ICSID Case No. ARB/07/5

ABACLAT AND OTHERS
(CLAIMANTS)

and

THE ARGENTINE REPUBLIC
(RESPONDENT)

-------------------------------

ALTERNATIVE WORK PROPOSAL

in accordance with paragraph 23
of Procedural Order No. 15

-------------------------------

submitted by

Dr. Norbert Wühler

22 January 2013
Background to the Alternative Work Proposal

This Alternative Work Proposal is submitted in response to the message from the President of the Tribunal that was conveyed to the undersigned by email from the ICSID Secretariat of 17 January 2013. The Alternative Work Proposal follows the earlier submission by the undersigned of a Work Proposal pursuant to paragraph 18 of Procedural Order No. 15.

As summarized in the message from the President of the Tribunal, the methodology suggested in the Work Proposal was “a sampling for all Claimants in Annexes A, B and C, although the size of the sample may vary from one category to the other.” The message inquires whether it would be possible for the undersigned “to examine all Claimants documents without sampling, i.e. by verifying the information for each Claimant individually. In particular, we would like to know (i) whether you believe this is feasible, and (ii) if so, what would be the impact of such change in method on your Proposal in terms of personnel, time and costs.”

The undersigned believes that it is feasible to verify the relevant information for each Claimant individually. In order to present a self-contained and comprehensive document describing all that is needed to perform the Expert’s Mission in this alternative, the methodology and steps that the undersigned suggests are required for the individual examination and verification of all relevant Claimant information and documents are set out in this Alternative Work Proposal. The Alternative Work Proposal incorporates those steps from the previously submitted Work Proposal that are applicable in this alternative.

The main impact of the change from sampling to individual review of all relevant claimant information and documentation can be summarized as follows: (i) an additional 15 persons are needed for the review of the claims of natural persons (Annex A); (ii) it will take at least one month longer to submit the Draft Verification Report; and (iii) the costs will be almost USD 180,000 higher, namely USD 270,350.
Scope of the Expert’s Mission

The Work Proposal that the undersigned submitted on 26 December 2012 included a detailed description of the undersigned’s team, the methodology and steps he planned to follow (together with milestones), a (non-exhaustive) list of the documents and information he would need, as well as a detailed budget estimate of his fees and expenses. The same details are included in this Alternative Work Proposal.

The scope of the Expert’s Mission is set out in Section C of Procedural Order No. 15 as follows. According to paragraph 19 of the Order, “the aim of the Expert’s Mission (‘the Expertise’) is to examine and verify the information contained in Claimants’ Database for the purposes of […] para 501 (iii) [of the Tribunal’s Decision on Jurisdiction and Admissibility].” Paragraph 19 of the Order lists the respective information with regard to natural and juridical persons.

According to paragraph 21 of Procedural Order No. 15, “[i]n examining and verifying the information contained in the Claimants’ Database, the Expert shall pay particular attention to the following issues:

(i) Whether or not the information contained in the Claimants’ Database and the documents relating thereto appear to be comprehensive, i.e. sufficient to make the factual determinations set out in para 19 [of the Order];

(ii) Whether or not the information contained in the Claimants’ Database and the documents relating thereto are organized in a manageable and easily searchable way, which allow a reliable verification of the information in the Database against (a) the documents on which this information is based, and/or (b) the factual circumstances set out in para 19 [of the Order];

(iii) Whether or not the information contained in the Claimants’ Database and the documents relating thereto contain any inconsistencies, discrepancies or any duplication or any vice affecting Claimants’ Database or the documents themselves;

(iv) Whether or not the Expert encountered any particular difficulty in the conduct of the Expertise due to the design or functioning of Claimants’ Database or the way the information is organized;
(v) Any other issue that the Expert may consider sufficiently relevant to justify drawing the attention of the Arbitral Tribunal to.”

A. Preparation of Work Proposal and Alternative Work Proposal

To be able to assess the nature and amount of work to be done, the undersigned was provided access to the Claimants’ online Database, including the annexes in pdf and mdb formats and the related documents. No further explanation or information was provided.

To prepare the Work Proposal, the undersigned undertook the following activities:

(i) Review of the Annexes, including what types of information they contain and how this information is organized;
(iii) Testing of various ways to access and navigate the information in the database and the related documents;
(iv) Review of the database information and the related documents for a random selection of claims from Annexes A, B and C - for natural persons, a higher number of claims was reviewed where the Index to Annex A listed the same name or the same file number more than once; for juridical entities, a higher number of claims was reviewed, in particular for incorporation and authorized signatory information and documents, where it appeared that the claims were made by non-commercial entities;
(v) Selection of the parameters according to which claim categories and groups should be proposed for individual and sample review, respectively, and determination of sample size; and
(vi) Identification of the team proposed to assist in the Expertise.

To prepare the Alternative Work Proposal, the undersigned undertook the following additional activity:
(vii) Identification of the team proposed to assist in the individual examination and verification of the information and documentation relating to the claims by natural persons (Annex A).

Taking into account the results of the above activities, the undersigned developed the methodology and steps he plans to follow, identified the documents and information he will need and drew up the budget estimate.

B. Methodology and Steps of the Expertise

The methodology proposed for the Expertise in the Alternative Work Proposal combines the following types of activities: a technical examination of the Claimants’ Database and its functionality, including the entry/migration of the information into the Database, with the assistance of an IT specialist experienced in database design and systems analysis; the initial examination and verification of the information and documentation relating to a small sample of claims, to inform the conduct of the review of all relevant claims information and documentation; the individual examination and verification of the relevant information and documentation relating to all claims to achieve the aim of the Expertise as set out in paragraphs 19 to 21 of Procedural Order No. 15; and the presentation of the results of the database and claims review in the Verification Report, including the issues set out in paragraph 21 of Procedural Order No. 15.

The following steps are planned for the conduct of the Expertise (the deadlines assume submission of the Parties’ materials by 28 January 2013; should this date be moved, the deadlines would need to be moved accordingly):

(i) Preparatory work – The documents and expert reports submitted by the Parties, as well as their summary statements, will be considered and taken into account in the conduct of the Expertise. The information and documentation relating to an initial sample of 50 claims will be examined and verified; the results of this initial review will inform the organization and conduct of the review of all the remaining claims. Review guidelines
and result sheets will be drafted following this initial review, and a training will be conducted for the claims reviewers.

TO BE COMPLETED BY 11 FEBRUARY 2013

(ii) Technical examination of the Claimants’ Database – The IT specialist will review the design and the logical model of the Database and the related documentation; this will include testing data types, lengths, default values etc. of attributes. He will review the security features of the database and the data, and he will examine what audit trails exist to track changes on the database. He will also examine according to what procedures the information from outside sources was entered and/or migrated into the Database, and what quality control was performed in this respect. The IT specialist will search the Database for duplicates. And he will perform SQL queries to run reports and identify categories and/or groups of claims as specified by the Expert in the preparation and during the course of the claims review.

TO BE COMPLETED BY 11 FEBRUARY 2013, EXCEPT FOR ONGOING SQL QUERIES

(iii) Claims review (natural persons) – The review of the claims of natural persons will be performed by claims reviewers. Each reviewer will be assigned the range of file numbers of the claims that he or she should review. The examination and verification of the information and the documents related to a claim will include the following: search of the claim by name and file number in Annex A_Index and in Annex A_Master; access of the claim by file number on the Database; examination of the relevant information in the tabs for completeness, consistency, any discrepancies, duplication or other vice; verification of the information against the documents related to the claim; and completeness and accuracy of the relevant documents. The findings of this review will be recorded in a standardized manner in a result sheet. Direction and supervision will be provided through the review guidelines developed by the Expert and through regular quality control performed by the Expert; the Expert will be assisted in this by a senior claims reviewer.
For the purposes of resource estimation, the Work Proposal assumed that the review of one claim (including the recording of the findings and their initial analysis) would on average take 15 minutes; this was based on the experience from the initial review of the 50 claims performed as part of the preparation of the Work Proposal, as well as on the likely characteristics of the sample claims to be reviewed in the Expertise.

The average time for the individual review of a claim of a natural person is anticipated to be less than 15 minutes. Individual review and the recording of the results of that review will be more straightforward than the corresponding activities for sample claims. In addition, the slowing-down effect of the “learning curve” is more significant when the claims population to be reviewed is relatively small, compared to a lesser impact on the total (and therefore average) review time in the case of a large claims population. On the other hand, the undersigned has not been able to achieve the average review time of only 3 minutes that has been anticipated by the Claimant’s Expert Mr. Kaczmarek. During additional sample reviews in preparation of the Alternative Work Proposal, the average review time per claim (including the recording of results) has been at least 6 minutes. Some of the factors slowing down an otherwise relatively straightforward review have included the following: duplication of underlying documents, with the corresponding need for additional comparisons; mixing of pages from different documents; discrepancies in domicile information; and difficulty in matching nationality dates in documents with the jurisdictional dates.

For purposes of resource and budget estimates, the undersigned is therefore assuming an average review time of 6 minutes per natural persons claim. For 54,000 claimants, this average results in a total review time of 324,000 minutes; or 5,400 hours; or 675 work days (at 8 hours); or 135 work weeks (at 5 days). With 15 claims reviewers, the total review time would thus be 9 weeks. It is proposed that the progress of the review be monitored on a weekly basis and the resources be adjusted should deviations from the assumed average so require.
REVIEW OF CLAIMS BY NATURAL PERSONS TO BE COMPLETED BY 2 APRIL 2013

(iv) Claims review (non-Italian co-owners and juridical entities) – In view of their small number and the importance of the nationality issue, all claims involving co-ownership with non-Italians (Annex B) will be reviewed by the Expert. Similarly, all claims of juridical entities (Annex C) will be reviewed by the Expert, with a focus on incorporation and authorized signatory information and documents where it appears that the claim is made by a non-commercial entity. The findings of this review will be recorded for each claim in a standardized manner in a result sheet.

TO BE COMPLETED BY 4 MARCH 2013

(v) Draft Verification Report – The Expert will draft a report in English containing the information listed in paragraph 34 of Procedural Order No. 15 ("Draft Verification Report").

TO BE ISSUED TO THE ARBITRAL TRIBUNAL AND THE PARTIES BY 15 APRIL 2013

With the assistance of the ICSID Secretariat, the Expert will arrange for a Spanish translation of the Draft Verification Report to be sent to the Arbitral Tribunal and the Parties.

WITHIN 10 DAYS OF THE ISSUANCE OF THE DRAFT VERIFICATION REPORT

(vi) Following examination of the Parties’ comments on the Draft Verification Report, the Expert will prepare the Final Verification Report.

TO BE ISSUED TO THE ARBITRAL TRIBUNAL BY 30 MAY 2013

With the assistance of the ICSID Secretariat, the Expert will arrange for a Spanish translation of the Final Verification Report to be sent to the Arbitral Tribunal and the Parties.

WITHIN 10 DAYS OF THE ISSUANCE OF THE FINAL VERIFICATION REPORT

C. Team Proposed to Assist in the Expertise
The team that is proposed to assist the Expert in the conduct of the Expertise and whose approval for this purpose the undersigned seeks from the Arbitral Tribunal, consists of persons with relevant experience. The undersigned has worked with all of them in the context of various claims programs and has thus personal knowledge of their respective qualifications and experience. Without disclosing any relevant information, the undersigned has inquired from these persons whether they would in principle be interested and available to perform the type of work for which they are proposed, and most have confirmed that they so would. For submission of the Work Proposal, the undersigned had asked Andrew Tatam and Tanja Zvekic-Devetak, the two persons with particular expertise, to provide him with their CVs.

Andrew Tatam is proposed to perform the examination of the Claimants’ Database from a technical IT point of view and to run queries and reports on the Database as required by the Expert for the conduct of the Expertise. Mr. Tatam has extensive experience in systems analysis, database and process design, and Web-based applications in the context of international mechanisms for the resolution of large numbers of claims. One of his recent assignments was the review and assessment of a database containing large volumes of information and documents relating to a potential program for the resolution of Palestinian property claims. The undersigned has worked with Mr. Tatam in the context of various claims resolution mechanisms. Mr. Tatam’s qualifications and relevant professional experience are summarized in his attached CV (Annex 1.)

Given the large number of claims to be reviewed and the amount of direction and supervision required, the Expert proposes to have the assistance of a person with relevant experience in this respect. This senior claims reviewer will spend on average one day per week on this assistance to the Expert, and will perform claims review during the remaining time. The senior claims reviewer will also be available for more difficult Italian language questions. The person proposed as senior claims reviewer is Tanja Zvekic-Devetak. From her work in the German Forced Labour Compensation Programme (GFLCP) of the IOM, Ms. Zvekic-Devetak, who is fluent in Italian, has considerable experience with the examination and verification of electronically held information and documents related to claims, with the analysis of the results of such review, and with leading teams of claims reviewers. The undersigned worked with her
in GFLCP. Ms. Zvekic-Devetak, who worked in particular on the Italian claims in that program, does not know whether any of the Italian claimants under GFLCP are among the Claimants in this case. Like the undersigned and all other staff of GFLCP, Ms. Zvekic-Devetak was under an obligation to perform her duties with independence and impartiality, which she did. Ms. Zvekic-Devetak’s qualifications and relevant professional experience are summarized in her attached CV (Annex 2.)

The undersigned has identified 15 persons with whom he worked at different points in time in various claims programs and whom he intends to propose as claims reviewers for the Expertise. All of these persons are familiar with the requirements of a claims program and are conscious of the need to be diligent and consistent in the application of the rules and guidelines of such a program. Given the short time available for the submission of the Alternative Work Proposal, it has not yet been possible to obtain the confirmation of their participation from all these persons, but the undersigned anticipates that this can be done by 28 January 2013. At that time, the undersigned will submit the names of the confirmed claims reviewers and a description of their qualifications and experience.

Should the persons proposed to assist the Expert be approved by the Arbitral Tribunal, they should be granted the necessary access to the Claimants’ Database under the same conditions as the Expert.

D. Documents and Information Needed

The following documents and information are needed for the conduct of the Expertise:

(i) Documentation on the Database model and the application design;
(ii) Information and documentation as to how the entry of the data into the Database and/or the migration of the data from third sources was performed and about the quality control that was conducted in this respect;
(iii) Access to the Database in a format on which SQL queries and reports can be run;
(iv) Guidelines for the efficient access to the information and documents contained in the Database and for the appropriate navigation of the Database;

(v) An explanation as to how the information and documents in the Database will be dealt with in relation to those claims that will in future be withdrawn or whose claimants will die;

(vi) A clarification of the following issue: will the Database to be submitted to the Expert by 28 January 2013 contain the same information and/or documents as the Database that was provided to the undersigned on 22 November 2012? If not, what will be the differences, and how will such differences be traceable?

(vii) An explanation of the impact, if any, on the speed and easiness with which the Claimants’ Database can be accessed and navigated when this is done by up to 20 persons simultaneously (assuming the Expert and his personnel will access the Claimants’ Database over the Internet.)

E. Budget Estimate

The attached budget document (Annex 3) details the fees and expenses estimated for the Expertise. The total of the Budget Estimate amounts to USD 270,350. This includes remuneration for time spent by the undersigned in relation to the preparation of the Work Proposal and the Alternative Work Proposal in the amount of USD 23,800; remuneration for the time estimated to be spent by the Expert in relation to the Expertise in the amount of USD 65,800; estimated expenses for the persons proposed to assist in the Expertise in the amount of USD 180,250; and cost of USD 500 for a roundtrip Geneva-Hamburg, for the Expert to work with the IT specialist on the specifications for SQL queries and reports.

Dr. Norbert Wühler
Annexes

Annex 1: CV of Andrew Tatam
Annex 2: CV of Tanja Zvekic-Devetak
Annex 3: Budget Estimate
<table>
<thead>
<tr>
<th><strong>Andrew Tatam</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nationality</strong></td>
</tr>
<tr>
<td><strong>Education</strong></td>
</tr>
<tr>
<td><strong>Languages</strong></td>
</tr>
<tr>
<td><strong>Role</strong></td>
</tr>
<tr>
<td><strong>Focus</strong></td>
</tr>
<tr>
<td><strong>Professional Experience (Claims Programs)</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Projects Commercial</strong></td>
</tr>
<tr>
<td><strong>Projects Other</strong></td>
</tr>
<tr>
<td><strong>Tools</strong></td>
</tr>
<tr>
<td><strong>Project Countries</strong></td>
</tr>
<tr>
<td><strong>Contact</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Employer</strong></td>
</tr>
</tbody>
</table>
CURRICULUM VITAE

Tanja Zvekic-Devetak

Chemin de la Boisserette11, 1208 Geneva, Switzerland

I. Education
University
1996-97 University of Leiden, Faculty of Law, The Netherlands
   Master of Laws (LL.M) in International Law
1993-96 University of London, Faculty of Law, United Kingdom
   Bachelor of Laws (LL.B) (Second Class Honours)

II. Relevant work experience

Dates of employment: September 2002 - October 2004
Position: Associate Legal Officer/Legal Officer
          German Forced Labour Compensation Programme (GFLCP)
Employer: International Organization for Migration (IOM)
          Geneva, Switzerland (HQ)

Responsible for the preparation of “tranches” of claims to be submitted to the German Federal Foundation for approval. In particular, the work involved:

- Carrying out legal and factual research related to particular categories of claims;
- Identifying and analyzing factual and legal issues raised by individual claims and by categories of claims, and submitting proposals for their resolution;
- Drafting legal memoranda, legal and processing guidelines for claims assistants, claims summaries, and reports on groups and categories of claims;
- Supervising the review of claims by claims assistants, and developing a quality control system for the claims review;
- Participating in the drafting of specifications to the IT Team for the database and software applications that facilitated the claims processing;
- Preparing requests to the IT team for computer actions to support the claims review and resolution.

In addition, responsible for the planning and coordination of the review of claims filed by persons of Italian nationality (the largest claimant group of the Programme - 130,000 claims), as well as of claims filed by persons from former Yugoslavia (the largest group of compensable claims - 30,000 claims).
Dates of employment: September 2000 - September 2002
Position: Project Manager/Field Office Co-ordinator
German Forced Labour Compensation Programme (GFLCP) and Holocaust Victims’ Assets Programme (HVAP)
Employer: International Organization for Migration (IOM)
Rome, Italy

Responsible for the planning, direction and supervision of operational activities carried out in Italy relating to the implementation of GFLCP and HVAP. In particular, the work involved:

- Organizing the Programmes’ outreach activities;
- Maintaining contacts and developing co-operation with victims’ associations, unions and other concerned parties;
- Co-ordinating and supervising the GFLCP/HVAP staff in the activities of claimant assistance, claims intake and registration, and review and evaluation of the claims;
- Assisting the IOM Chief of Mission in his contacts with representatives of the Government of Italy and other counterparts relevant to the Programmes;
- Preparing briefs, information notes and other materials for the media and the public;
- Carrying out historical and legal research and collecting relevant background information.

III. Languages

<table>
<thead>
<tr>
<th>Language</th>
<th>Proficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serbian</td>
<td>mother-tongue</td>
</tr>
<tr>
<td>English</td>
<td>bilingual proficiency</td>
</tr>
<tr>
<td>Italian*</td>
<td>bilingual proficiency</td>
</tr>
<tr>
<td>Spanish</td>
<td>working knowledge</td>
</tr>
<tr>
<td>French</td>
<td>working knowledge</td>
</tr>
</tbody>
</table>

*Lived in Rome (Italy) for a total of 14 years. Completed the compulsory school diploma ("terza media") in 1989, attended several courses at Luiss Guido Carli (Faculty of Law) in 1998, worked as legal apprentice for a law firm in Rome(1998-2000) and as a Project Manager with IOM Rome (2000-2002).

IV. Computer Skills

MS Office; Oracle GFLCP-customized applications
## ICSID Case No. ARB/07/5
### WUEHLER - ALTERNATIVE WORK PROPOSAL, ANNEX 3 (BUDGET ESTIMATE)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Resource</th>
<th>Days</th>
<th>Rate</th>
<th>USD</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WORK PROPOSALS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access and navigation of Database</td>
<td>Wuehler</td>
<td>0.5</td>
<td>2800</td>
<td>1400</td>
</tr>
<tr>
<td>Claims review</td>
<td>Wuehler</td>
<td>2.5</td>
<td>2800</td>
<td>7000</td>
</tr>
<tr>
<td>Sample determination</td>
<td>Wuehler</td>
<td>0.5</td>
<td>2800</td>
<td>1400</td>
</tr>
<tr>
<td>Drafting of Work Proposal</td>
<td>Wuehler</td>
<td>2</td>
<td>2800</td>
<td>5600</td>
</tr>
<tr>
<td>Identification of claim reviewers</td>
<td>Wuehler</td>
<td>2</td>
<td>2800</td>
<td>5600</td>
</tr>
<tr>
<td>Drafting of Alternative Work Proposal</td>
<td>Wuehler</td>
<td>1</td>
<td>2800</td>
<td>2800</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>8.5</td>
<td></td>
<td>23800</td>
</tr>
<tr>
<td><strong>PREPARATORY WORK</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consideration of Parties’ submissions</td>
<td>Wuehler</td>
<td>2</td>
<td>2800</td>
<td>5600</td>
</tr>
<tr>
<td>Initial claims review (sample of 50)</td>
<td>Wuehler</td>
<td>1.5</td>
<td>2800</td>
<td>4200</td>
</tr>
<tr>
<td>Analysis of results, initial claims review</td>
<td>Wuehler</td>
<td>1</td>
<td>2800</td>
<td>2800</td>
</tr>
<tr>
<td>Training of claim reviewers</td>
<td>Wuehler</td>
<td>1</td>
<td>2800</td>
<td>2800</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>5.5</td>
<td></td>
<td>15400</td>
</tr>
<tr>
<td><strong>TECHN. EXAM. OF DATABASE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review of design and logical model</td>
<td>Tatam</td>
<td>1</td>
<td>1400</td>
<td>1400</td>
</tr>
<tr>
<td>Testing of attributes</td>
<td>Tatam</td>
<td>0.5</td>
<td>1400</td>
<td>700</td>
</tr>
<tr>
<td>Review of security and auditability</td>
<td>Tatam</td>
<td>1</td>
<td>1400</td>
<td>1400</td>
</tr>
<tr>
<td>Audit of entry/migration of data</td>
<td>Tatam</td>
<td>0.5</td>
<td>1400</td>
<td>700</td>
</tr>
<tr>
<td>SQL queries for groups and patterns</td>
<td>Tatam</td>
<td>2</td>
<td>1400</td>
<td>2800</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>5</td>
<td></td>
<td>7000</td>
</tr>
<tr>
<td><strong>CLAIMS REVIEW</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Italian co-owners (18 claims)</td>
<td>Wuehler</td>
<td>0.5</td>
<td>2800</td>
<td>1400</td>
</tr>
<tr>
<td>Juridical entities (94 claims)</td>
<td>Wuehler</td>
<td>3</td>
<td>2800</td>
<td>8400</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>3.5</td>
<td></td>
<td>9800</td>
</tr>
<tr>
<td><strong>CLAIMS REVIEW</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural persons (54000 claims)</td>
<td>Wuehler</td>
<td>15</td>
<td>250</td>
<td>168750</td>
</tr>
<tr>
<td>Coordination, quality control</td>
<td>Wuehler</td>
<td>4.5</td>
<td>2800</td>
<td>12600</td>
</tr>
<tr>
<td>Coordination, quality control (assist)</td>
<td>Zvekic</td>
<td>9</td>
<td>500</td>
<td>4500</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>185850</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DRAFT VERIFICATION REPORT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Analysis of results of claims review</td>
<td>Wuehler</td>
<td>2</td>
<td>2800</td>
<td>5600</td>
</tr>
<tr>
<td>Writing of Draft Verification Report</td>
<td>Wuehler</td>
<td>3</td>
<td>2800</td>
<td>8400</td>
</tr>
<tr>
<td>Arranging of Spanish translation</td>
<td>Wuehler</td>
<td>1</td>
<td>2800</td>
<td>2800</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>6</td>
<td></td>
<td>16800</td>
</tr>
<tr>
<td><strong>FINAL VERIFICATION REPORT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Examination of the Parties’ comments</td>
<td>Wuehler</td>
<td>1</td>
<td>2800</td>
<td>2800</td>
</tr>
<tr>
<td>Writing of Final Verification Report</td>
<td>Wuehler</td>
<td>2</td>
<td>2800</td>
<td>5600</td>
</tr>
<tr>
<td>Arranging of Spanish translation</td>
<td>Wuehler</td>
<td>1</td>
<td>2800</td>
<td>2800</td>
</tr>
<tr>
<td><strong>SUB-TOTAL</strong></td>
<td></td>
<td>4</td>
<td></td>
<td>11200</td>
</tr>
<tr>
<td>One roundtrip Geneva-Hamburg</td>
<td></td>
<td></td>
<td></td>
<td>500</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td>270350</td>
</tr>
</tbody>
</table>
ICSID Case No. ARB/07/5

ABACLAT AND OTHERS
(CLAIMANTS)

and

THE ARGENTINE REPUBLIC
(RESPONDENT)

DESCRIPTION OF CLAIMS REVIEW TEAM

in accordance with paragraph 23
of Procedural Order No. 15
and Message of the President of the Tribunal
of 25 January 2013

submitted by

Dr. Norbert Wühler

28 January 2013
Background

This Description of Claims Review Team is submitted in response to the message from the President of the Tribunal that was conveyed to the undersigned by email from the ICSID Secretariat of 25 January 2013. In this message, the undersigned was requested to send to the Arbitral Tribunal by 28 January 2013 the list and CVs of the additional 15 reviewers that he intends to recruit for the review process. The undersigned had anticipated in his Alternative Work Proposal to submit such list and details by this date.

Proposed Review Team

The persons that the undersigned proposes to recruit for the review process are listed below. A summary CV with a description of their pertinent qualifications and experience is attached for each reviewer. As stated in the Alternative Work Proposal, the undersigned has worked with these persons in various claims programs. He is therefore confident that they are familiar with the requirements of a claims program and that they are conscious of the need to be diligent and consistent in the application of the rules and guidelines of such a program.

The undersigned would like to add the following explanatory notes. Some of the persons listed will, if approved, not work during the whole period foreseen for the review process, mostly due to travel arrangements already fixed and paid. Taking this into account, one additional person beyond the 15 anticipated in the Alternative Work Proposal is proposed to be recruited, and some of the other persons listed are ready to work more than the average anticipated time, so that the completion of the review process within the foreseen timeframe can be ensured. To allow the necessary adjustments, the review progress will be monitored on a weekly basis.

Should one or more of the reviewers not be available to work the anticipated time for reasons not foreseen, and should it not be possible to make up for this shortage
through extra work by members of the existing team, including Ms Zvekic-Devetak, the undersigned would seek the permission of the Tribunal to add additional reviewers as needed, subject to the Tribunal’s approval.

Finally it should be noted that all the persons proposed, including those with high-level qualifications and experience, are aware of the type of review work involved in the Expertise and are in their current professional situation or otherwise ready to perform this type of work.

**List of Reviewers**

The following persons are proposed to be recruited for the review process, and the Arbitral Tribunal’s approval is sought for their recruitment:

Mr Kresimir Babic  
Mr Christof Bareiss  
Ms Stephanie Berry  
Mr. Örs Bolvary  
Ms Magdalena Chrusciel  
Ms Judith Cole  
Mr Yariv Friedman  
Ms Karolina Januszko  
Ms Tereza Kralj Lowe  
Mr Ariaan Kroeskop  
Ms Denise Landolt  
Ms Mariana Le Cocq  
Ms Heike Niebergall  
Ms Latifa Nouhaili  
Ms Joanne Pretty  
Ms Barbora Simerova
Summary CVs of Proposed Reviewers

Attached is a summary CV for each reviewer containing a description of his or her pertinent qualifications and experience.

Dr. Norbert Wühler
ICSID Case No. ARB/07/5
SUMMARY CVs OF REVIEW TEAM

KRESIMIR BABIC

Residence
Geneva, Switzerland

Nationality
Irish and Croatian

Education
MSc in Computer Engineering

Relevant Experience
Systems Analyst, UNPF Croatia and UNV Germany
IT Specialist (network and claims database maintenance), German Forced Labour Compensation Programme (GFLCP) and Holocaust Victim Assets Programme (HVAP), IOM Geneva
  - Support of claims processing, review of claims to inform optimization of database use

Relevant Skills
Assessment of claims, use of claims database

Current Situation
IT consultant (free-lance)
CHRISTOF BAREISS

Residence
Geneva, Switzerland

Nationality
Swiss

Education
Master in Political Science and in Public Administration

Relevant Experience
Claims Assistant in Forced Labour and Appeals Teams, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
Legal Associate, Global Alliance for Improved Nutrition
  - Review of claims to determine eligibility under the program

Relevant Skills
Assessment of claims, use of claims database

Current Situation
Just completed Master Thesis, looking for new position
STEPHANIE BERRY

**Residence**
Geneva, Switzerland

**Nationality**
British, German

**Education**
Master in International Political Economy

**Relevant Experience**
Intern, Reparation Programs, IOM Geneva
Trainee, European Parliament
Junior Professional Officer, OSCE
  - Review of claims against formal requirements

**Relevant Skills**
Assessment of claims, use of databases

**Current Situation**
Volunteer work for Amnesty International, Geneva
OERS BOLVARY

Residence
Geneva, Switzerland

Nationality
Hungarian

Education
Master in Law, LL.M. (Commercial Law)

Relevant Experience
Staff Attorney, Claims Resolution Tribunal (CRT), Zurich
Associate Legal Officer, Property Loss Team, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
- Review and legal assessment of claims to determine eligibility under the program

Relevant Skills
Legal, assessment of claims, use of claims database

Current Situation
Human Rights Adviser, Permanent Mission of Hungary to the UN, Geneva
MAGDALENA CHRUSCIEL

**Residence**
Geneva, Switzerland

**Nationality**
Swiss

**Education**
Master in Literature

**Relevant Experience**
Translator, state courts and international organizations
Claims Assistant, Forced Labour Team, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
- Review of claims to determine eligibility under the program

**Relevant Skills**
Assessment of claims, use of claims database

**Current Situation**
Translator (free-lance), Geneva courts
JUDITH COLE

Residence
Geneva, Switzerland

Nationality
United States

Education
JD in Law

Relevant Experience
Attorney, Office of the Legal Adviser, US State Department
Senior Legal Officer and Team Leader, United Nations Compensation Commission (UNCC)
Deputy Director, Claims Processing, German Forced Labour Compensation Programme (GFLCP) and Holocaust Victim Assets Programme (HVAP), IOM Geneva
- Management of claims processing, review and legal assessment of claims to determine eligibility under the programs

Relevant Skills
Legal, assessment of claims, use of claims database

Current Situation
Adjunct Professor (part-time), International University in Geneva
YARIV FRIEDMAN

Residence
Geneva, Switzerland

Nationality
Israeli

Education
Degree in Law and Economics

Relevant Experience
Associate Legal Officer, Holocaust Victim Assets Programme (HVAP), IOM Geneva
  - Review and legal assessment of claims to determine eligibility under the program

Relevant Skills
Legal, assessment of claims, use of claims database

Current Situation
Producer of documentaries (just finished latest project)
KAROLINA JANUSZKO

**Residence**
Grafenried, Switzerland

**Nationality**
Polish

**Education**
Master in Law, LL.M. (International Law)

**Relevant Experience**
Associate Legal Officer, Property Loss Team, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
Staff Attorney, Claims Resolution Tribunal (CRT), Zurich
- Review and legal assessment of claims to determine eligibility under the programs

**Relevant Skills**
Legal, assessment of claims, use of claims database

**Current Situation**
Occasional project work
TEREZA KRALJ LOWE

**Residence**
Versoix, Switzerland

**Nationality**
Macedonian

**Education**
Freight and Forwarding Customs Manager

**Relevant Experience**
Operations Assistant, IOM Skopje
Financial Management Assistant, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
- Verification of claimant beneficiaries, preparation and tracking of compensation payments

**Relevant Skills**
Review of claimant information against payment criteria, use of claims database

**Current Situation**
Not working
ARIAAN KROESKOP

**Residence**
Geneva, Switzerland

**Nationality**
Dutch

**Education**
Master in Law, LL.M. (International Law)

**Relevant Experience**
Chamber Clerk and Legal Assistant, Iran-US Claims Tribunal
Chief, Claims Registry, United Nations Compensation Commission (UNCC)
- Review and assessment of claims to determine eligibility under the programs

**Relevant Skills**
Legal, assessment of claims, use of claims database

**Current Situation**
Retired
DENISE LANDOLT

**Residence**
Mies, Switzerland

**Nationality**
Swiss

**Education**
High School Diploma

**Relevant Experience**
Swiss Air Town Office Manager
Claims Assistant, Forced Labour Team, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
  - Review of claims to determine eligibility under the program

**Relevant Skills**
Assessment of claims, use of claims database

**Current Situation**
Retired
MARIANA LE COCQ

**Residence**
Geneva, Switzerland

**Nationality**
Swiss

**Education**
Institut BYVA Geneva (Assistante de Direction), Swiss Institute of Public Relations

**Relevant Experience**
Assistant to Executive Secretary, United Nations Compensation Commission (UNCC)
External Asset Manager, Bank Sarasin, Geneva
  - Review of claims during peak work loads

**Relevant Skills**
Assessment of claims, use of claims database

**Current Situation**
Not working
HEIKE NIEBERGALL-LACKNER

Residence  
Geneva, Switzerland

Nationality  
German

Education  
Degree in Law, LL.M. (International Law)

Relevant Experience  
Deputy Secretary General, Claims Resolution Tribunal (CRT), Zurich  
Senior Legal Officer, Reparation Programs, IOM Geneva  
- Management of claims processes, review and legal assessment of claims to determine eligibility under the programs

Relevant Skills  
Legal, assessment of claims, use of claims database

Current Situation  
On special leave without pay from IOM (finishing Ph.D.)
LATIFA NOUHAILI

Residence
Geneva, Switzerland

Nationality
Moroccan, Swiss

Education
Master in Law, Master in Development Studies

Relevant Experience
Associate Legal Officer, United Nations Compensation Commission (UNCC)
Project Officer, Reparation Programs, IOM Geneva
  - Review and legal assessment of claims to determine eligibility under the programs

Relevant Skills
Legal, assessment of claims, use of claims database

Current Situation
Just completed temporary assignment in Office of the Legal Counsel, WIPO
JOANNE PRETTY

Residence
Geneva, Switzerland

Nationality
Canadian

Education
BA in Psychology and Sociology

Relevant Experience
Foreign Claims Officer, Department of Foreign Affairs & International Trade, Canada
Editorial Assistant, United Nations Compensation Commission (UNCC)
Registry Coordination Officer, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
- Review of claims, supervision of Legal Successors Team

Relevant Skills
Assessment of claims, use of claims database

Current Situation
Not working
BARBORA SIMEROVA

**Residence**
Geneva, Switzerland

**Nationality**
Czech

**Education**
Master in Media Studies

**Relevant Experience**
Outreach Campaign Manager, German Forced Labour Compensation Programme (GFLCP) and Holocaust Victim Assets Programme (HVAP), IOM Geneva
Team Leader, Personal Injury Claims, German Forced Labour Compensation Programme (GFLCP), IOM Geneva
- Review of claims to determine eligibility under the program

**Relevant Skills**
Assessment of claims, use of claims database

**Current Situation**
Fund Raising Campaign Manager, IOM (part-time, just ending)