

Annex 1 to Procedural Order No. 21
List of Questions addressed to Claimants and concerning the Maintenance and Management of the Database

A. Technical Changes

1. What were the Technical Changes made to the Database since (a) Respondent was first given access on 2 April 2010, and (b) the Tribunal was first given access thereto on 26 November 2012, to date?
2. What is the nature of these changes, i.e. are they ordinary updates of software and hardware?
3. As of when and at what moment did they occur?
4. If and when were the Tribunal and Respondent informed of the Technical Changes? If not, should they have been informed?
5. Have the Technical Changes been logged and/or backed up, and can previous versions be restored, if needed, without impairing the integrity of the Database?

B. Data Changes

1. Which Data were changed? What was the scope and nature of the changes made?
2. When did the Data Changes take place?
3. By whom were the Data Changes made?
4. At whom's request were the Data Changes made?
5. If and when were the Tribunal and Respondent informed of the Data Changes? If not, should they have been informed?
6. Were these Changes made to the Database only or also to the Annexes? If only to the Database, should corresponding changes be made to the Annexes and these Annexes introduced into the record? If made to both, should the amended Annexes be introduced into the record?

C. General

1. Who would be able to verify independently the above questions? Could this be done by the Expert and his team? Another expert for each category?
2. How much time would such verification require?
3. Does any of the above Changes impact any of the issues in the arbitration? If so, how?
4. Does any of the above Changes affect Respondent's substantive and/or procedural rights? If so, which rights?
5. If the answer to question C.3 or C.4 is affirmative, is remedial action possible in the arbitration? If so, which action?