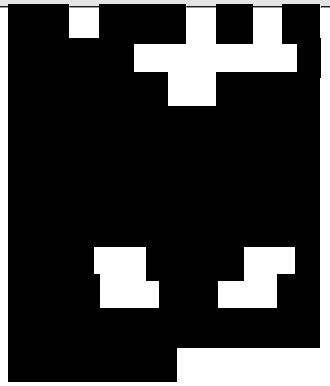
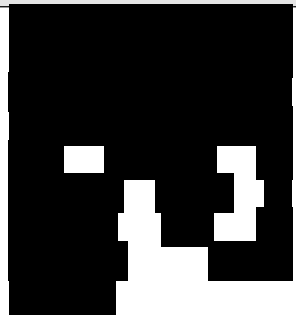
Gabriel Resources Ltd. & Gabriel Resources (Jersey) Ltd. v. Romania

ICSID Case No. ARB/15/31

Tribunal's decisions dated 2 July 2018

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
1	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
2	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								the extent that this document includes any non-privileged discussion of the Alba Iulia Court of Appeal decision, and/or the decision confirming it in April 2012 finding the 2002 Roșia Montană Local Council decisions approving the PUG and PUZ unlawful, the document should be produced

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								with the privileged portion redacted.
3								The Tribunal takes note of Respondent's acceptance that this document is privileged.
4								The Tribunal takes note of Respondent's acceptance that this document is privileged.

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
5	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
6	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
7	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]		that this document is privileged.
8	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
9	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
10	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
11	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
12	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]		that this document is privileged.
13	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
14	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
15	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
16	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
17	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								that this document is privileged.
18								The Tribunal takes note of Respondent's acceptance that this document is privileged.
19								The Tribunal takes note of Respondent's acceptance that this document is privileged.

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
20	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
21	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
22	[redacted]	[redacted]			[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]	[redacted]	that this document is privileged in part. To the extent that this document includes any non-privileged discussion of the NGO court challenges of September 2011 and January 2012 against ADC 9/2011 relating to Cârnic and the related proceedings, the document should be

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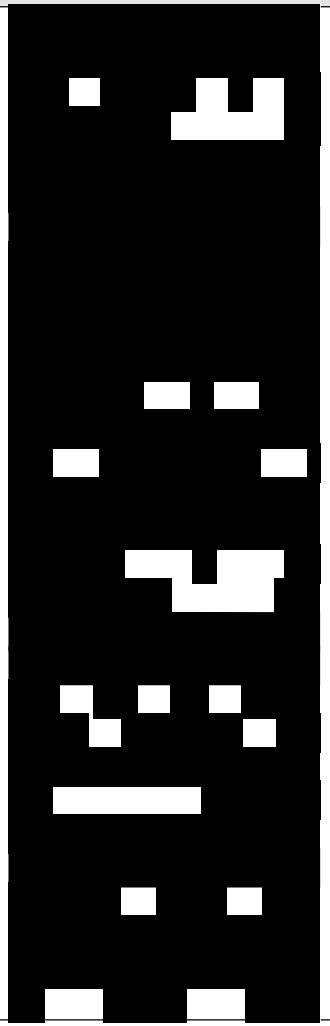
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								produced with the privileged portion redacted.

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]		
23	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								is privileged.
24								The Tribunal takes note of Respondent's acceptance that this document is privileged.
25								The Tribunal takes note of Respondent's acceptance that this document is privileged.
26								The Tribunal takes note of

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								Respondent's acceptance that this document is privileged.
27								The Tribunal takes note of Respondent's acceptance that this document is privileged.
28								The Tribunal takes note of Respondent's acceptance that this document

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]		is privileged.
29	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
30	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
31	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								Respondent's acceptance that this document is privileged.
32								The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this document includes any non-privileged discussion of (i) the Alba Iulia Court of Appeal

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						[redacted]	[redacted]	decision, and/or the decision confirming it in April 2012 finding the 2002 Roșia Montană Local Council decisions approving the PUG and PUZ unlawful, or of (ii) the NGO court challenges of September 2011 and January 2012 against ADC 9/2011 relating to Cârnic and the related

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								proceedings, the document should be produced with the privileged portion redacted.
33	[redacted]	[redacted]			[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this document includes any non-privileged discussion of (i) the Alba Iulia

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]	[redacted]	Court of Appeal decision, and/or the decision confirming it in April 2012 finding the 2002 Roșia Montană Local Council decisions approving the PUG and PUZ unlawful, or of (ii) the NGO court challenges of September 2011 and January 2012 against ADC 9/2011 relating to

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								Cârnic and the related proceedings, the document should be produced with the privileged portion redacted.
34	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this document includes any non-privileged discussion

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						[redacted]	[redacted]	of the Alba Iulia Court of Appeal decision, and/or the decision confirming it in April 2012 finding the 2002 Roșia Montană Local Council decisions approving the PUG and PUZ unlawful, the document should be produced with the privileged portion redacted.

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35	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
36	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
37	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent

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				[redacted]		[redacted]		's acceptance that this document is privileged.
38	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent 's acceptance that this document is privileged.
39	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent 's acceptance that this document is privileged.

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40	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
41	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
42	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

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						[redacted]		that this document is privileged.
43	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
44	[redacted]	[redacted]			[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this

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						[redacted]	[redacted]	document includes any non-privileged discussion of (i) the Alba Iulia Court of Appeal decision, and/or the decision confirming it in April 2012 finding the 2002 Roșia Montană Local Council decisions approving the PUG and PUZ unlawful, or of (ii) the NGO court challenges of September

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								2011 and January 2012 against ADC 9/2011 relating to Cârnic and the related proceedings, the document should be produced with the privileged portion redacted.
45	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.

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46	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
47	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
48	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

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						[redacted]		that this document is privileged.
49	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
50	[redacted]	[redacted]			[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this

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						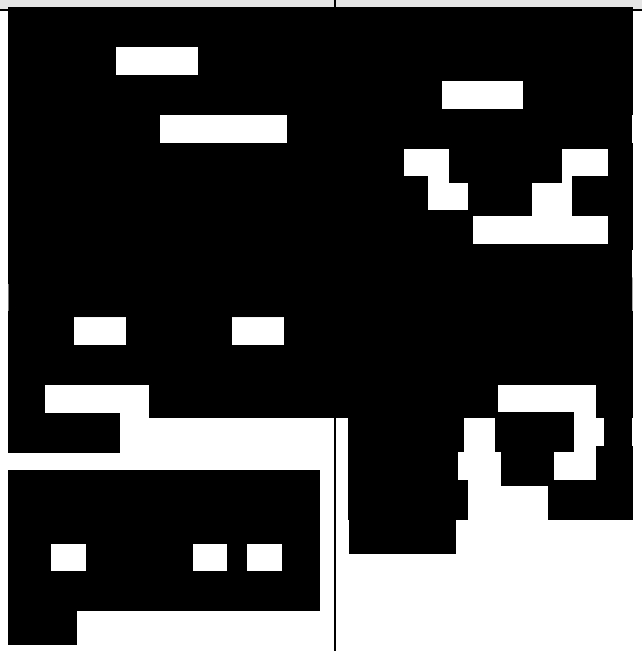		document includes any non-privileged discussion of (i) the Alba Iulia Court of Appeal decision, and/or the decision confirming it in April 2012 finding the 2002 Roșia Montană Local Council decisions approving the PUG and PUZ unlawful, or of (ii) the NGO court challenges of September

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								2011 and January 2012 against ADC 9/2011 relating to Cârnic and the related proceedings, the document should be produced with the privileged portion redacted.
51	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.

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52	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
53	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
54	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

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								that this document is privileged.
55								The Tribunal takes note of Respondent's acceptance that this document is privileged.
56								The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this

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						[redacted]	[redacted]	document includes any non-privileged discussion of the NGO court challenges of September 2011 and January 2012 against ADC 9/2011 relating to Cârnic and the related proceedings, the document should be produced with the privileged portion redacted.

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57								The Tribunal takes note of Respondent's acceptance that this document is privileged.
58								The Tribunal takes note of Respondent's acceptance that this document is privileged.

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59	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
60	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
61	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance

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						[redacted]		that this document is privileged.
62	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.
63	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged.

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
64	[redacted]	[redacted]			[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this document includes any non-privileged discussion of the NGO court challenges of September 2011 and January 2012 against ADC 9/2011

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]		relating to Cârnic and the related proceedings, the document should be produced with the privileged portion redacted.
65	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's acceptance that this document is privileged in part. To the extent that this document includes any non-privileged

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No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
						[redacted]	[redacted]	discussion of the NGO court challenges of September 2011 and January 2012 against ADC 9/2011 relating to Cârnic and the related proceedings, the document should be produced with the privileged portion redacted.
66	[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	The Tribunal takes note of Respondent's

CLAIMANTS' PRIVILEGE LOG IN ACCORDANCE WITH ¶ 55(3) OF PROCEDURAL ORDER NO. 10 JUNE 18, 2018								
No.	**Document Request No(s)**	**Date**	**To**	**From**	**Subject matter**	**Reason for Non-Disclosure**	**Respondent's Comments**	**Tribunal's Decision**
								acceptance that this document is privileged.
67								The Tribunal takes note of Respondent's acceptance that this document is privileged.