**

- CER-1 Professor Loukas Mistelis  
CER-2 Mr. Olin L. Wethington  
CER-3 Professor Jack J. Coe, Jr.  
CER-4 Dra. Martha Teresa Briceño de Valencia  
CER-5 Professor Luis Fernando López Roca  
CER-6 Antonio L. Argiz, CPA

**Decisions and Awards**

- CLA-4 *Ambiente Ufficio S.P.A. and others v. Argentine Republic*, ICSID Case No. ARB/08/9, Decision on Jurisdiction and Admissibility, (February 8, 2013).
- CLA-6 *Attaollah Golpira v. The Government of the Islamic Republic of Iran*, IUSCT Case No. 211 (Award No. 32-211-2) (March 1983).
- CLA-8 *AWG Group Ltd v. The Argentine Republic*, UNCITRAL Decision on Jurisdiction, (Aug. 3, 2006).
- CLA-10 *Barcelona Traction, Light and Power Company, Ltd. (Belgium v. Spain)*, Second Phase, Judgment, (Feb. 5, 1970), 1970 I.C.J. 3.
- CLA-11 *Barcelona Traction, Light and Power Company, Ltd. (Belgium v. Spain)*, Second Phase, Judgment, Separate Opinion of Judge Sir Gerald Fitzmaurice, (Feb. 6, 1970) 1970 ICJ 64.
- CLA-13 *Bayindir Insaat Turizm Ticaret Ve Sanayai A.S. v. Islamic Republic of Pakistan*, ICSID Case No. ARB/03/29, Decision on Jurisdiction, (Nov.

14, 2005).

- CLA-14 *Blue Bank International & Trust (Barbados) Ltd. V. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/12/20, Award, (April 26, 2017).
- CLA-15 *Canfor Corporation v. United States; Terminal Forest Products Ltd. v. United States* (in the Consolidated Arbitration Pursuant to Article 1126 of the North American Free Trade Agreement (NAFTA) and the UNCITRAL Arbitral Rules), Decision on Preliminary Questions, (June 6, 2006).
- CLA-16 *Case Concerning Oil Platforms (Iran v. United States of America)*, 1996 ICJ 803, 856, December 12, 1996 (Separate Opinion of Judge Higgins).
- CLA-26 *Dan Cake (Portugal) S.A. v. Hungary*, ICSID Case No. ARB/12/9, Decision on jurisdiction and liability (Aug. 24, 2015).
- CLA-27 *David Minnotte and Robert Lewis v. Republic of Poland*, ICSID Case No. ARB(AF)/10/1, Award, (May 16, 2014).
- CLA-28 *Deutsche Bank AG v. Democratic Socialist Republic of Sri Lanka*, ICSID Case No. ARB/09/2, Award (Oct. 31, 2012).
- CLA-29 *Duke Energy International Peru Investments No. 1 Ltd. v. Republic of Peru*, ICSID Case No. ARB/03/28, Decision of the *Ad Hoc* Committee, (March 1, 2011).
- CLA-31 *Emilio Agustin Maffezini v. Kingdom of Spain*, ICSID Case No. ARB/97/7, Decision of the Tribunal on Objections to Jurisdiction, (Jan. 25, 2000).
- CLA-33 *Eudoro Armando Olguín v. Republic of Paraguay*, ICSID Case No. ARB/98/5 (Award) (July 26, 2001).
- CLA-38 *Impregilo S.p.A. v. Argentine Republic*, ICSID Case No. ARB/07/17, Award, (June 21, 2011).
- CLA-39 *Impregilo S.p.A v. Islamic Republic of Pakistan*, ICSID Case No. ARB/03/3, Decision on Jurisdiction, (April 22, 2005).
- CLA-40 *Ioan Micula, Viorel Micula, F.C. European Food S.A., S.C. Starmill S.R.L. and S.C. Multipack S.R.L. v. Romania*, ICSID Case No. ARB/05/20, Decision on Jurisdiction and Admissibility, (Sept. 24,

2008).

- CLA-41 *Jan de Nul N.V., et al. v. Egypt*, ICSID Case No. ARB/04/13, Decision on Jurisdiction, (June 16, 2006).
- CLA-44 *Loewen v. United States of America*, ICSID Case No. ARB(AF)/98/3, Exp. Opinion of Sir Robert Jennings, (Oct. 26, 1998).
- CLA-45 *Loewen v. United States of America*, ICSID Case No. ARB(AF)-98-3, Opinion of Sir Ian Sinclair, (May 9, 2001).
- CLA-46 *Marguerite de Joly de Sabla (U.S.) v. Panama*, 6 Rep. of Int'l Arb. Awards 358 (Jun. 29, 1933).
- CLA-47 *Mergé Case—Decision No. 55*, Italian-United States Conciliation Commission (June. 10, 1955).
- CLA-48 *Metalclad Corporation v. The United Mexican States*, ICSID CASE No. ARB (AF)/97/1, Award, (Aug. 30, 2000).
- CLA-49 *Michael Ballantine v. The Dominican Republic*, PCA Case No. 2016-17 (CAFTA-DR) (UNCITRAL). Notice of Arbitration and Statement of Claim, (Sept. 11, 2014).
- CLA-50 *Michael Ballantine v. The Dominican Republic*, PCA Case No. 2016-17 (CAFTA-DR) (UNCITRAL), Procedural Order no. 2, (April 21, 2017).
- CLA-53 *Muhammet Çap Sehil İnşaat Endustri ve Ticaret Ltd. Sti. V. Turkmenistan*, ICSID Case No. ARB/12/6, Decision on Respondent's Objection to Jurisdiction under Article VII(2) of the Turkey-Turkmenistan Bilateral Investment Treaty, (Feb. 13, 2015).
- CLA-54 *Nasser Esphahanian v. Bank Tejarat*, (Award), IUSCT Case No. 157 (31-157-2) (March 29, 1983).
- CLA-55 *National Gas S.A.E. v. Arab Republic of Egypt*, ICSID Case No. ARB/11/7, Award, (April 3, 2014).
- CLA-56 *National Grid, PLC v. The Argentine Republic*, UNCITRAL, Decision on Jurisdiction, (June 20, 2006), (Argentina-UK BIT).
- CLA-57 *Nottebohm Case (Liechtenstein v. Guatemala), Second Phase*, (Apr. 6, 1955), 1955 C.I.J. Reports 1.
- CLA-58 *Oil Fields of Texas, Inc. v. Iran*, 1 Iran-U.S. Cl. Trib. Rep. 347 (Dec. 8,

1982).

- CLA-59 *Pan American Energy, LLC, et al. v. Argentine Republic*, ICSID Case No. ARB/03/13, Decision on Preliminary Objections, (July 27, 2006).
- CLA-61 *Phoenix Action Ltd. v. The Czech Republic*, ICSID Case No. ARB/06/5, Award, (April 15, 2009).
- CLA-62 *Plama Consortium Limited v. Republic of Bulgaria*, ICSID Case No. ARB/03/24, Decision on Jurisdiction, (Feb. 8, 2005).
- CLA-70 *RosInvest Co. UK Ltd. v. The Russian Federation*, SCC Case No. V079/2005, Award on Jurisdiction, (Oct. 1, 2007).
- CLA-72 *Rumeli Telekom A.S. v. Republic of Kaz.*, ICSID Case No. ARB/05/16, Award, (July 29, 2008).
- CLA-73 *Saipem S.p.A v. People's Republic of Bangladesh*, ICSID Case No. ARB/05/7, Award, (June 30, 2009).
- CLA-74 *Saipem S.p.A. v. People's Republic of Bangladesh*, ICSID Case No. ARB/05/7, Decision on Jurisdiction and Recommendation on Provisional Measures, (March 21, 2007).
- CLA-75 *Salini Costruttori Spa v Jordan*, ICSID Case No ARB/02/13, Decision on Jurisdiction, (Nov. 9, 2004).
- CLA-80 *SGS Société Générale de Surveillance S.A. v. The Republic of Paraguay*, ICSID Case No. ARB/07/29, Decision on Jurisdiction, (Feb. 12, 2010).
- CLA-81 *Siemens A.G. v. The Argentine Republic*, ICSID Case No. ARB/02/8, Decision on Jurisdiction, (Aug. 3, 2004).
- CLA-82 *Sistem Muhendislik v. Kyrgyz Republic*, ICSID Case No. ARB(AF)/06/1, Award, (Sept. 9, 2009).
- CLA-84 *Spence International Investments, LLC, Berkowitz, et al. v. Republic of Costa Rica*, ICSID Case No. UNCT/13/2, Interim Award, (Oct. 25, 2016).
- CLA-86 *Suez, Sociedad General de Aguas de Barcelona SA, and Inter Aguas Servicios Integrales del Agua SA v. Argentina*, ICSID Case No. ARB/03/17, Decision on Jurisdiction, (May, 16, 2006).

- CLA-87 *Swisslion DOO Skopje v. Republic of Macedonia* (former *Yugoslav Republic of Macedonia*), ICSID Case No. ARB/09/16, Award, (July 6, 2012).
- CLA-88 *Telenor Mobile Communications A.S. v. Republic of Hungary*, ICSID Case No. ARB/04/15, Award, (Sept. 13, 2006).
- CLA-89 *The Rompetrol Group N.V. v. Romania*, ICSID Case No. ARB/06/3, Decision on Respondent's Preliminary Objections on Jurisdiction and Admissibility, (April 18, 2008).
- CLA-90 *Tidewater Investment SRL and Tidewater Caribe C.A. v. The Bolivarian Republic of Venezuela*, ICSID Case No. ARB/10/5, Award, (March 13, 2015).
- CLA-92 *UPS v. Canada*, ICSID Case No. UNCT/02/1, Decision on Jurisdiction, (Nov. 22 2002).
- CLA-95 *Wintershall Aktiengesellschaft v. Argentine Republic*, ICSID Case No. ARB/04/14, Award, (Dec. 8, 2008).
- CLA-96 *Yukos Universal Ltd.(Isle of Man) v. Russian Federation*, PCA Case No. AA 227, Award, (Perm. Ct. Arb. July 18, 2014).

#### **Treaties and Legislation**

- CLA-99 Agreement Between The Government of The Republic of Mauritius and The Government of The Arab Republic of Egypt on the Reciprocal Promotion and Protection of Investments (the "Mauritius-Egypt BIT", 2014).
- CLA-107 Decreto 01 de 1984, Código Contencioso Administrativo / Contentious Administrative Code (CAC).
- CLA-119 Treaty Between The Republic of Belarus and The Republic of India on Investments (the "Belarus-India BIT", 2018).

#### **Secondary Authorities**



- CLA-125 Acquisition of Israeli Nationality, Isr. Ministry Foreign Aff. (Is.) (April 13, 2019).
- CLA-128 C. Schreuer et al., *The ICSID Convention—A Commentary*, (Cambridge University Press, 2nd ed.).
- CLA-131 Citizenship, Dep't Foreign Aff. & Trade, (Ir.) (April 11, 2019).
- CLA-132 Claims of Dual Nationals in the Modern Era: The Iran-United States. Claims Tribunal, Note 83 MICH. L. REV. 597 (1984).
- CLA-142 Italian Dual Citizenship Requirements, It. Dual Citizenship (It.) (April 13, 2019).
- CLA-143 James Butty, US, Liberians Launch Dual Citizenship Petition Drive, VOICE AM. NEWS (Jan. 5, 2011).
- CLA-144 Juan Camilo Restrepo and Antonio José Nuñez, *Diálogos Sobre las Crisis Financieras* (2009), pp 295-305.