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**INTERNATIONAL CENTRE FOR THE SETTLEMENT OF INVESTMENT DISPUTES**

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GRAN COLOMBIA GOLD CORP.

*Claimant*

v.

REPUBLIC OF COLOMBIA

*Respondent*

**ICSID Case No. ARB/18/23**

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**ANNEX A:**

**TRIBUNAL'S RULING ON  
CLAIMANT'S DOCUMENT PRODUCTION REQUEST**

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## **CLAIMANT’S DOCUMENT PRODUCTION REQUESTS**

**8 July 2021**

Pursuant to paragraph 15 of the Procedural Order No. 1 dated 24 June 2019, Gran Colombia Gold Corp. (“**Claimant**”) requests the Republic of Colombia (“**Colombia**” or “**Respondent**”) to provide copies of the documents identified below (the “**Request for Production of Documents**”).

Following the guidance provided by Article 3.3(c) of the 2010 International Bar Association Rules on the Taking of Evidence in International Arbitration (“IBA Rules”), Claimant confirms that the documents requested are not in the possession, custody or control of Claimant and are assumed to be in the possession, custody or control of Colombia or have been provided to Colombia.

### **General Definitions**<sup>1</sup>

1. The terms “**Document**” and “**Documents**” are synonymous in meaning and include but are not limited to any and all writing(s), communication(s), picture(s), drawing(s), program or data of any kind, whether recorded or maintained on paper or by electronic, audio, visual or any other means, including the originals (and any drafts) and non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise.
2. The terms “**Attachment**” and “**Attachments**” are synonymous in meaning and include but are not limited to any and all Documents and/or information referenced in and/or annexed to the Document(s) responsive to any of the requests listed below.
3. The terms “**Correspondence(s)**” and “**Communication(s)**” are synonymous in meaning and mean the transmittal of information by any means, including but not limited to conversations, notes or recordings of conversations (including telephone conversations), letters, memoranda, electronic mail (email) messages, telegrams, Whatsapp messages and facsimile messages.
4. The terms “**GCG**” and “**Claimant**” refer to Gran Colombia Gold Corp., and include all individuals or entities that work for or are considered a part of Gran Colombia Gold Corp.
5. The terms “**Colombia**” and “**Respondent**” and “**Government**” refer to the Republic of Colombia, and include all individuals or entities that work for, are appointed to, are considered a part of, or have authority to represent the Republic of Colombia.
6. The term “**Decision SU-133**” refers to the Constitutional Court decision dated 28 February 2017 in case no. SU-133/17.
7. The term “**Decision T-438**” refers to the Constitutional Court decision dated 13 July 2015.
8. The term “**INGEOMINAS**” refers to the Colombian Institute of Geology and Mining.

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<sup>1</sup> In this Request for Production of Documents, Claimant adopts the definitions used in Claimant’s Memorial on the Merits and Damages, dated 6 October 2019, and Claimant’s Counter-Memorial on Jurisdiction, dated 13 April 2020.

## CLAIMANT'S PRELIMINARY REMARKS

Claimant makes a preliminary remark, pointing the Tribunal's attention to Document **Request Nos. 1 - 18**, which are specific and unrelated requests.

Claimant notes that the remainder of the requests (**Request Nos. 19 - 210**) are specifically articulated, but pertain to similar and related requests which can be addressed largely by a single decision of principle.

Claimant has been mindful to limit its requests for document disclosure to those areas where it is for Claimant to make a *prima facie* case (such as damages), as well as areas where the production of documents is material to the proper exercise of Claimant's reply to Respondent's defense. Accordingly, none of Claimant's document production requests is to be interpreted as an acceptance of any burden of proof.

To the extent that there is any overlap between the requests, Claimant does not seek duplicate copies of Documents.

Documents Requested Pursuant to Respondent's Counter-Memorial	
Document Request No.	1
<b>A. Documents or category of documents requested</b>	Documents that describe, explain or support Colombia's interpretation of the "intended use" of the <i>amparo administrativo</i> mechanism as referenced in paragraphs 9 and 10 of Colombia's Counter-Memorial.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Counter-Memorial, ¶¶ 9-10.</p> <p>(2) Respondent has alleged that the intended use of the <i>amparo administrativo</i> mechanism was not "a means to force the mass-evictions of local communities" and that "Colombia's officials would not enforce the title holders' exclusivity rights through the <i>amparo</i> process where doing so would risk social unrest." These statements are made without any reference to documentation which support such interpretation or describe the <i>amparo administrativo</i> mechanisms or its intended use and meaning. If Respondent's assertion is to be believed, then there would be a corresponding record of documents, either formal or informal, describing the purpose or intended use of <i>amparo administrativo</i> mechanisms, and may include documents evidencing deliberations and analyses addressing these issues, namely the understood use and meaning of the mechanism as well as Colombian officials refusal to enforce rights where it would risk social unrest. The request is relevant and material to the outcome of the dispute as it bears on Colombian officials' interpretation and treatment of the <i>amparo administrativo</i> mechanism and Respondent relies on the assertions.</p> <p>(3) Claimant believes that the requested documents exist because they are of the type typically generated in the course of <i>amparo administrativo</i> proceedings and would be reflected in such documentation. As documents prepared or reviewed by Colombia's officials, they are presumed to be in the sole custody and control of Respondent.</p>
<b>C. Summary of objections by disputing party to production of</b>	Colombia objects to this Request for the Production of Documents (" <b>Request</b> "), and requests that it be denied by the Tribunal, for the following reasons:

<p><b>requested documents</b></p>	<p><i>First</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is based on GCG’s assertion that Colombia has failed to prove that the <i>amparo administrativo</i> mechanism was not “a means to force the mass-evictions of local communities” and that “Colombia’s officials would not enforce the title holders’ exclusivity rights through the <i>amparo</i> process where doing so would risk social unrest.” Contrary to GCG’s assertion, Colombia has provided ample evidence to support these propositions in its Counter-Memorial and accompanying documents and witness statements (See e.g. Counter-Memorial, Section II.C.3 and all documents referenced therein; and García Witness Statement, ¶¶ 21-23). To the extent GCG wishes to dispute the sufficiency or relevance of such evidence, GCG must do so through submission, not through a request for document production. In the words of the Iran-United States Claims Tribunal, “[w]hen a party alleges that its opponent has failed to provide evidence for a submission it has made and requests that party to produce the relevant evidence, this request should in most cases be dismissed.”<sup>2</sup> GCG’s request should be dismissed on this basis.</p> <p><i>Second</i>, the Request is formulated in vague and unparticularized terms (“Documents that describe, explain or support Colombia’s interpretation of the “intended use” of the <i>amparo administrativo</i> mechanism”), and allows neither the Tribunal nor the Respondent to ascertain which specific documents are being sought. The Request is therefore contrary to IBA Rule 3(3)(a)(i), which requires that the requesting party provide “a description of each requested Document sufficient to identify it”.</p> <p><i>Third</i>, the Request is excessively broad and unduly burdensome. The Request concerns documents in the custody of an indeterminate number of government officials and authorities over an unlimited period of time. For this reason, and because of GCG’s failure to</p>
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<sup>2</sup> Offshore Co. v. National Iranian Oil Co., Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to para 3.72, which reads “[...] where a party brings a document production request on grounds that the adverse party has not provided those documents necessary to support its case, such a request should generally be denied. This type of request does not go to the requesting party’s burden of proof but rather its opponent’s. Relevance, in order to be proven in the context of a document request, must be demonstrated by establishing why the petitioning party finds the documents necessary to successfully meet its burden of proof” (Annex 4). See also Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14: “[W]hen a document production request is disputed, the arbitrators have the responsibility of determining whether the requesting party actually needs the documents to discharge its burden of proof. If not, the request should be denied. Hence, a document production request that fails to clearly indicate the allegations the documents are supposed to prove and to explain that proof cannot be otherwise discharged should not be granted. When assessing requests arbitrators must carefully check that the burden of proof actually lies on the requesting party. In too many cases parties request the production of documents to prove the inaccuracy of statements made by the other party [...]” (Annex 5)

	<p>identify documents with particularity, it would be unreasonably burdensome to require the Respondent to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of Law 1712 of 2014 (the “<b>Access to Public Information Law</b>”) documents recording the opinions and points of view expressed by public officials during their deliberations are confidential (<b>Annex 2</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.<sup>3</sup></p> <p><i>Fifth</i>, to the extent the documents requested concern or are reflective of legal advice to governmental authorities, such documents are legally privileged.</p> <p><i>Finally</i>, Colombia objects to this Request to the extent it seeks drafts or non-final versions of any of the documents otherwise falling within the scope of this request. GCG has provided no rationale as to why draft documents would be relevant or material. Only the final version of the requested documents could be potentially relevant and material to GCG’s claims as representing the best evidence of whatever GCG might seek to prove via these documents. It would also be unduly burdensome to require Colombia to search for and produce, or confirm the lack of existence of, any and all drafts of the requested documents.<sup>4</sup></p>
<b>D. Reply</b>	<p>For purposes of efficiency, Claimant is prepared to limit its Request No. 1 to a search and examination of all relevant documents of the custodians as listed in paragraphs 30-31 of Claimant’s Memorial.<sup>5</sup> Claimant limits its request in this manner provided that the scope covers the period prior to GCG’s investment, i.e. 2009, to present.</p>

<sup>3</sup> In any event, for this and GCG’s other requests to which the Access to Public Information Law may restrict Colombia’s ability to disclose documents, Colombia reserves its right pursuant to Article 9.4 of the IBA Rules to request necessary arrangements to ensure the confidentiality of such documents.

<sup>4</sup> See IBA Rules, Articles 9.2(a) & (c).

<sup>5</sup> Namely: the National Mining Agency (*Agencia Nacional de Minería*) (“ANM”); Antioquia Secretary of Mines (*Secretaría de minas de la Gobernación de Antioquia*); Office of the Attorney General; Governors of Antioquia and Caldas; and the Mayors of Segovia and Marmato, as well as any municipal officials of Segovia and Marmato charged with overseeing or supporting the Mayors with respect to administrative actions; and the Municipal Prosecutor of the Municipality of Marmato (*Personería del Municipio de Marmato*) and the Caldas Prosecutor’s Office. See Claimant’s Memorial, ¶¶ 30-31.

	<p>See Counter-Memorial, ¶ 144. Claimant also agrees to limit its request to all final versions or copies of the requested documentation so long as Respondent provides sufficient documentation for Claimant to assess Respondent’s assertions.</p> <p>Contrary to Respondent’s assertions, the <i>amparo administrativo</i> is a legal mechanism that provides for the removal of illegal miners, that the Colombian Government has utilized and followed in the past to remove illegal miners. See <b>Ex. CL-22</b>, the 2001 Mining Code, 15 August 2001, Chapter XXVII. Now, for the first time in these proceedings, the Colombian Government asserts that the <i>amparo administrativo</i> is not intended to be used to protect mining title holders’ exclusivity rights “where doing so would risk social unrest.” Colombia has provided no documentation or evidence for this official Government interpretation of a legal mechanism, or its application to GCG’s titles in this proceeding. Claimant believes that there are documents that demonstrate the Government has taken an inconsistent position in the past, and that this legal position is contrary to Colombia’s prior actions. It is a tenant of Colombian law, and rule of law broadly, that knowledge of judicial and administrative actions are necessary to guarantee the impartiality and transparency of decisions by Government authorities.<sup>6</sup></p> <p>For the avoidance of doubt, Claimant notes that its readiness to - subject to the above conditions and replies - limit its request in this matter is not to be construed as an acceptance of Respondent’s objections, which are baseless.</p> <p>First, the Request is sufficiently specific and clearly delimited in subject-matter. Claimant’s request seeks documents related to Respondent’s interpretation of the intended use of the relevant legal mechanism under Colombian law, the <i>amparo administrativo</i>. Colombia broadly claims that elected representatives, such as Mayors, have a “prerogative”—and “duty”—“not to enforce orders where doing so would risk disturbances to the public order...” Counter-Memorial, ¶ 9. Contrary to Respondent’s assertions, the</p>
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<sup>6</sup> See **Annex H** (Constitutional Court. Ruling T-286 of 2018) (“The principle of publicity has become a fundamental element of the Rule of Law and of democratic regimes, since knowledge of judicial and administrative actions makes it possible to guarantee the impartiality and transparency of the decisions adopted by the authorities, curtailing the hidden or arbitrary practices that violate the principles, mandates and rules that govern the public function”).

documentation Respondent cites to in its objection does not address Claimant's request (*see e.g.* Counter-Memorial, Section II.C.3, citing to **Ex. CL-22**, the 2001 Mining Code, 15 August 2001, and **Ex. R-142** the Political Constitution of Colombia, 4 July 1991, Art. 315). Claimant's request seeks documents evidencing Colombian officials' interpretation of the "intended use" or basis of the legal mechanism of the *amparos*. The Mining Code and Constitution do not help to shed light or provide insight into this "intended use", the basis for the "prerogative" of Colombian officials, or where such interpretation of the *amparo* procedure originates. Further, Colombia provides only citations and references to Mr. García as to the "*raison d'être* of the *amparo administrativos* action." Counter-Memorial, ¶ 142.

*Second*, to the extent Claimant's request is in "vague and unparticularized terms", this is because Colombia fails to provide a sufficient basis to particularize where such interpretation as to the proper "intended use" is -- the support it alleges to exist in Section II.C.3 of the Counter-Memorial and the García Witness Statement. As stated above, this objection similarly fails.

*Third*, the request is not excessively broad and unduly burdensome. Respondent's claim that the request would require an inquiry of "potentially limitless (unidentified) custodians", and to examine "large amounts of documents in a very short period of time" is unavailing and disingenuous. By Respondent's own admissions in Section II.C.3 of the Counter-Memorial, the relevant municipalities implicated by this request are not comprised of "potentially limitless" and unidentified custodians. Rather, Respondent's allegations and propositions cover a discrete and identifiable number of custodians listed above in footnote 5 and potential documents to be searched and/or examined.

*Fourth*, serious due process implications arise for Claimant given Respondent's refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent's unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent's Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of



	<p>the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>7</sup></p>
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<sup>7</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; see also **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

*Fifth*, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed not by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the purpose of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; *see also* IBA Rules, Article 9.4 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.

Further, contrary to Respondent’s assertion, Claimant does not seek “deliberations” between public officials, rather, Claimant is seeking Documents that describe, explain or support Colombia’s and Colombian officials’ interpretation of the legal mechanism at issue -- the *amparo administrativos*. To the extent such “opinions”, “points of view”, or “deliberations” might be implicated by the scope of this request, the burden is on Respondent to identify which documents are specifically protected by Colombian law and why. Respondent fails to provide a sufficient explanation as to the need to safeguard

	<p>this information, which it claims elsewhere within this objection does not exist, by invoking a blanket objection of confidentiality protection.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for <b>public</b> access to information in control of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>8</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>9</sup></p> <p><i>Finally</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise protected from disclosure under the law of a Party[.]” (emphasis</p>
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<sup>8</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

<sup>9</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Ex. R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).

	added); IBA Rules Article 9.4. For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.
<b>E. Decision of the Tribunal</b>	Request denied.
<b>Document Request No.</b>	2
<b>A. Documents or category of documents requested</b>	Documents that identify the requirements for the “applications” for large-scale mining projects as alleged in Counter-Memorial paragraph 83, specifically documents that detail the procedure or requirements to: (i) “prepare and obtain approval of a PTO”; (ii) “conduct community consultations”; and (iii) “secure an environmental licence by submitting an Environmental Impact Assessment (“EIA”).”
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Counter-Memorial, ¶¶ 83, 87-89.</p> <p>(2) Respondent, in paragraph 83 of its Counter-Memorial, makes assertions that GCG has not acquired the right to develop large-scale mining project under the mining titles issued under the 1988 Mining Code, because GCG has not submitted certain applications. Respondent, in paragraphs 87-89 of its Counter-Memorial, makes assertions that concessionaires must satisfy and obtain certain permissions from the relevant Government authorities, through a PTO and EIA. In order to assess this assertion and evaluate the accuracy of Respondent’s statements, Claimant requires access to the underlying applications as herein requested.</p> <p>(3) The requested applications and documents are believed to exist because they must have served as the basis on which Respondent has made its assertions in paragraphs 83, 87-88. Colombia is the custodian of the requested documents because they are government forms and applications. For these reasons, the requested documents would be in the custody and control of Respondent.</p>
<b>C. Summary of objections by disputing party to production of</b>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal for the following reasons:</p> <p><i>First</i>, the Request seeks the production of documents that have already been exhibited by Colombia and which are referenced in its</p>

<p><b>requested documents</b></p>	<p>Counter-Memorial concerning certain Colombian legal requirements. Specifically, as explained in the Counter-Memorial, in order to acquire the right to conduct a large-scale mining project, GCG was required to conduct community consultations and obtain the approval of an environmental licensing application and PTO. (See Counter-Memorial, Section II.B.3). Such requirements are provided for under the 1988 Mining Code (see 1988 Mining Code (<b>Exhibit R-106</b>, Arts. 36-38) and the 2001 Mining Code (<b>Exhibit CL-22</b>, Arts. 204-206). Those laws were exhibited in the Counter-Memorial and are publicly available.</p> <p>GCG provides no valid justification for the production of any documents beyond the laws that are already on the record. Contrary to GCG’s assertions, GCG does not require any documents beyond such laws in order to “<i>evaluate the accuracy of Respondent’s statements</i>” concerning the legal requirements that applied to GCG’s titles. To the extent GCG disputes Colombia’s characterization of such requirements, GCG must do so through submission, not through document production requests.</p> <p><i>Third</i>, GCG has failed to offer any justification for its request for “<i>documents that detail the procedure</i>” for such applications. It is undisputed that GCG never made any such applications, nor is there any dispute over the procedure that GCG would be required to follow if it were in a position to make them. The documents requested detailing the procedure for such applications are therefore not relevant to any factual issue in dispute, still less material to the outcome of the case.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p><i>First</i>, contrary to Colombia’s statement, the requested documents were not exhibited. What Respondent exhibited includes <b>Exhibit R-106</b>, 1988 Mining Code Arts. 36-38 and <b>Exhibit CL-22</b>, the 2001 Mining Code, Arts. 204-206, however, these excerpts and laws provide only the general terms and legal requirements. They do not contain any specific rules or regulations describing, or providing details, specifics, or the required procedures for completing the mentioned applications, including but not limited to the necessary application forms. Claimant requests copies of the rules and internal regulations necessary to complete the application process, such as the</p>

	<p>preparation of the PTO and EIA that Respondent relies on in making its assertions.</p> <p><i>Second</i>, the requested documents are relevant because Colombia alleges that there were legal obligations that Claimant did not comply with. In turn, GCG asserts that such documentation has <i>not</i> been required of GCG, and it cannot comply with a procedure for which it is unable to ascertain. This is in conflict with Respondent’s assertion that there is not “any dispute over the procedure that GCG would be required to follow” and thus Claimant has a legitimate justification for requesting production of these documents. Claimant needs to understand the obligations it allegedly did not comply with, and the necessary details and procedures for compliance.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	The Respondent shall provide copies of any particular application forms and/or any particular instructions that it contends exist, and that GCG should have submitted or followed, with respect to community consultations, a PTO or an EIA. To the extent the Respondent does not contend that any specific forms or instructions exist, beyond what is set out in the contents of the 1988 and 2001 Mining Codes, then no production is required.
<b>Document Request No.</b>	3
<b>A. Documents or category of documents requested</b>	Presentations made to Canadian investors by the Government between 2008 and 2011 concerning the policy, status and strategy for addressing local miners on mining properties made available by the Government to foreign investors.
<b>B. Relevance and materiality:</b>	<p>(1) Claimant’s Memorial, ¶¶ 32-37, 506-507; Counter-Memorial, ¶¶ 125-134.</p> <p>(2) Claimant asserts that Colombia made assurances to GCG, of a favorable investment climate at the time of investment, including protected mining rights. Respondent denies this and claims in turn</p>

<p>(1) paragraph reference to submissions</p> <p>(2) comments</p> <p>(3) statement concerning custody and control</p>	<p>that Colombia has not made any “specific representations made by the representatives of Colombia.” As such, the requested documents are relevant and material because they relate to this disputed issue and Claimant requests their production.</p> <p>(3) Claimant believes that the requested documents exist given they would typically be generated in such documents and outward communications. The documents are limited to those delivered to or prepared by Colombia and thus should be in Respondent’s custody or control.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is essentially a “fishing expedition”. If any relevant specific representations had been made to GCG, GCG would be in possession of the documents in which such representations were communicated. Having failed to adduce any such documents with its Memorial (see Counter-Memorial, ¶¶ 125-134), GCG now seeks to fish for “[p]resentations made to Canadian investors by the Government between 2008 and 2011”, presumably in the hope that such presentations might exist and might provide GCG with an <i>ex post facto</i> justification for its alleged belief that Colombia would carry out military mass evictions of the communities of artisanal and small-scale miners living and working at Segovia and Marmato for decades. GCG provides no basis whatsoever for believing that Colombia is in possession of any such presentations. Rather, GCG’s statement that GCG “believes that the requested documents exist given they would typically be generated in such documents and outward communications” presupposes, without justification, the existence of such presentations.</p> <p><i>Second</i>, GCG has failed to establish that the documents requested, if they existed, would be relevant to any issue in dispute, still less that they would be material to the outcome of the case. As Colombia established in its Counter-Memorial, GCG failed to adduce any documents with its Memorial proving that Colombia made any specific and relevant representations to it that Colombia would forcefully displace the communities at Marmato and Segovia and eliminate traditional mining there. Instead, GCG referred to (and mischaracterized) a series of generic and irrelevant documents concerning the promotion of foreign investment in the mining sector generally. Further, GCG provided no evidence that it even knew of</p>



	<p>such documents at the time it invested. (see Counter-Memorial, ¶¶ 125-134). For similar reasons, the presentations requested in this Request, even if they did exist and contained any representations concerning “<i>the policy, status and strategy for addressing local miners on mining properties made available by the Government to foreign investors</i>”, would still not be specific to GCG and its investments at Marmato and Segovia, and GCG would still not be able to show that it relied on any such representations.</p> <p><i>Third</i>, the Request is excessively broad and unduly burdensome. The Request concerns documents in the custody of an indeterminate number of government officials and State agencies. For this reason, and because of GCG’s failure to identify documents with particularity, it would be unreasonably burdensome to require Colombia to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p><i>First</i>, the Request does not amount to a “fishing expedition” since it is clear from the parties submissions that such presentations exist. For example, in GCG’s Memorial, at paragraph 32 and as referenced expressly in footnote 45. <i>See Ex. C-34</i> (“ProColombia, Ministro de Minas invitó a empresarios canadienses a invertir en Colombia (“Colombian Minister of Mines hosted seminar in Canada to promote investments”), dated 6 December 2010”). The request as stated is sufficiently narrow and specific, as it is delimited in both time and subject-matter, and seeks those presentations made to Canadian investors. Respondent’s claim that the request “presupposes, without justification, the existence of such presentations” is incorrect and misstates the requirements of the IBA Rules. Claimant is required only to show that such documents are “likely to exist.” It is conceivable that other similar presentations are likely to exist.</p> <p><i>Second</i>, the materials requested are highly relevant and material to this dispute, as they go to the expectations of the parties, an issue which is the very subject matter of this arbitration. Respondent claims that GCG knowingly invested or should have known when it invested that its titles would require accommodation of the interests of artisanal and small-scale miners. Claimant asserts that the</p>



	<p>Colombian Government reassured and made specific representations to investors, including Canadian investors, to the contrary. In fact, GCG made significant investments in Colombia in reliance on Colombia's representations to Canadian and other investors -- representations which promised the exclusive mining title rights, stability, and growth in the mining sector. <i>See</i> Claimant's Memorial, ¶¶ 35-38; Paredes Statement, ¶ 22. Claimant provided several examples as to the various statements and representations made regarding investment in Colombia's mining sector, including reassurance that the Colombian government was committed to addressing illegal mining ventures with force. <i>See, e.g.</i>, Claimant's Memorial, ¶¶ 32-36; <b>Ex. C-34</b>; <b>Ex. C-32</b>, Ministry of Mines, PowerPoint Presentation on the Colombian Mining Sector in 2010 and Beyond, dated 2010, pp. 36-39 (Colombia's officials describing Colombia's "attractive investment regulation," "attractive mining policy," "legal stability," "attractive Mining Code," as well as an "alignment of interests between the Government and private investors to develop and grow the mining sector."); <b>Ex. C-36</b>, Council of the Americas, Remarks by Juan Manuel Santos, President of Colombia, dated 23 September 2010 (statements by President of Colombia that the government was and intended to address local miners and illegal mining ventures "with all the force"). Claimant believes that there are additional examples and presentations made, and thus requests production of those documents.</p> <p><i>Third</i>, Contrary to Respondent's blanket assertions, the request is not broad or burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, such as those discussed above in Claimant's Memorial. The request is furthermore strictly defined by reference the specific subject matter and content of the presentations -- those made to Canadian investors by the Colombian Government on a narrow set of topics. Respondent's allegation that the request spans over an "indeterminate number of government officials and State agencies" is meritless as the requested documents would relate to a subset of Government officials and a specified time frame, namely between 2008 and 2011, thereby providing Respondent with sufficient criteria to narrow its search for responsive documents.</p>
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	<p>Further, Respondent cannot claim both that the documents do not exist and that the request is excessively broad and unduly burdensome.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request denied.
<b>Document Request No.</b>	4
<b>A. Documents or category of documents requested</b>	<p>Documents demonstrating the actions taken by the Colombian authorities in the period between 2015- to present to combat illegal mining in Marmato, as alleged in Counter-Memorial, ¶ 201 and Alvaro Chaves Witness Statement ¶ 31, namely:</p> <ol style="list-style-type: none"> <li>1. documents, internal correspondence or communications regarding the “judicial police investigations in response to complaints concerning the illegal exploitation of mineral deposits (including complaints filed by GCG)” taken to combat illegal mining activities;</li> <li>2. documents, internal correspondence or communications regarding the “Carrying out [of] intelligence operations to identify links between informal mining operations and organized crime, as well as groups trafficking in explosives or engaging in money laundering activities through the sale of gold”;</li> <li>3. documents, internal correspondence or communications regarding the “Conducting [of] raids in <i>compraventas</i> (gold trading shops), mines and seizing explosives and mining supplies”; and</li> <li>4. documents, internal correspondence or communications regarding the “Initiating forfeiture proceedings against individuals involved in criminal investigations for illegal exploitation of mining deposits and money laundering”.</li> </ol>

<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Counter-Memorial, ¶ 201; Alvaro Chaves Witness Statement ¶ 31.</p> <p>(2) Respondent alleges that Colombian authorities “have taken decisive action” to combat illegal mining in Marmato, and that the Ministry of Defense, the Army and National Police have pursued illegal exploitation of mining deposits and criminal organizations under the Criminal Code. Specifically, Respondent and their witness Alvaro Chaves argue that the above actions were taken in the last four years. Claimant believes the requested documents, internal correspondence or communications exist because they would ordinarily be required to proceed with such government official operations.</p> <p>The requested documents are relevant and material to the outcome of the dispute because Respondent alleges that the illegal mining occurring in GCG’s titles is distinct from criminal or illegal activity, and relies on the above actions purportedly taken distinguish it’s inaction to protect GCG’s mining titles. Claimant, in turn, responds that Colombian authorities have taken no action to protect its own mining titles in this area and has resulted in the proliferation of illegal mining activities for which Respondent’s alleged distinction does not exist. The requested documents would verify the allegations and assertions from Respondent, and as such, Claimant has a right to review them to test the veracity of the allegations. The requested documents are also relevant and material to the outcome of the dispute as they would bear out the distinction that Respondent relies on to distinguish the illegal mining of GCG’s titles and the illegal mining that it claims constitutes criminal offenses under Operación Creta, among others.</p> <p>(3) Claimant believes that the requested documents exist because they are of the type typically generated in the course of <i>amparo administrativo</i> proceedings. As documents prepared or received by Colombia’s officials, they are presumed to be in the custody or control of Respondent.</p>
<p><b>C. Summary of objections by disputing party to production of</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist.</p>

<p><b>requested documents</b></p>	<p>Rather, the Request is based on GCG’s assertion that Colombia has failed to prove the facts alleged at ¶ 201 of Colombia’s Counter-Memorial, which refers to ¶ 31 of Alvaro Chaves’s Witness Statement. To the extent GCG wishes to dispute the sufficiency or relevance of such evidence, GCG must do so through submission, not through a request for document production. In the words of the Iran-United States Claims Tribunal, “[w]hen a party alleges that its opponent has failed to provide evidence for a submission it has made and requests that party to produce the relevant evidence, this request should in most cases be dismissed.”<sup>10</sup> GCG’s Request should be dismissed on this basis.</p> <p><i>Second</i>, the Request is formulated in vague and unparticularized terms (“documents, internal correspondence or communications regarding [...]”) and allows neither the Tribunal nor the Respondent to ascertain which specific documents are being sought. The Request is therefore contrary to IBA Rule 3(3)(a)(i), which requires that the requesting party provide “a description of each requested Document sufficient to identify it”.</p> <p><i>Third</i>, the Request is excessively broad and unduly burdensome. The Request concerns documents in the custody of an indeterminate number of government officials and State agencies. For this reason, and because of GCG’s failure to identify documents with particularity, it would be unreasonably burdensome to require Colombia to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law documents recording the</p>
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<sup>10</sup> Offshore Co. v. National Iranian Oil Co., Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to para 3.72, which reads “[...] where a party brings a document production request on grounds that the adverse party has not provided those documents necessary to support its case, such a request should generally be denied. This type of request does not go to the requesting party’s burden of proof but rather its opponent’s. Relevance, in order to be proven in the context of a document request, must be demonstrated by establishing why the petitioning party finds the documents necessary to successfully meet its burden of proof” (Annex 4). See also Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14: “[W]hen a document production request is disputed, the arbitrators have the responsibility of determining whether the requesting party actually needs the documents to discharge its burden of proof. If not, the request should be denied. Hence, a document production request that fails to clearly indicate the allegations the documents are supposed to prove and to explain that proof cannot be otherwise discharged should not be granted. When assessing requests arbitrators must carefully check that the burden of proof actually lies on the requesting party. In too many cases parties request the production of documents to prove the inaccuracy of statements made by the other party [...]” (Annex 5)

	<p>opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). Further, per Article 33 of the Law on Intelligence and Contra-intelligence, documents containing intelligence or contra-intelligence information are confidential. Such information may only be disclosed to judicial authorities, upon their request, through proper confidentiality arrangements, provided that the disclosure of said information does not put national security or defense, or the integrity of individuals, agents or sources at risk (<b>Annex 2</b>).</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, Respondent's objection that the request is not narrow and specific is unavailing, and disingenuous. Respondent is the one who has made the abovementioned assertions as to the specific actions taken by the Colombian authorities, without providing any supporting documentation. Thus, Respondent has made such actions relevant and has shown that they are reasonably believed to exist. Claimant needs to understand what measures, and the scope of the measures that the Colombian authorities have undertaken. This request does not simply relate to the assertions included in Respondent's Counter-Memorial, but it is integral to understand precisely what actions and measures Colombian authorities have taken to combat illegal mining.</p> <p><i>Second</i>, Respondent erroneously objects that the request is vague and unparticularized. The request refers to a narrow and specific category of potential documents, and clearly specifies the subject matter and content of the documents requested, exactly as set forth by Respondent at paragraph 201 of Colombia's Counter-Memorial and paragraph 31 of Alvaro Chaves's Witness Statement. The request is further narrowed by the time period and dates specified and by seeking discrete categories of documentation, internal correspondence, or communications that relate to the statements made by Respondent and Alvaro Chaves. As a whole, this constitutes a narrow and specific category of documents per Article 3(a)(ii) IBA Rules. Respondent cannot seriously argue that the requested documents within the scope of this request are formulated in vague or unparticularized terms.</p>

	<p><i>Third</i>, contrary to Respondent’s blanket assertions, the Request is not broad or burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules, as discussed above. Respondent’s allegation that the request spans over an “indeterminate number of government officials and State agencies” is meritless as the requested documents relate to a subset of specific Colombian authorities as identified by Respondent and Alvaro Chaves, including the National Army and Police. The request is further limited to the four-year time period identified by Respondent, thereby providing Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p><i>Fourth</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent’s unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>11</sup></p>
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<sup>11</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim

	<p><i>Fifth</i>, Respondent’s claim that the documents requested by Claimant “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <u>purpose</u> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority</p>
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or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; *see also* **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

	<p>under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.4 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. There is no arguable basis that any of the requested documents showing what actions were taken by the Colombian government are confidential.<sup>12</sup> Contrary to Respondent’s assertion, Claimant does not seek “deliberations” between public officials, rather, Claimant is seeking documents that evidence the actions taken by Colombian officials, including internal correspondence or communications. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for <b>public</b> access to information in control of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>13</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial,</p>
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<sup>12</sup> In fact, Claimant points out that Respondent has **produced** similar documentation elsewhere, without any impediment under Colombian law. *See* Request No. 6 *infra*, citing Counter-Memorial, ¶¶ 265-283; **Ex. C-67**, Military Forces of Colombia, Executive Summary of Main Achievements from 2010-2018, pp. 10-14.

<sup>13</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.



	<p>legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>14</sup> As provided by Respondent, Law 1621 of 2013 (the “Law on Intelligence and Contra-intelligence”) (<b>Annex 2</b>) similarly allows for the disclosure to judicial authorities subject to proper confidentiality arrangements under Article 34. Claimant cannot take such claims at face value, and Respondent is required to set forth the specific grounds for confidentiality protection.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request denied, except that the Respondent shall produce documents relating to any investigations or measures undertaken specifically in response to complaints filed by GCG between 2015 and the present. regarding miners operating without a mining title within the GCG areas in Marmato.
<b>Document Request No.</b>	5
<b>A. Documents or category of documents requested</b>	<p>Documents demonstrating the actions taken by the Colombian authorities in the period between 2015- to present to combat illegal mining in Segovia, as alleged in Counter-Memorial, ¶ 201 and Alvaro Chaves Witness Statement ¶ 31, namely:</p> <ol style="list-style-type: none"> <li>1. documents, internal correspondence or communications regarding the “judicial police investigations in response to complaints concerning the illegal exploitation of mineral deposits (including complaints filed by GCG)” taken to combat illegal mining activities;</li> <li>2. documents, internal correspondence or communications regarding the “Carrying out [of] intelligence operations to identify links between informal mining operations and</li> </ol>

<sup>14</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. See **Ex. R-142** the Political Constitution of Colombia, 4 July 1991, Art. 116).

	<p>organized crime, as well as groups trafficking in explosives or engaging in money laundering activities through the sale of gold”;</p> <ol style="list-style-type: none"> <li>3. documents, internal correspondence or communications regarding the “Dismantling [of] an explosives-trafficking network in Segovia, and arresting five suspects, including Mr. Edwin Castañeda Vahos, operator of La Rubiela mine”;</li> <li>4. documents, internal correspondence or communications regarding the “Conducting [of] raids in <i>compraventas</i> (gold trading shops), mines and seizing explosives and mining supplies”; and</li> <li>5. documents, internal correspondence or communications regarding the “Initiating forfeiture proceedings against individuals involved in criminal investigations for illegal exploitation of mining deposits and money laundering”.</li> </ol>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Counter-Memorial, ¶ 201; Alvaro Chaves Witness Statement ¶ 31.</p> <p>(2) Respondent alleges that Colombian authorities “have taken decisive action” to combat illegal mining in Segovia and Remedios, and that the Ministry of Defense, the Army and National Police have pursued illegal exploitation of mining deposits and criminal organizations under the Criminal Code. Specifically, Respondent and their witness Alvaro Chaves argue that the above actions were taken in the last four years. Claimant believes the requested documents, internal correspondence or communications exist because they would ordinarily be required to proceed with such government official operations.</p> <p>The requested documents are relevant and material to the outcome of the dispute because Respondent alleges that the illegal mining occurring in GCG’s titles is distinct from criminal or illegal activity, and relies on the above actions purportedly taken distinguish it’s inaction to protect GCG’s mining titles. Claimant, in turn, responds that Colombian authorities have taken no action to protect its own mining titles in this area and has resulted in the proliferation of illegal mining activities for which Respondent’s alleged distinction does not exist. The requested documents would verify the allegations and assertions from Respondent, and as such, Claimant has a right to review them to test the veracity of the allegations. The requested documents are also relevant and material to the outcome of the</p>

	<p>dispute as they would bear out the distinction that Respondent relies on to distinguish the illegal mining of GCG's titles and the illegal mining that it claims constitutes criminal offenses under Operación Creta, among others.</p> <p>(3) Claimant believes that the requested documents exist because they are of the type typically generated in the course of <i>amparo administrativo</i> proceedings. As documents prepared or received by Colombia's officials, they are presumed to be in the custody or control of Respondent.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 4, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 5, which apply here <i>mutatis mutandis</i>.</p> <p>For these reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request denied, except that the Respondent shall produce documents relating to any investigations or measures undertaken specifically in response to complaints filed by GCG between 2015 and the present. regarding miners operating without a mining title within the GCG areas in Segovia.
<b>Document Request No.</b>	6
<b>A. Documents or category of documents requested</b>	Documents or correspondence between Continental Gold and Colombia evidencing the basis for an implementation of the <i>amparo administrativos</i> requested by Continental related to their titles in Buriticá. Claimant also requests internal correspondence between relevant Colombian Government officials and police officials concerning enforcement attempts related to these administrative actions, from the period of 2016-2019.

<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant’s Memorial, ¶¶ 541-542; Counter-Memorial, ¶¶ 14, 265-283; R-81, R-82, R-90, R-91, R-94; Alvaro Chaves Witness Statement, ¶¶ 14-26.</p> <p>(2) Respondent claims that the objective of Operación Creta was not to enforce the <i>amparos administrativos</i> requested by Continental, and that significant differences in circumstances existed. Given that Respondent states that <i>amparos</i> were requested by Continental, Claimant requests production of documents or correspondence specifically related to these <i>amparos</i> during the relevant time period.</p> <p>The requested internal correspondence is relevant and material to this dispute because it bears on the activities, decision-making processes and actions, or lack thereof, of Colombian officials in addressing or enforcing the <i>amparo administrativos</i> requested by Continental. Such correspondence is relevant to determine what actions and efforts, if any, were taken by Colombia, in addressing such orders. Given the volume of <i>amparos</i> requested by GCG at issue in this dispute, the requested documents would elucidate the alleged distinctions drawn by Respondent in differentiating the circumstances in Buriticá (leading to Operación Creta) and those related to illegal miners in GCG’s circumstances in Segovia and Marmato, including Colombian officials treatment of the actions.</p> <p>(3) The documents requested concern communications or correspondence that are between Colombia and Colombian officials or Continental Gold, Inc., and as such they are presumed to be in the exclusive custody and control of Respondent.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, GCG’s justification does not establish the relevance or materiality of the documents requested. In its Counter-Memorial (Section II.F.5), Colombia explained in detail the plethora of exceptional social, economic and public order reasons necessitating a military and police operation to remove migrant goldseekers from Buriticá through <i>Operación Creta</i>, as well as the reasons why it would have been impossible and inappropriate for a similar operation to be carried out at Segovia and Marmato. Accordingly, the question whether <i>Operación Creta</i> was carried out to enforce <i>amparos administrativos</i> and the documents requested relating to such <i>amparos administrativos</i>, are immaterial to the outcome of this case</p>

	<p>because such documents are not relevant to the facts, established in Colombia's Counter-Memorial, that the police and military operation in Buriticá pursued broader public policy objectives and that a similar operation in Segovia and Marmato would not have been possible or appropriate.</p> <p><i>Second</i>, the Request is excessively broad and unduly burdensome. The documents requested are not precisely defined and concern an indeterminate number of government entities and custodians. The Request for documents exchanged between Continental Gold and Colombia also covers an unspecified period of time, and does not allow the Tribunal or the Respondent to ascertain which specific documents are being sought or may be responsive. It is therefore contrary to IBA Rule 3(3)(a)(i). Gran Colombia Gold's failure to identify documents with particularity also means that it would be unreasonably burdensome to require Colombia to examine potentially massive amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Third</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law documents recording the opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). Similarly, per Article 33 of the Law on Intelligence and Contra-intelligence, documents containing intelligence or contra-intelligence information are confidential. Such information may only be disclosed to judicial authorities, upon their request, through proper confidentiality arrangements, provided that the disclosure of said information does not put national security or defense, or the integrity of individuals, agents or sources at risk (<b>Annex 2</b>).</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>For purposes of efficiency, Claimant is prepared to limit its Request No. 6 to correspondence, including letters, emails, email chains, and attachments to such documents, that relate to the implementation, order, or instruction, between and among the relevant government agencies and authorities, or between the relevant government agencies and authorities and Continental Gold, concerning enforcement attempts related to the administrative actions. Claimant narrows this request provided that the scope covers all of the eviction orders and Resolutions enforced under <i>Operación Creta</i> and</p>

	<p>affecting Continental’s titles in Buriticá.</p> <p>For the avoidance of doubt, Claimant notes that its readiness to - subject to the above conditions and replies - limit its request in this matter is not to be construed as an acceptance of Respondent’s objections, which are baseless.</p> <p><i>First</i>, the documents requested are highly relevant. GCG is entitled to understand the full picture as to the basis for <i>Operación Creta</i>, including specifically what role the <i>amparos administrativos</i> requested by Continental Gold had in the operation, Colombia’s reasoning behind such operations and the treatment and enforcement of the administrative actions at issue. Despite Colombia’s assertions, GCG cannot in fairness address Colombia’s claims as to the broader public policy objectives and that “a similar operation in Segovia and Marmato would not have been possible or appropriate” without seeing documentation related to these assertions. The simple fact is that Continental Gold submitted <i>amparo administrativos</i> that were enforced by the Colombian government as an integral part of this operation. The requested documentation will further show the capability of the government to enforce such actions, a claim which Colombia puts in dispute throughout its Counter-Memorial. As concrete examples of the orders and actions at issue, <i>see Exs. C-18, C-212, C-213</i> (referencing Resolution No. VSC-055 dated 20 January 2016 relating to Continental Gold’s titles) and Claimant’s Memorial, ¶¶ 422, 541, <b>Ex. C-218</b> (“The Government deployed 2,000 soldiers, closed 220 illegal mining operations and 80 illegal processing plants, confiscated more than 20 kilometers of hoses and 432 illegal vehicles, and evicted more than 2,500 people from the zone.”) Documentation elucidating the reasoning for these actions is relevant to the dispute, as GCG is entitled to understand and examine the documentation that shows the reasons why these evictions were ordered or enforced, and the capability of the government in executing such operations.</p> <p><i>Second</i>, the request is not excessively broad and unduly burdensome. Respondent’s claim that the request would require an inquiry of an “indeterminate number of government entities and custodians” is meritless as the requested documents would relate to a subset of Government officials (interacting with only one specific third party, Continental Gold, and relating only to a discrete subject-matter of</p>
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	<p><i>amparo administrativos</i>) in the specific and narrow location of the Buriticá village. Specifically, the government agencies and authorities implicated in this request, at minimum, are: Ivan Duque Márquez, President of the Republic of Colombia; Luis Pérez Guitérrez Governor of Antioquia; the National Army and Police; the Office of the Attorney General; the National Mining Authority (ANM); and the Office of the Municipal Ombudsman, as well as the relevant Mayor’s office. <i>See</i> Counter-Memorial, ¶ 272. Further, the requested documents relate to a discrete number of Resolutions, including a discrete number of illegal operations that were closed down. <i>See</i> Counter-Memorial, ¶ 268; <b>Ex. R-91</b>; <i>see also, e.g., Ex. C-18; <b>Ex. C-67</b>, Military Forces of Colombia, Executive Summary of Main Achievements from 2010-2018, pp. 10-14. The request as formulated thereby indisputably provides Respondent with sufficient criteria to narrow its search for responsive documents. In addition, the request does not cover “an unspecified period of time” but relates specifically to the administrative actions requested by Continental Gold and the government actions over this very short four year period of 2016-2019.</i></p> <p><i>Third</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent’s unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p>
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	<p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>15</sup></p> <p><i>Fourth</i>, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has</p>
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<sup>15</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; see also **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”



	<p>acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <i>purpose</i> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered “necessary for the preparation of” a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 2</b>) sets forth the general rules for <b>public</b> access to information in control of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>16</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the</p>
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<sup>16</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

	<p>proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>17</sup> As provided by Respondent, Law 1621 of 2013 (the “Law on Intelligence and Contra-intelligence”) (<b>Annex 2</b>) similarly allows for the disclosure to judicial authorities subject to proper confidentiality arrangements under Article 34. Claimant cannot take such claims at face value, and Respondent is required to set forth the specific grounds for confidentiality protection.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request granted, as limited to contemporaneous correspondence, prepared between 2016-2019, that refer to (a) the steps taken at Buriticá to remove miners operating within Continental Gold areas without a mining title, and (b) the reasons for undertaking such steps.
<b>Document Request No.</b>	7
<b>A. Documents or category of documents requested</b>	Documents relating to the Government’s evaluation of GCG’s application for permits for the alternative Pomarrosa and El Shaft sites that were either prepared or received by Corantioquia between 2014 and the present.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>	<p>(1) Claimant’s Memorial, ¶¶ 231-233; Ramirez Statement, ¶¶ 166-172; Counter-Memorial, ¶ 630; Rossi Report, ¶¶ 263, 273(a).</p> <p>(2) Claimant alleges that Corantioquia (the regional agency responsible for providing environmental licenses and permits in the Department of Antioquia (which covers GCG’s mining titles in Segovia)) has caused substantial delay and costs for failure to timely grant environmental permits. Respondent in turn claims that the delay in permitting was not wrongful and was instead caused by routine</p>

<sup>17</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Ex. R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).

<p><b>(3) statement concerning custody and control</b></p>	<p>industry delay or costs incurred by reason of the presence of artisanal and small-scale miners.</p> <p>Claimant believes the requested documents exist, as there would be a corresponding record of documents evidencing deliberations and analyses addressing the permit requests and related issues. This is particularly true given that Respondent alleges that the delay “is common in every country in the world, as the relevant authorities are required to support their decisions with ample technical information and frequently environmental authorities require additional information in addition to the initial application.” (Rossi Report, ¶ 263.) For this reason, to the best of Claimant’s understanding, the requested documents exist as application proceedings of this type generally necessitate internal exchanges between case handlers and the decision-making individuals concerning the applications.</p> <p>The requested documents are relevant and material to the outcome of the case because the associated delays have prevented GCG from developing the infrastructure necessary to efficiently comply with environmental regulations and is illustrative of the damage caused by illegal mining practices in Segovia.</p> <p>(3) Claimant believes that the requested documents exist because they are of the type typically generated in the course of environmental permit and application proceedings. As documents prepared or received by Colombia, they are presumed to be in the custody or control of Respondent.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist and which are relevant and material. Rather, the Request is essentially a “fishing expedition”. Having failed to adduce any evidence that the time taken by Colombia’s authorities to process GCG’s applications for the Pomarrosa and El Shaft sites with its Memorial amounted to a “delay”, in this Request, GCG persists in mischaracterizing the fact that time was taken to process such applications as a “delay” that amounts to a breach of the FTA. As Colombia established in its Counter-Memorial, GCG’s claim is both factually flawed and legally hopeless under the FTA’s narrow MST standard in any event. GCG</p>

	<p>cannot now fish for documents “<i>relating to the Government’s evaluation of GCG’s application for permits for the alternative Pomarrosa and El Shaft sites</i>” in the hope that these might show that the process was somehow delayed.</p> <p><i>Second</i>, GCG’s justification does not support its Request. In particular, to the extent GCG persists in asserting (wrongly) that the time taken by Colombia’s authorities to process GCG’s applications for the Pomarrosa and El Shaft sites amounted to a “delay”, GCG should already be in possession of the documents required for GCG to establish its case. GCG is, of course, already in possession of its applications and all communications and decisions rendered by Colombia’s authorities. GCG cannot show that Colombia’s documents “<i>relating to the Government’s evaluation of GCG’s application for permits for the alternative Pomarrosa and El Shaft sites</i>” would shed any more light on the time taken by the authorities to decide on GCG’s applications, still less that such documents would be material to the outcome of GCG’s claim.</p> <p><i>Third</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law, documents recording the opinions and points of view expressed by public officials during their deliberations are confidential (<b>Annex 2</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.</p> <p><i>Fourth</i>, to the extent the documents requested concern or are reflective of legal advice to governmental authorities, such documents are legally privileged.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, Respondent’s objection that the Request is not narrow and specific is unavailing. Claimant is requesting <b>one</b> specific file relating to Claimant’s application and the relevant analysis. This is a sufficiently narrow and specific request. Claimant asserts that the Colombian authorities did not timely grant environmental permits in Pomarrosa and El Shaft, which led to arbitrary fines and fees -- causing substantial delay and costs. <i>See</i> Claimant’s Memorial, ¶¶ 221-235. Respondent asserts that GCG is responsible for any delay, and that Colombia’s delay was not wrongful. <i>See</i> Counter-Memorial, ¶ 630. This issue is highly relevant as the requested file will</p>

	<p>demonstrate whether or not there was such delay, and whether or not there was any breach. The length of time of the application may be directly relevant to what the Colombian authorities' evaluation of the applications were. This will impact whether it was a reasonable amount of time. The Tribunal should not prejudge the above factual and legal points at the document production stage. The Tribunal should assume <i>pro tem</i> that GCG's claims regarding the Government's delayed evaluation of GCG's application for permits for the alternative Pomarrosa and El Shaft sites have merit, subject to the Tribunal's findings in this respect to be made in a final award. Assuming, therefore, for the time being, that Colombia may have breached the FTA, the documents requested are relevant and material to the outcome of the case for the reasons detailed by GCG in this request.<sup>18</sup></p> <p><i>Second</i>, Claimant is not asking for the government's "opinions" or "points of view" but is seeking technical analysis that would necessarily have been performed by the government in the evaluation of GCG's applications. There is no arguable basis that any of the requested documents are confidential. To the contrary, Colombian law guarantees the principle of publicity and the impartiality and transparency of government decisions. <i>See Annex H</i> Constitutional Court. Ruling T-286 of 2018). Further, the Colombian State Council has held that all individuals and companies -- which includes GCG -- have the right to know the reasons for any administrative decisions issued by public authorities, regarding their requests or applications, and to full access to their complete files before public authorities.<sup>19</sup></p> <p>To the extent such confidential information exists, Respondent otherwise fails to provide a sufficient explanation as to the need to</p>
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<sup>18</sup> Colombia errs in alleging that GCG's claim is "legally hopeless under the FTA's narrow MST standard." Contrary to Colombia's assertions, investment tribunals have not "repeatedly held" that the MST standard establishes a high bar for claimants following the *Neer* standard. *See* Counter-Memorial, ¶ 493. Several investment tribunals have held that it is not required to establish that a violation was "outrageous" to find that the MST standard had been breached. *See, e.g., Ex. CL-95, Pope & Talbot v Canada*, ¶ 118; *Annex E, Mondev v USA*, Award, 11 October 2002, ¶ 116; *Ex. RL-90, ADF v USA*, ¶¶ 180-181; *Ex. CL-99, Waste Management v Mexico*, ¶ 93; *Annex F, Chemtura v Canada*, Award, 2 August 2010, ¶ 215; *Ex. CL-96, Railroad Development Corporation v Guatemala*, ¶ 218; *Ex. CL-32, Bilcon of Delaware v Canada*, ¶ 435; *see also* Claimant's Memorial, ¶¶ 445-448). For instance, the *Chemtura* tribunal did not exclude that a State may breach the MST by imposing undue delays in bad faith or unfairly. *Annex F, Chemtura v Canada*, Award, 2 August 2010, ¶ 224, *a contrario*.

<sup>19</sup> Due motivation of administrative acts is a burden that contemporary constitutional and administrative law imposes on the administration, according to which it is obliged to clearly and expressly state the legal and factual reasons that determine its actions. *See Annex G* (State Council. Ruling 00064 of 5 July 2018).

	<p>safeguard this information under Colombian law or otherwise, as set forth in Claimant’s replies with respect to Article 19 of the Access to Public Information Law (<b>Annex 2</b>), which apply here <i>mutatis mutandis</i>.</p> <p><i>Third</i>, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <u>purpose</u> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for <b>public</b> access to information in control of Colombian authorities, including, for example, “documents</p>
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	<p>recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>20</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>21</sup></p> <p><i>Fourth</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise protected from disclosure under the law of a Party[.]” (emphasis added); IBA Rules Article 9.4.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request granted.

<sup>20</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

<sup>21</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Ex. R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).



<b>Document Request No.</b>	8
<b>A. Documents or category of documents requested</b>	Filings made by the Government of Colombia in Constitutional Court Decision T-438 and Constitutional Court Decision SU-133.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial, ¶¶ 102, 106; Counter-Memorial, ¶¶ 145-164, 200, 248-250.</p> <p>(2) The requested filings have not been produced by Colombia. Claimant needs to see the requested filings to understand what Colombia has represented to the Constitutional Court in these matters, an issue that is central (both relevant and material) to this dispute. Claimant requests their production.</p> <p>(3) The requested documents exist pursuant to Colombia’s involvement in the Constitutional Court proceedings. As documents prepared and submitted by Colombia, they are presumed to be in the possession, custody or control of Respondent.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal for the following reasons:</p> <p><i>First</i>, GCG provides no valid justification as to why the documents requested are relevant to any specific issue in dispute, still less that such documents would be material to the outcome of the case. GCG claims, without any justification, that Colombia’s “<i>representations</i>” in these “<i>filings</i>” are “<i>an issue that is central (both relevant and material) to this dispute.</i>” They are not. While GCG alleges that Constitutional Court Decision SU-133 itself amounts to a violation of the FTA, GCG makes no allegation that Colombia’s representations in the proceeding breaches the treaty, were otherwise wrongful, or are necessary in order to interpret Constitutional Court Decision SU-133. Decision T-433, for its part, was annulled by the Constitutional Court <i>en banc</i> in 2015 and therefore, it is not even at issue in this arbitration.</p> <p><i>Second</i>, in any event, even if the submissions of government entities were at all relevant to any disputed issues, the content of such “<i>filings</i>”, insofar as the Constitutional Court deemed it relevant to its decision, is already set out in Judgment SU-133 (<b>Exhibit CL-25</b>, pp. 19-25, 43-44 and Order A-511 of 2017 (<b>Exhibit C-95</b>, Sections 4.1</p>



	<p>and 4.3), copies of which were produced and relied on by GCG in its Memorial (¶¶ 378-379).</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, Respondent’s objection lacks merit, and cannot be taken seriously. The documents requested are highly relevant. Claimant alleges that Colombia’s positions in the current arbitral proceedings and in the prior court proceedings contradict each other. Respondent alleges that “[i]t ought to have been clear to GCG when it invested that a consultation would <i>very likely</i> be required at Marmato.” Counter-Memorial, ¶ 145 (emphasis added). The consultation process was at issue, and only decided by the Constitutional Court in February 2017, a period after GCG’s investment. Thus, Colombia’s prior representations reflected in filings requested are relevant and material to this dispute, as it would shed light on the legitimacy of Colombia’s contentions.</p> <p>Decisions SU-133 and T-438 had the effect of stopping all enforcement of GCG’s eviction orders. After Decision SU-133, the Mayor of Marmato refused to enforce <i>any</i> eviction orders granted to GCG in Marmato, and Colombian authorities’ failures to review and protect GCG’s investments have had an expropriatory effect. <i>See</i> Claimant’s Memorial, ¶¶ 384-385. Claimant is entitled to understand what the exact position of the government was in the prior proceedings to understand the full effect on GCG’s eviction efforts and claims.</p> <p>Claimant, accordingly, requests the <b><u>complete filings</u></b> by all government agencies from each level of the SU-133 and T-438 proceedings, including the Constitutional Court and the relevant lower courts.</p> <p>As evidenced in <b>Exhibits CL-25</b> and <b>C-95</b>, and in Claimant’s Memorial at ¶¶ 378-379, GCG and several government agencies, including the National Mining Agency, National Agency of Legal Defense, petitioned to vacate Decision SU-133, criticizing the inconsistencies in the Decision, and the Court’s change to existing law on prior consultation as well as the scope of the prior consultation process, positions that were consistent and aligned with GCG at the time. Respondent now insists otherwise in its Counter-</p>

	<p>Memorial (<i>see</i> Counter-Memorial, ¶¶ 145, 164 (“it should have come as no surprise to GCG that its mining projects in Segovia and Marmato (at which traditional mining has been conducted by indigenous and Afrodescendant people) would be subject to the requirement of community consultations”), 200, 248-250). Claimant must have an opportunity to assess the government’s prior representations and respond accordingly.</p> <p>Respondent’s objection that Decision T-433 is not at issue in this action is correct, as Claimant’s request relates to Decision T-438. While this is likely a typographical error, whether or not the Decision is annulled is irrelevant for the reasons set forth above; the requested filings are relevant to this dispute as inconsistent with Colombia’s positions in this proceeding.</p> <p><i>Second</i>, as noted above, <b>Exhibits CL-25 and C-95</b> provide the Court’s relevant analysis of such submissions, however, Claimant has requested the submissions themselves, which must be produced as a matter of public interest under Court Decisions T-438 and SU-133, which are relevant and material to the outcome of this arbitral proceeding, as set forth above.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request granted, as limited to the Government of Colombia’s substantive submissions before the Constitutional Court (not all associated lower court proceedings) in the Constitutional Court proceedings that resulted in Decision T-438 and Decision SU-133.
<b>Document Request No.</b>	9
<b>A. Documents or category of documents requested</b>	Internal documents evidencing the Government’s strategy going forward with respect to local miners resulting from Constitutional Court Decision T-438 and Constitutional Court Decision SU-133 on GCG’s pending and requested eviction orders.

<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant’s Memorial, ¶¶ 102, 106, 111-114; Counter-Memorial, ¶¶ 145-164, 200, 248-250.</p> <p>(2) Claimant asserts that Colombia has failed to implement the Constitutional Court’s decision, through its failure and refusal to enforce the Court’s order that all mining cease. Instead, the Mayor of Marmato and the Mayor of Segovia have used the decision to refuse to enforce <i>any</i> of the remaining outstanding eviction orders on the faulty reasoning that the decision applies to <i>all</i> of GCG’s mining titles, including those in GCG’s Segovia mining titles. Respondent in turn alleges that the Colombian authorities could not evict local miners under the Constitutional Court decision. The requested documentation is relevant and material to this disputed issue and the documents requested will bear on the application of the decision and infringement of GCG’s rights under its titles by Colombia. Claimant needs to know the impact of the decision in Colombia. Claimant requests their production.</p> <p>(3) Claimant believes that the requested documents exist because they are of the type typically generated in the course of such legal proceedings, as well as such administrative proceedings with respect to the eviction orders. The documents requested are internal to Colombia or concern communications or correspondence of an internal nature. The documents are therefore presumed to be in the exclusive possession, custody and control of Colombia and Colombian officials.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons.</p> <p><i>First</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is essentially a “fishing expedition” for documents which GCG hopes will support its case with respect to its claim concerning Marmato. The Request is unfocused on any specific document or category of documents, and concerns documents in the custody of an indeterminate number of government officials and authorities, over a six-year period. For this reason, and because of GCG’s failure to identify documents with particularity, it would be unreasonably burdensome to require the Respondent to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of</p>

	<p>time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Second</i>, the Request is irrelevant to any issue in dispute and not material to the outcome of the case. The Request stems from GCG’s mischaracterization of Judgment SU-133. In Judgment SU-133, the Court did not order that “<i>all mining cease</i>.” Rather, the Court ordered certain government entities to carry out a consultations process with respect of the approval of the assignment of Contract CHG-081 to GCG’s subsidiary, MAO, pending which MAO is not allowed to conduct any further mining activities in that title. Further, the question whether the Court’s order in Judgment SU-133 is limited to the informal miners operating within Contract CHG-081 is a question of interpretation of the court’s Judgment under Colombian law, and therefore, a matter of the Parties’ submissions in this arbitration. GCG has failed to provide any justification as to why any documents beyond Judgment SU-133 itself would assist the Tribunal in its determination of that issue, still less that any such documents are material to the outcome of the case.</p> <p><i>Third</i>, the Request refers to “<i>internal documents evidencing the Government’s strategy going forward with respect to local miners resulting from Constitutional Court Decision T-438</i>.” However, as explained above, Judgment T-433 was annulled by the Constitutional Court <i>en banc</i> in 2015 and therefore, the “Government’s strategy going forward” as a result of it is not at issue in this arbitration.</p> <p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law documents recording the opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.</p> <p><i>Fifth</i>, to the extent the documents requested concern or are reflective of legal advice to governmental authorities, such documents are legally privileged.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	GCG repeats its reply to Colombia’s objections set out in response to Request No. 8 above, which apply here <i>mutatis mutandis</i> .

	<p>In addition, Colombia’s objections are baseless, for the following reasons:</p> <p><i>First</i>, the request is sufficiently specific and clearly delimited in subject-matter. The request seeks documents related to Respondent’s allegations that the Colombian authorities were not able to evict local miners under the Constitutional Court decision. The request clearly does not amount to a “fishing expedition” since it is clear from the parties’ submissions that such documents exist. Further, Respondent’s allegation that the request “concerns documents in the custody of an indeterminate number of government officials and authorities” is meritless as the requested documents would relate to a subset of Government officials within Marmato. The request is further narrowed to a specified time frame, thereby providing Respondent with sufficient criteria to narrow its search for responsive documents. Respondent must produce, and Claimant is entitled to an opportunity to assess and respond to such evidence.</p> <p><i>Second</i>, the requested documentation is highly relevant. Claimant seeks documents that evidence the Government’s strategy and refusal to enforce the eviction orders, including interpretation of the Constitutional Court Decisions. Claimant asserts that the Decisions “represent[] an unwarranted change in the law and an infringement of GCG’s rights under its titles.” Claimant’s Memorial, ¶ 114. In turn, Respondent alleges that their actions are consistent: “the Colombian authorities have been clear that they could not forcefully evict local miners ... [and i]n Segovia, the Colombian authorities’ consistent actions in this regard, would have made these limitations clear to any reasonable investor.” Counter-Memorial, ¶ 200. The requested documentation is therefore indisputably relevant to GCG’s rights in this proceeding, and to Colombia’s counter-allegations on this issue.</p> <p><i>Third</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent’s unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course).</p>
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	<p>Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>22</sup></p>
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<sup>22</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; see also **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

*Fourth*, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed not by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the purpose of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; *see also* IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.

In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. The information requested is of public interest as the implementation of Court Decisions T-438 and SU-133 are issues of public policy. The court decisions expressly provide that the documents produced for the implementation of such rulings must be made public to guarantee transparency. Claimant does not seek “deliberations” between public officials, rather, Claimant is seeking Documents that describe, explain or support Colombia’s and Colombian officials’ strategy and position as it effects GCG’s pending eviction orders. In addition,



	<p>Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for public access to information in control of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>23</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>24</sup></p> <p><i>Fifth</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise protected from disclosure under the law of a Party[.]” (emphasis added); IBA Rules Article 9.4.</p> <p><i>Finally</i>, GCG adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p>
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<sup>23</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

<sup>24</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Ex. R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).



	For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.
<b>E. Decision of the Tribunal</b>	Request granted, as limited to reports, memoranda or minutes of meetings, prepared by officials within Marmato, discussing whether and how to implement the Constitutional Court Decisions T-438 and SU-133, as they relate to GCG areas.
<b>Document Request No.</b>	10
<b>A. Documents or category of documents requested</b>	Documents relating to Colombia's consultation process and efforts to conduct consultations with indigenous peoples, including reports, evidence and related documentation as referenced in paragraph 250 of the Counter-Memorial.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial, ¶¶ 380, 384-385; Counter-Memorial, ¶¶ 145-164, 248-250.</p> <p>(2) Claimant asserts that Decision SU-133 mandated a consultation process that Respondent failed to commence and has still not implemented. Respondent in turn claims that the consultation is in progress, and describes various reports "on a plethora of issues concerning the social, cultural, economic and legal conditions". The requested documents are relevant and material to this disputed issue, and Claimant requests their production.</p> <p>(3) Claimant believes the requested documents exist and are presumed to be in the custody and control of Respondent. Further, the requested reports are prepared by Colombian officials, such as ANM, the Governor of Caldas, and the Mayor of Marmato, and are therefore presumed to be in the custody and control of Respondent.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>Colombia objects to this Request for the Production of Documents ("Request"), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, as explained in Colombia's Counter-Memorial at ¶ 250, and as expressly referenced in the footnotes to that paragraph, the documents relating to the consultation process ordered in Judgment SU-133 are publicly available at <a href="https://caldas.gov.co/index.php/atencion-ciudadano/de-interes/marmato-sentencia-su-133-de-2017">https://caldas.gov.co/index.php/atencion-ciudadano/de-interes/marmato-sentencia-su-133-de-2017</a>. The Request fails to provide any reason why any further documents relating to the</p>

	<p>consultation process, if such documents even exist, would be relevant to any issues in dispute or material to the outcome of the case.</p> <p><i>Second</i>, the Request fails to establish the relevance of any particular documents or specific categories of documents sought by identifying with reasonable particularity what factual allegations it is intended to establish. It is essentially a “fishing expedition” for any documents relating to the consultation process ordered by the Court in Judgment SU-133. GCG has failed to put forward any justification for this vague Request tied to any particular disputed issues in this arbitration. Rather, GCG’s only rationale for the request is that, in its view, “<i>Respondent failed to commence and has still not implemented</i>” the consultation process ordered by Judgment SU-133. This does not justify the relevance of the excessively broad category of documents requested to any specific issue in dispute, still less that the documents are material to the outcome of this case. The Request is not “<i>carefully tailored to produce relevant and material documents</i>”, and is therefore contrary to Article 3(3)(b) of the IBA Rules.</p> <p><i>Third</i>, to the extent the documents requested concern or are reflective of legal advice to governmental authorities, such documents are legally privileged.</p> <p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law, documents recording the opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, the provided web link does not include all of the reports, evidence, and accompanying documentation referenced at paragraph 250 of Respondent’s Counter-Memorial and as expressly referenced in the footnotes to that paragraph. Respondent’s objections are deficient for several reasons, and must fail: 1) the documents provided in the link do not include any future-looking documentation, as cited in Respondent’s Counter-Memorial and are</p>

	<p>all uploaded on one date; 2) there are no documents pertaining to public hearings, as referenced in Claimant’s Counter-Memorial; 3) the documents provided contain inconsistent production and references; and 4) some files are duplicates. This list is likely non-exhaustive.</p> <p>Respondent’s Counter-Memorial, paragraph 250 provides that “[t]he consultation process is <i>in progress</i>” and “the Mayor of Marmato is expected to finish its own report in the <i>upcoming months</i>.” (emphasis added). All information in the link was uploaded on 5 May 2020, there have been no new uploads since. These ongoing and non-published reports clearly fall within the scope of Claimant’s request, and must be produced. In addition, Respondent states that “[o]ne month after the publication of the Mayor of Marmato’s report, the ANM will schedule a public hearing to discuss with the local community the contents of the three reports.” Counter-Memorial ¶ 250. No such documents are provided publicly as to any public hearings, including minutes of hearings or invitations from the Ministry of Internal Affairs or otherwise to participate in consultation processes. As one instance of the incomplete documentation, one of the communications mentions that the ANM sent a physical file of 442 pages regarding “the information and requirements for the approval and process of the assignment of mining rights derived from mining title CHG-081” pursuant to Constitutional Court Decision SU-133. However, no such file or document is provided. Even further, some of the files and documents are duplicates. Therefore, Claimant maintains its request for “Documents relating to Colombia’s consultation process and efforts to conduct consultations with indigenous peoples,” including all documents related to the aforementioned outreach and those documents or reports that are not publicly available or not yet publicly available at the provided link.</p> <p><i>Second</i>, the Request clearly does not amount to a “fishing expedition.” Respondent identified a specific set of documents in paragraph 250 of the Counter-Memorial, related to the consultation process ordered by Judgment SU-133, and not produced in this action or at the weblink provided.<sup>25</sup> Further, Respondent identified specific</p>
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<sup>25</sup> This includes: “reports on a plethora of issues concerning the social, cultural, economic and legal conditions for the development of mining activities in Marmato (and in particular, in the El Burro Mountain)” from the ANM, Governor of Caldas, and the Mayor of Marmato, as well as any accompanying documentation, and any documents related to the “public hearing to discuss with the local community the contents of the three reports”; and documents related to “the

	<p>entities and individuals that have custody and control over the requested documents relevant to this request--ANM, the Governor of Caldas, and the Mayor of Marmato. Respondent cannot seriously argue that the mandated consultation process is not a disputed issue in this arbitration that is both relevant and material to the outcome of this case.</p> <p>GCG alleges in its Memorial that Decision SU-133 had an “expropriatory effect” in part due to this mandated consultation process, which the government has not implemented. Claimant’s Memorial, ¶¶ 382, 384. Respondent’s factual allegations in paragraph 250 of the Counter-Memorial make broad allegations that this process is “in progress” as indicated above. This consultation process has resulted in the blanket refusal to enforce <i>any</i> eviction orders in Marmato. Thus, the documents cited by Respondent are highly relevant to this disputed issue, and to GCG’s claims that Respondents have not engaged meaningfully in the community consultation progress at issue. <i>See</i> Claimant’s Memorial, ¶¶ 114, 381-382. Respondent has an obligation to produce such documentation for Claimant’s review.</p> <p><i>Third</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent’s unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record</p>
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Ministry of Internal Affairs ... invit[ations to] the Marmato mining community, the Cartama indigenous peoples and the ASOJOMAR Afrodescendant community to participate in the consultation process.” Counter-Memorial, ¶ 250.

	<p>with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p><i>Fourth</i>, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <u>purpose</u> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of a party’s case.’” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for <b>public</b> access to information in control of Colombian authorities, including, for example,</p>
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	<p>“documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>26</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>27</sup></p> <p>Further, contrary to Respondent’s assertion, Claimant does not seek “points of view” or “deliberations” between public officials, rather, Claimant is seeking documents showing Colombia’s consultation process and efforts that are public facing or with third parties. By Colombia’s own admission, the requested documents concern “Colombia’s consultation process and efforts to conduct consultations with indigenous peoples, including reports [and] evidence” which are, in part, publicly available.</p> <p><i>Fifth</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise</p>
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<sup>26</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

<sup>27</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Ex. R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).

	<p>protected from disclosure under the law of a Party[.]” (emphasis added); IBA Rules Article 9.4.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	<p>Request granted, as limited to:</p> <p>(a) <i>reports</i> referenced in paragraph 250 of the Respondent’s Counter-Memorial (and accompanying footnotes) that are not available at the provided web link; for avoidance of doubt, this includes any reports referenced in paragraph 250 as then in progress or expected to be completed in the coming months, which were not thereafter added to the cited web link; and</p> <p>(b) <i>minutes of any public hearings</i> held in the consultation processes referenced in paragraph 250.</p>
<b>Document Request No.</b>	11
<b>A. Documents or category of documents requested</b>	Documents discussing, analyzing or evidencing the implementation of the Constitutional Court’s requirement of the consultation process and consultation of indigenous peoples subsequent to Constitutional Court Decision SU-133.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial, ¶¶ 106, 111-113; Counter-Memorial, ¶¶ 145-164, 248-250.</p> <p>(2) Claimant asserts that Colombia never implemented the Constitutional Court’s decision, and did nothing to “consult” with the indigenous peoples. Colombia also never responded to GCG’s attempts to request commencement to the consultation process, and Colombia’s delay tactics have stymied GCG’s ability to comply with the Court decision or mine in Zona Alta.</p> <p>Respondent in turn alleges that the consultation process is in progress. The documents discussing, analyzing or evidencing the implementation of the mandated consultation process are relevant and material to the dispute because they will elucidate the</p>



	<p>contemporaneous action, inaction, or analysis and decision making processes of Colombia subsequent to Decision SU-133. Claimant needs to understand what happened subsequent to the decision and to see documents reflecting Colombia's efforts to effectuate the requirement of the Constitutional Court. Claimant requests their production.</p> <p>(3) The documents requested are internal to Colombia or concern communications or correspondence of an internal nature. The documents are therefore presumed to be in the exclusive custody and control of Colombia and Colombian officials.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 10, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	<p>GCG repeats its reply to Colombia's objections set out in response to Request No. 10 above, which apply here <i>mutatis mutandis</i>.</p> <p>For these reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	See Ruling with respect to Request No. 10; no further production required.
<b>Document Request No.</b>	12
<b>A. Documents or category of documents requested</b>	A list or, if such a list does not exist, documents sufficient to show mines connected to electricity in Segovia during the period from 2015 to present, as provided by the Department of Antioquia, by the state-owned utility company, Empresas Públicas de Medellín E.S.P ("EPM").
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>	<p>(1) Claimant's Memorial, ¶¶ 178-179; Counter-Memorial, ¶ 533.</p> <p>(2) Claimant asserts that the Department of Antioquia and EPM have allowed illegal miners to continue operating with electricity, and that the EPM did nothing to suspend service for electricity to illegal mines that did not hold legal title, even when evidence of such was</p>



<p>(2) comments</p> <p>(3) statement concerning custody and control</p>	<p>provided (<i>e.g.</i>, the El Cogote Association). The requested documentation is relevant and material to the outcome of this dispute as it would tend to show the list of illegal mines (as well as those of legal mining title holders) being supplied electricity during the relevant time period.</p> <p>(3) The requested documentation is presumed to be in the custody and control of Respondent or within Respondents access because EPM is a State-owned enterprise under Colombian law and operating within Colombia. Claimant accordingly believes that such information is in Respondent’s custody or control and seeks production of such evidence with this Request.</p>
<p>C. Summary of objections by disputing party to production of requested documents</p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, GCG provides no valid justification as to why the documents requested are relevant to any specific issue in dispute, still less that such documents would be material to the outcome of the case. It is undisputed that GCG’s request that EPM terminate the supply contracts between the company and the El Cogote and La Luciana Mines was denied. While GCG asserts that this decision and Colombia’s authorities’ alleged failure to compel EPM to terminate such supply contracts amounts to a breach of the FTA (see Claimant’s Memorial, ¶¶ 178-179), Colombia has established that it did not, including because GCG’s requests to EPM and Colombian authorities were baseless. Both EPM’s decision and Colombia’s authorities refusal to compel EPM to terminate its contracts without a valid basis for doing so were lawful under Colombian law, and such decisions could not amount to violations of the FTA in any event (see Counter-Memorial, ¶ 533). GCG fails to explain how the requested “<i>list</i>” or “<i>documents sufficient to show mines connected to electricity in Segovia during the period from 2015 to present, as provided by the Department of Antioquia, by [EPM]</i>” would assist the Tribunal in determining the issues in dispute here, still less that such documents would be material to the outcome of this case.</p> <p><i>Second</i>, the Request is overbroad and unduly burdensome. While GCG’s claim relates to the alleged failure by EPM to terminate the contracts with the El Cogote and La Luciana Mines (see Claimant’s Memorial, ¶¶ 178-179), the Request seeks to fish for information concerning the supply of electricity to an indeterminate set of “<i>mines connected to electricity</i>” at Segovia. GCG cannot now seek to</p>

	<p>expand its claim by fishing for documents in this manner, and place the burden on Colombia to seek to identify the individuals or entities with whom EPM had contracts which used such electricity in connection with mines.</p> <p><i>Third</i>, as Colombia has established in its Counter-Memorial, EPM is an electricity company and is not a State organ (see Counter-Memorial, ¶ 533(b)(i)), and its documents are therefore not within Colombia’s possession, custody, or control. For this reason, and because EPM is a third party to this arbitration, the Request should be denied to the extent it seeks documents under the possession, custody, or control of EPM.</p> <p><i>Fourth</i>, to the extent the documents requested contain the names of EPM’s customers other than the Claimant, their production would be barred under Law 1581 of 2012, Colombia’s data protection legislation. Article 5 of Law 1581 prohibits the disclosure of data relating to the privacy of individuals without their express consent (<b>Annex 3</b>).</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>For purposes of efficiency, to the extent Respondent or EPM are unable to provide the requested documents and information, Claimant requests confirmation of a list of relevant clients of EPM, including in particular whether La Rubiela, El Cogote or other mines relevant to this case are clients of EPM.</p> <p>For the avoidance of doubt, Claimant notes that its readiness to - subject to the above conditions and replies - limit its request in this matter is not to be construed as an acceptance of Respondent’s objections, which are baseless.</p> <p><i>First</i>, Respondent’s objection that the requested documents are not relevant to the specific issues in dispute lacks merit. The documents are relevant for two essential reasons: (i) Colombia alleges that they have taken steps to combat the illegal mining, however the illegal mines are supplied with electricity by the Colombian state monopoly. This tends to show that Colombia has not, in fact, taken any steps to combat such illegal activity. (ii) The amount of electricity provides insight into the electrical consumption by each mine, the relative size</p>

	<p>of the operations, and is relevant to Claimant’s damages. This will also tend to show how long the mines have been in operation.</p> <p>Respondent’s expert (Rossi Report) states that GCG’s expert’s estimates and the amount of gold extracted are overstated and unreliable, because such damages exceed those that Rossi would have estimated. The Rossi Report also states that GCG did not know when the illegal mines began operating, and when or if they shut down. However, GCG has intentionally limited its damages within its first report (Kennedy Report). As GCG knew that many other mines were operating, the calculation of damages is based on a <u>portion</u> of the actual illegal miners operating at the time, and therefore, is a conservative estimate of GCG’s damages. This request for the electrical consumption by each mine in Segovia during the period from 2015 to present is thus material to: (i) the operational period for each of the mines within GCG’s damage calculations -- an issue Respondent also disputes; and (ii) documentation of additional mines that are also operational (providing an equivalency comparison to define the relative size of each operation). By asserting that Claimant has overstated the damages, Colombia has opened the door to the requested evidence, which will serve to allow GCG to prove when, and in what measures, such additional damages occurred. As the mines in Segovia are remote, and each contain electric power (as shown by drone photographs), active electrical bills would thus indicate operating mines, a low bill would indicate a mine with pumping only ongoing, and a “zero” bill would indicate an inactive mine. Thus, this request has merit and Respondent should be ordered to produce the requested documents to allow GCG to verify and test the mine production, relative levels of electrical consumption and production, and operational periods within the requested area.</p> <p><i>Second</i>, Respondent objects that the request is overbroad and unduly burdensome, but does not set out with any kind of specificity why or in which respect this is the case. Contrary to Respondent’s blanket assertions, the request complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, such as a list, or documents sufficient to show mines connected to electricity in Segovia. The request is furthermore strictly defined by relevant time period, and a discrete and specific issue, namely those mines connected to</p>
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	<p>electricity provided by <b>one</b> entity, for a specific location, over a short period of time.</p> <p><i>Third</i>, Colombia’s objection that EPM is an electricity company and is not a State organ, and the requested documents are “therefore not within Colombia’s possession, custody, or control” is disingenuous. It is clear from Colombia’s Counter-Memorial, that EPM is a State-owned enterprise, and a “third party to this arbitration” whose actions are relevant to the disputed issues in this arbitration. Colombia’s objections that EPM is not a State organ should not be pre-judged by the Tribunal at the document production stage. In any event, Respondent’s objections are clearly not in good faith, and do not otherwise justify Respondent’s refusal to even request the documents in question. Claimant, therefore, maintains that the requested Documents should be produced.</p> <p>In the alternative, Claimant requests the Tribunal to order EPM to take such steps as appropriate to produce the requested information under Article 3.9 of the IBA Rules, as Claimant has shown that the (i) documents are relevant to the case and material to its outcome, (ii) Claimant has otherwise shown the requirements of Article 3.3 of the IBA rules have been satisfied, and (iii) Respondent’s grounds for objection or EPM’s grounds for objection under Article 9.2 do not otherwise apply.<sup>28</sup></p> <p><i>Fourth</i>, Respondent’s claims that the documents requested “would be barred” under Law 1581 of 2021, Colombia’s data protection legislation, is unavailing (<b>Annex 3</b>). The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is</p>
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<sup>28</sup> Claimant notes that Respondent requested the production of documents from third parties to this proceeding, in Respondent’s Document Production Requests (specifically, Request Nos. 10 and 12). Claimant agreed, despite Respondent’s failure to show that the documents were under the possession, custody, or control of Claimant, to request third party (SRK Consulting) to provide these documents to Claimant and Respondent. This is despite that SRK Consulting is not a party to the Arbitration and not within the control of Claimant. For these reasons, Respondent’s objection and blanket refusal on these grounds should appropriately be denied.

	<p>privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <i>purpose</i> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”).</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. While Law 1581 of 2021, Colombia’s data protection legislation, prohibits the disclosure of data relating to the privacy of individuals without their consent, Article 5 specifically protects “sensitive data” -- that is data whose improper use may generate discrimination. Further, Article 13 of Law 1581 of 2021 specifically contemplates and provides for the disclosure related to legal functions and by judicial order. <i>See Annex 3</i>, Article 13. This Tribunal also acknowledged that the Tribunal “retains <i>inherent authority to provide appropriate protection for other categories of personal information of individuals.</i>” PO5, ¶ 13 (emphasis added).</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request denied.

<b>Document Request No.</b>	13
<b>A. Documents or category of documents requested</b>	A list or, if such a list does not exist, documents sufficient to show mines connected to electricity in Marmato during the period from 2015 to present.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial, ¶¶ 178-179; Counter-Memorial, ¶ 533.</p> <p>(2) Claimant asserts that Colombia allowed illegal miners to continue operating with electricity, did nothing to suspend service for electricity to illegal mines that did not hold legal title, even when evidence of such was provided. The requested documentation is relevant and material to the outcome of this dispute as it would tend to show the list of illegal mines (as well as those of legal mining title holders) being supplied electricity during the relevant time period.</p> <p>(3) The requested documentation is presumed to be in the custody and control of Respondent or within Respondents access. Claimant accordingly believes that such information is in Respondent’s custody or control and seeks production of such evidence with this Request.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”) for the same reasons as set out above with respect to Request No. 12, which apply here <i>mutatis mutandis</i>.</p> <p>In addition, GCG has not made any claim whatsoever with respect to the provision of electricity to mines at Marmato. The documents requested are therefore not relevant or material to any issue that is in dispute. GCG cannot now fish for documents in the hope to find evidence that would be relevant or material to a new claim. GCG’s Request must be denied for this further reason.</p>
<b>D. Reply</b>	<p>GCG repeats its reply to Colombia’s objections set out in response to Request No. 12 above, which apply here <i>mutatis mutandis</i>.</p> <p>Respondent wrongly accuses Claimant of seeking documents “in the hope to find evidence that would be relevant or material to a new claim.” This is not a new claim. The information is highly relevant to GCG’s existing claims because it will verify the level of electricity, and quantify GCG’s already conservative damages. GCG must be able to verify and test the mine production, relative levels of electrical consumption and production, and operational periods</p>

	<p>within the requested area, with respect to Marmato. To the extent Respondent objects under the IBA Rules 9.2 that such documents do not reasonably exist, it has failed to do so, and Claimant has sufficiently set forth a request under IBA Rules 3.3. Since Respondent is presumed to have such information, Claimant is entitled to seek Documents about them.</p>
<b>E. Decision of the Tribunal</b>	Request denied.
<b>Document Request No.</b>	14
<b>A. Documents or category of documents requested</b>	A list or, if such a list does not exist, documents sufficient to show the mines with explosives use permits in Segovia and Marmato during the period from 2015 to present.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Rossi Report, ¶ 81; Kennedy Report, p. 3, ¶ 2; Claimant’s Memorial, ¶¶ 92, 94, 140.</p> <p>(2) Claimant asserts that illegal miners threatened GCG’s employees and used explosives against GCG representatives during attempted removals. In addition, GCG has made numerous requests to remove illegal miners in Villonza to INGEOMINAS, heightened by the illegal miners’ use of explosives to destroy the land, operating explosive materials and heavy machinery while on psychoactive substances, and using explosives in makeshift mines. As GCG has requested assistance on this front, a list of the mines with explosive use permits is relevant and material to whether and how the miners or any other individuals and entities were operating with authorization from Colombian Government and officials.</p> <p>Further, GCG’s expert asserts that there are numerous illegal operations using explosives obtained without a permit and operating without such permits. Respondent alleges in turn that “some of [the illegal miners] have organized in small companies, have employees, etc.” and “in many cases they have permits for the use of explosives.” If Respondent’s assertion is to be believed, then there would be a corresponding record of such mines or companies with explosive use permits, and Claimant requests their production. The requested</p>

	<p>documentation is relevant and material because it bears on the disputed operations affecting GCG’s sites.</p> <p>(3) The explosive use permits, as documents prepared or issued by Colombia, are presumed to be in the sole custody and control of Respondent. Claimant accordingly believes that such information is in Respondent’s custody or control and seeks production of such evidence with this Request.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, the Request fails to establish the relevance and materiality of the documents sought. GCG claims, without any justification, that the requested documents are “<i>relevant and material because it bears on the disputed operations affecting GCG’s sites.</i>” However, it is not in dispute in this arbitration that, at different points in time, a number of artisanal and small-scale miners have operated within Segovia and Marmato, and have used explosives as part of their operations. GCG fails to explain how the question of whether or not the informal miners of Segovia and Marmato have obtained permits to use explosives is relevant to any issue in dispute, still less that the documents requested are material to the outcome of this case.</p> <p><i>Second</i>, the Request is unduly burdensome. The Request concerns documents in the custody of an indeterminate number of government officials and authorities, over a six-year period. For this reason, and because of GCG’s failure to identify documents with particularity, it would be unreasonably burdensome to require the Respondent to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, the requested documents are relevant and material to this dispute, as to (i) GCG’s claims and evidence of damages, (ii) that the Government is aware of the presence of illegal miners, but has failed to take action, and (iii) the permitting and use of explosives will tend to show whether the miners are in fact “artisanal” or “small-scale.”</p>



	<p>The question of whether or not the informal miners of Segovia and Marmato have obtained permits to use explosives is highly relevant to GCG’s claims and evidence with respect to damages. Such a showing is necessary for GCG’s expert to analyze the list of permitted mines. In addition, Respondent’s own expert has put these issues in dispute (Rossi Report, ¶ 81 “It is also untrue that these miners do not pay taxes...as some of them have organized in small mining companies, have employees, etc. For the same reason, in many cases they have permits for the use of explosives.”).</p> <p>Further, the fact that these miners have obtained permits from the Colombian Government shows that the government is aware of their presence, but still does nothing to combat such illegal mining on GCG’s titles.</p> <p>Last, the permitting and use of such explosives is highly relevant as to whether these miners are in fact “artisanal” or “small-scale” miners, which generally speaking, <i>do not</i> use such explosives. Rather, they pick or hammer out the ore. Miners which use explosives are more mechanized and of a higher scale of production. The requested documents would thus dispel or confirm central assertions by both Claimant and Respondent in this matter.</p> <p><i>Second</i>, contrary to Respondent’s blanket assertions, the request is not unduly burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, is furthermore strictly defined by reference to the matter to which the requested documents relate, such as a list of documents that show mines with explosive use permits. Respondent’s allegation that the request spans over an “indeterminate number of government officials and authorities” or “potentially limitless (unidentified) custodians” is meritless as the requested documents would relate to one government entity responsible for issuing such permits, and is further clearly delimited by a specified time frame, from 2015 to present, thereby providing Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p>
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	For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.
<b>E. Decision of the Tribunal</b>	Request denied, except that the Respondent shall produce any documents on which Mr. Rossi relied for his statement, in paragraph 81 of his report, that some of the miners operating within the GCC areas without a mining title “have permits for the use of explosives.”
<b>Document Request No.</b>	15
<b>A. Documents or category of documents requested</b>	A list or, if such a list does not exist, documents sufficient to show the mines in RPP-140 at Segovia that pay taxes, royalties and/or fees to Colombia during the period from 2015 to present.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Rossi Report, ¶ 81; Kennedy Report, p. 3.</p> <p>(2) The list of mines, including but not limited to miners and small mining companies, in Segovia that pay taxes, royalties, and/or fees to Colombia would tend to show whether the Colombian Government is earning or losing income, or, in the alternative, that the Government recognizes such mines as either legitimate (paying taxes or royalties). or illegal (not listed or paying royalties). This is relevant and material to the outcome of the dispute because it would tend to show whether Colombia is earning income from such sources.</p> <p>(3) Claimant believes the list would exist as a source and record of government revenue, and is presumed to be under the sole custody and control of Respondent. Claimant accordingly seeks production of such evidence with this Request.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, GCG provides no valid justification as to why the documents requested are relevant to any specific issue in dispute, still less that such documents would be material to the outcome of the case. Tellingly, GCG has not even provided any paragraph references to the parties’ pleadings. Instead, GCG refers to the expert reports of Mr. Rossi and Mr. Kennedy, neither of whose opinions turns on whether “<i>Colombia is earning income from [mines in Segovia]</i>”. The Request is not “<i>carefully tailored to produce relevant and</i></p>

	<p><i>material documents</i>”,<sup>29</sup> and is therefore contrary to Article 3(3)(b) of the IBA Rules.</p> <p><i>Second</i>, the Request is unduly burdensome. The Request concerns documents in the custody of an indeterminate number of government officials and authorities, over a six-year period. For this reason, and because of GCG’s failure to identify documents with particularity, it would be unreasonably burdensome to require the Respondent to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Third</i>, to the extent the documents requested contain the names of Colombian taxpayers other than the Claimant, their production would be barred under Law 1581 of 2012, Colombia’s data protection legislation. Article 5 of Law 1581 prohibits the disclosure of data relating to the privacy of individuals without their express consent (<b>Annex 3</b>).</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, the requested documents are highly relevant and material to this dispute, as to (i) GCG’s claims and evidence of damages, and (ii) that the Government is aware of and profits from the presence of illegal miners on GCG’s property, but has failed to take action.</p> <p>If GCG was granted exclusive use of the RPP-140, as required pursuant to Colombian national mining law (<i>see</i> Claimant’s Memorial Section II.F), there would be no other miners paying royalties or taxes on this property. If the Colombian Government has entered into agreements with other miners to operate within RPP-140, that provides evidence that Colombia did not grant exclusive use of the RPP-140. This is highly relevant to the quantity of theft of material from RPP-140. Further, GCG would not have suffered past and ongoing theft of mineral resources across each of the mines in this region. The amount of taxes or royalties paid to the Colombian government by other mines would be helpful in the calculation of GCG’s damages, as it will tend to show the relevant time period of</p>

<sup>29</sup> 1999 IBA Working Party & 2010 IBA Rules of Evidence Review Subcommittee, “Commentary on the revised text of the 2010 IBA Rules on the Taking of Evidence in International Arbitration,” (“**Commentary on the IBA Rules**”) p. 9.

	<p>operation of and harm to GCG’s property. <i>See</i> Claimant’s Memorial, Section V.C.</p> <p>The requested documents would also tend to show that Colombia has not only failed to combat or address GCG’s lost investments and profits, but has actually profited and benefitted from the illegal use of GCG’s property, as put in dispute by Respondent’s expert (Rossi Report, ¶ 81 “It is also untrue that these miners do not pay taxes...as some of them have organized in small mining companies, have employees, etc. For the same reason, in many cases they have permits for the use of explosives.”).</p> <p><i>Second</i>, Contrary to Respondent’s blanket assertions, the request is not unduly burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, is furthermore strictly defined by reference to the matter to which the requested documents relate, such as a list or documents that show mines with explosive use permits. Respondent’s allegation that the request spans over an “indeterminate number of government officials and authorities” or “potentially limitless (unidentified) custodians” is meritless as the requested documents would relate to one government entity responsible for issuing such permits, and is further clearly delimited by a specified time frame, from 2015 to present, thereby providing Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p>Further, for the reasons discussed in Claimant’s first reply above, the Request as formulated seeks only the subset of those mines which pay royalties and taxes on productions from the RPP-140 at Segovia, <b>one</b> specific mining title. The list of mines requested would be quite small, as illegal miners do not seek such permits or permissions. By requesting only a subset of mines which pay taxes, Claimant has restricted their request to only larger mines with a direct impact on RPP-140, and has excluded in its request those mines with environmental permits, discharge permits, water use permits, water and tailing discharge permits, etc.</p> <p><i>Third</i>, Respondent’s claims that the documents requested “would be barred” under Law 1581 of 2021, Colombia’s data protection legislation, is unavailing (<b>Annex 3</b>). The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade</p>
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Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the purpose of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; *see also* IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”).

In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. While Law 1581 of 2021, Colombia’s data protection legislation, prohibits the disclosure of data relating to the privacy of individuals without their consent, Article 5 specifically protects “sensitive data” -- that is data whose improper use may generate discrimination. Further, Article 13 of Law 1581 of 2021 specifically contemplates and provides for the disclosure related to legal functions and by judicial order. *See Annex 3*, Article 13. This Tribunal also acknowledged that the Tribunal “retains *inherent authority to provide appropriate protection for other categories of personal information of individuals.*” PO5, ¶ 13 (emphasis added). There is no confidentiality over, and Respondent has not set forth any reason for confidentiality as to whether an individual or a Company is registered before the Tax Authority. Thus, at minimum, this documentation can and must be provided.

	<p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request denied, except that the Respondent shall produce any documents on which Mr. Rossi relied for his statement, in paragraph 81 of his report, that it is “untrue that these miners do not pay taxes.”
<b>Document Request No.</b>	16
<b>A. Documents or category of documents requested</b>	A list or, if such a list does not exist, documents sufficient to show the mines in Echandia and Zona Alta that pay taxes, royalties and/or fees to Colombia during the period from 2015 to present.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Rossi Report, ¶ 81; Kennedy Report, p. 3.</p> <p>(2) The list of mines, including but not limited to miners and small mining companies, in Marmato that pay taxes, royalties, and/or fees to Colombia would tend to show whether the Colombian Government is earning or losing income, or, in the alternative, that the Government recognizes such mines as either legitimate (paying taxes or royalties). or illegal (not listed or paying royalties). This is relevant and material to the outcome of the dispute because it would tend to show whether Colombia is earning income from such sources.</p> <p>(3) Claimant believes the list would exist as a source and record of government revenue, and is presumed to be under the sole custody and control of Respondent. Claimant accordingly seeks production of such evidence with this Request.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 15, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	<p>GCG repeats its replies to Colombia’s objections to this request for the same reasons as set out above with respect to Request No. 15, which apply here <i>mutatis mutandis</i>.</p> <p>Further, contrary to Respondent’s allegations, the requested documentation is not unduly burdensome. GCG is requesting a single list of a limited number relevant mines, over a limited period of time.</p>
<b>E. Decision of the Tribunal</b>	Request denied, except (as indicated in the ruling with respect to Request No. 15) that the Respondent shall produce any documents on which Mr. Rossi relied for his statement, in paragraph 81 of his report, that it is “untrue that these miners do not pay taxes.”
<b>Document Request No.</b>	17
<b>A. Documents or category of documents requested</b>	Documents reflecting Colombia’s efforts to assist and support GCG in managing and mediating the relationship with artisanal miners, as referenced in paragraph 185 of the Counter-Memorial.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Counter-Memorial, ¶¶ 11, 21, 185, 263, 533(a).</p> <p>(2) Colombia cites to its efforts (“Colombia...has made every effort...”) but provides minimal support or documentation regarding such efforts to “assist and support” or to “mediate.” In particular, Colombia states that “opposition to enforcement of the <i>amparos</i> in Segovia in November 2015 led the Procuraduría to mediate in a negotiation to formalize artisanal and small-scale miners, which effectively ended the demonstrations.”</p> <p>Claimant requests further documentation to support these allegations. The request is relevant and material to the outcome of the dispute because it bears on Colombia’s allegations that it has supported GCG in seeking to reach beneficial compromise and in negotiations with the communities, a central issue to the dispute.</p> <p>(3) The requested documents are believed to exist because they would have been generated in the course of such negotiations, whether through internal or external correspondence or records, which would be in the custody and control of Colombia.</p>

<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“Request”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is based on GCG’s assertion that Colombia has failed to provide sufficient “<i>support or documentation regarding [its] efforts to “assist and support” or to “mediate” the conflict between GCG and the communities of artisanal and small-scale miners at Segovia and Marmato. Contrary to GCG’s assertion, Colombia has provided ample evidence to support its case on this issue in its Counter-Memorial and accompanying documents and witness statements (See Counter-Memorial, Sections II.B.2 and II.F). To the extent GCG wishes to dispute the sufficiency or relevance of such evidence, GCG must do so through submission, not through a request for document production. In the words of the Iran-United States Claims Tribunal, “[w]hen a party alleges that its opponent has failed to provide evidence for a submission it has made and requests that party to produce the relevant evidence, this request should in most cases be dismissed.</i>”<sup>30</sup> GCG’s request should be dismissed on this basis.</p> <p><i>Second</i>, the Request is formulated in vague and unparticularized terms (“<i>Documents reflecting Colombia’s efforts to assist and support GCG in managing and mediating the relationship with artisanal miners</i>”), and allows neither the Tribunal nor the Respondent to ascertain which specific documents are being sought. The Request is therefore contrary to IBA Rule 3(3)(a)(i), which requires that the requesting party provide “<i>a description of each requested Document sufficient to identify it</i>”.</p>
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<sup>30</sup> Offshore Co. v. National Iranian Oil Co., Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to para 3.72, which reads “[...] where a party brings a document production request on grounds that the adverse party has not provided those documents necessary to support its case, such a request should generally be denied. This type of request does not go to the requesting party’s burden of proof but rather its opponent’s. Relevance, in order to be proven in the context of a document request, must be demonstrated by establishing why the petitioning party finds the documents necessary to successfully meet its burden of proof” (Annex 4). See also Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14: “[W]hen a document production request is disputed, the arbitrators have the responsibility of determining whether the requesting party actually needs the documents to discharge its burden of proof. If not, the request should be denied. Hence, a document production request that fails to clearly indicate the allegations the documents are supposed to prove and to explain that proof cannot be otherwise discharged should not be granted. When assessing requests arbitrators must carefully check that the burden of proof actually lies on the requesting party. In too many cases parties request the production of documents to prove the inaccuracy of statements made by the other party [...]” (Annex 5)



	<p><i>Third</i>, the Request is excessively broad and unduly burdensome. The Request concerns documents in the custody of an indeterminate number of government officials and authorities, over an unlimited period of time. For this reason, and because of GCG’s failure to identify documents with particularity, it would be unreasonably burdensome to require the Respondent to conduct an inquiry of potentially limitless (unidentified) custodians, and to examine large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, the request is sufficiently specific and clearly delimited in subject-matter. Claimant seeks documents that relate to Respondent’s assertions that it “has made <i>every effort</i>” to engage in assistance, support, and mediation of the relationship between GCG and artisanal miners. Despite Colombia’s contention that it has provided “ample evidence to support its case on this issue”, Respondent’s reference to Section II.B.2 and II.F of the Counter-Memorial mischaracterize GCG’s request, and provide no additional documentation relating to Colombia’s allegations that it has supported GCG in seeking to reach beneficial compromise and in negotiations with the communities. To be sure, in Section II.B.2 Respondent cites only to dated laws and actions by Colombia (<i>see e.g.</i>, Counter-Memorial, ¶ 57, “Law 72 of 1939 ... and Decree 461 of 1940 ... which instituted a mining regime based on a geographical division of Marmato in six different areas”; Counter-Memorial, ¶ 65, “Colombia, Law 1382 of 2010 ... [which] gave informal miners a new opportunity for legalisation” if there was “no overlap with an existing mining title and their activities predate[d]... 2001” and required “the relevant mining authority [ ]to act as a mediator to help the parties conclude operation or association agreements.”) Further, Section II.F provides only Colombia’s arguments that it could not “forcefully evict” the local miners and populations, describing GCG’s efforts to protect its titles, discussing Decision SU-133 and related decrees, but does not otherwise address what efforts were taken to support the relationships <i>between GCG and artisanal miners by Colombia</i>, outside of the example cited in B.(2) above (Counter-Memorial, ¶ 263). To the extent Respondent is relying on additional or outside documentation relating to its proposition, Respondent must</p>

	<p>produce, and Claimant is entitled to an opportunity to assess and respond to such evidence.</p> <p><i>Second</i>, contrary to Respondent’s blanket assertions, the request is not formulated in “vague and unparticularized terms.” It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, is furthermore strictly defined by reference to the subject matter to which the requested documents relate, such as the mediations with artisanal miners, as referenced and put specifically into dispute by Respondent in paragraph 185 and within their Counter-Memorial, thereby providing Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p><i>Third</i>, contrary to Respondent’s allegations, the request is not broad or burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by seeking a narrow and specific documents or category of documents. The request is furthermore strictly defined by reference to specific subject matter, of which the Colombian Government should be intimately aware of the “government officials and State agencies” involved. Respondent’s own arguments in this arbitration provides sufficient criteria to narrow its search for responsive documents.</p> <p><i>Fourth</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent’s unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record</p>
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	<p>with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>31</sup></p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Denied, except that the Respondent will produce documents relating to steps taken by the Procuraduría to “mediate in a negotiation to formalize artisanal and small-scale miners, which effectively ended

<sup>31</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; see also **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

	the demonstrations,” as alleged the Respondent in paragraph 263 of its Counter-Memorial.
<b>Document Request No.</b>	18
<b>A. Documents or category of documents requested</b>	Census findings for the period between 2014 - 2018 on the number of mining units producing gold without a mining title and employment of workers by small scale projects operating without mining titles.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Counter-Memorial, ¶ 41.</p> <p>(2) The requested census findings are relevant and material to the outcome of the case because Respondent relies on the 2010-2011 census findings, stating that “around 1,224 mining units were producing gold without a mining title” and “that small scale projects operating without mining titles employ over 11,000 workers.” Claimant requests the underlying census findings that Respondent relies on in paragraph 41 of the Counter-Memorial, as well as the census findings for the other relevant years in this period. The requested details of the census findings are important for Claimant to review, as well as the remaining years for comparison of this data.</p> <p>(3) As census findings are prepared by Colombia, they are presumed to be in the custody or control of Respondent.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, the Request fails to establish the relevance or materiality of the documents requested. GCG asserts that the “[c]ensus findings for the period between 2014 – 2018 on the number of mining units producing gold without a mining title and employment of workers by small scale projects operating without mining titles” are “important for Claimant to review, as well as the remaining years for comparison of this data”, but fails to explain how this data, if it even existed, would be relevant to the Tribunal’s decision of any issue in dispute, still less that the data would be relevant to the outcome of the case.</p> <p><i>Second</i>, the data relied upon by Colombia at ¶ 41 of the Counter-Memorial concerns the findings of the 2010-2011 census.</p>

	<p>Specifically, Colombia referred to the findings of the 2010-2011 census, as reflected in a 2016 OECD report (Exhibit R-179, p. 7) as part of the context in which GCG invested in Marmato and Segovia (Counter-Memorial, ¶ 29). Because GCG acquired its investments in Segovia between August 2010 and June 2011, and in Marmato in June 2011, census data for the period 2014-2018 would not be relevant to the assessment of GCG’s expectations at the time it decided to acquire its investments at Marmato and Segovia.</p> <p><i>Third</i>, GCG has failed to provide a basis to establish that the requested documents can reasonably be assumed to exist. While the Ministry of Mines and Energy published a 2010-2011 Departmental Mining Census in July 2012, it has not done so for any subsequent periods. GCG provides no evidence to suggest any subsequent census data exists.</p> <p><i>Fourth</i>, GCG already has the “<i>underlying census findings that Respondent relies on in paragraph 41 of the Counter-Memorial</i>”. In ¶ 41 of the Counter-Memorial, Colombia referred to a 2016 OECD report (Exhibit R-179). With regard to the statistics of ASMs in Antioquia, the OECD report refers to the results of a 2014 baseline study carried out by Fedesarrollo and the Inter-American Development Bank (<b>Exhibit R-179</b>, p. 7). The Fedesarrollo 2014 report is publicly available and already on the record of this arbitration (<b>Exhibit R-131</b>)</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p><i>First</i>, the requested documents and what the census data actually shows is highly relevant and material to this dispute, because Claimant alleges that the number of illegal miners has continued to grow, throughout the period of and since its investment. <i>See, e.g.</i>, Claimant’s Memorial, ¶ 171 (“Operations in the El Cogote Mine continued to grow”); <b>Ex. C-156</b>; <b>Ex. C-36</b>, Council of the Americas, Remarks by Juan Manuel Santos, President of Colombia, dated 23 September 2010 (“As a matter of fact, a week ago, we started this campaign and we went after – because these are not small miners; these are big miners, illegal groups that have taken advantage and they’re destroying the ecosystems and they’re really destroying the rivers. So we are going after them. ... Because you have mentioned, it’s a big problem and this has been growing.”). Respondent, in turn,</p>

	<p>argues that it has not, but is and has been comprised of local communities without mining titles. Counter-Memorial, ¶ 41.</p> <p><i>Second</i>, for the reasons stated directly above, which apply here, Respondent’s objection must fail. Respondent fatally mischaracterizes the relevancy of the requested data. The requested data for the period of 2014-2018 is not requested for the purposes of “GCG’s expectations at the time it decided to acquire its investments” as Colombia suggests. Rather, the “reasonable expectations” of GCG is an issue that Respondent puts into dispute throughout its Counter-Memorial. Claimant maintains that its request is relevant and material to the <i>scope and number</i> of mining units producing gold <i>without a mining title</i> and employment of workers by small scale projects operating <i>without mining titles</i> during the entire period of GCG’s mining titles, which includes to present. GCG has thus <i>narrowed</i> this request as formulated, to seek only those documents for the four-year period of 2014-2018. As Respondent relies on such data in characterizing and assessing the mining in the relevant regions of GCG’s titles, Claimant must have the opportunity to assess such evidence.</p> <p><i>Third</i>, it is not Claimant’s burden to prove the “existence” of such Documents, as Respondent incorrectly suggests. Claimant is required only to show that such documents are “likely to exist.” It is clear that the Ministry of Mines and Energy is responsible for publishing the Departmental Mining Census. Thus, it is conceivable that other census data exists and other similar yearly reports are likely to exist in connection with the period of time requested. In any event, they <i>should exist</i>, and Claimant requests the Tribunal order Respondent to produce any such census data, whether or not published in final Departmental Mining Census form, for the reasons stated above.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	<p>The Tribunal takes note of the Respondent’s representation that “[w]hile the Ministry of Mines and Energy “published a 2010-2011</p>

	<p>Departmental Mining Census in July 2012, it has not done so for any subsequent periods.”</p> <p>Nonetheless, if the Ministry of Mines and Energy has conducted any such census for the period between 2014-2018, and prepared any analyses or reports of its findings (even if for internal government use and not for publication), the Respondent shall produce such analyses or reports.</p>
<b>Document Requests related to Granted and Enforced Eviction Orders (Segovia)</b>	
<b>Document Request No.</b>	19
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning INVASIÓN A ESPERANZA GOLD filed on 12 February 2019, granted by Resolution No. 1228, 17 September 2019; Notified 4 October 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order;</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of the granted eviction order; and</p> <p>(3) Documents and internal correspondence, notes, or analyses related to the successful enforcement and eviction of the mine on 19 February 2020.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order referenced above reflects ongoing case developments since the filing of Claimant’s Memorial.</p> <p>(2) There have been approximately 200 eviction orders granted (15-25%) in Segovia and Marmato, but very few enforced. Colombia in its Counter-Memorial has taken the position that this <i>amparo</i> process is not a proper procedure for removing the illegal miners. GCG believes that this current Colombia’s position is inconsistent with Government’s prior actions. Therefore, it is important for the outcome of this dispute to obtain documents related to the Government’s rationale for granting the eviction orders and Government’s subsequent efforts to enforce these eviction orders. This action was one of two that were enforced and the mine evicted.</p>



	<p>The requested documents and internal correspondence are relevant and material to this dispute because they demonstrate what actions and efforts were taken by Colombia, in enforcing such orders, and the reasoning that informed such actions.</p> <p>(3) The documents requested are internal to Colombia or concern communications or correspondence of an internal nature. The documents are therefore presumed to be in the exclusive custody and control of Colombia and Colombian officials.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons.</p> <p><i>First</i>, GCG provides no valid justification as to why the documents requested are relevant to any specific issue in dispute, still less that such documents would be material to the outcome of the case. As a party to the <i>amparo administrativo</i> procedure, GCG has full access to the record of the proceedings. GCG should therefore be in possession of a copy of all the documents issued throughout the course of such proceeding. GCG has failed to offer any justification as to why any documents recording any internal discussions, analysis, correspondence or notes of the relevant authorities, or any of the documents relied on to grant and enforce the eviction order at issue, but which were not ultimately reflected in the text of the eviction order or the minutes of the eviction, are relevant to any disputed issue with respect to this <i>amparo administrativo</i> application, or that such documents are material to the outcome of the case. GCG cannot now use the document production procedure in order to fish for internal government documents which it hopes will show that “<i>Colombia’s position is inconsistent with Government’s prior actions</i>”.</p> <p><i>Second</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is based on GCG’s assertion that Colombia has failed to prove its “<i>position that th[e] amparo process is not a proper procedure for removing the illegal miners</i>”. Contrary to GCG’s assertion, Colombia has provided ample evidence to support its case that GCG could not reasonably expect the Government to carry out military mass evictions of the communities of artisanal and small-scale miners living and working at Segovia and Marmato for decades. (See e.g. Counter-Memorial, Section II.C.3 and all documents referenced therein; and García Witness Statement, ¶¶ 21-23). To the extent GCG wishes to dispute the sufficiency or relevance of Colombia’s evidence in support of its position, GCG</p>



	<p>must do so through submission, not through a request for document production. In the words of the Iran-United States Claims Tribunal, “[w]hen a party alleges that its opponent has failed to provide evidence for a submission it has made and requests that party to produce the relevant evidence, this request should in most cases be dismissed.”<sup>32</sup> GCG’s request should be dismissed on this basis.</p> <p><i>Third</i>, the Request is excessively broad and unduly burdensome. The documents requested concern an indeterminate number of government entities, over an unlimited period of time. As such, the Request is excessively vague, and does not allow the Tribunal or the Respondent to ascertain which specific documents are being sought or may be responsive. It is therefore contrary to IBA Rule 3(3)(a)(i). GCG’s failure to identify documents with particularity also means that it would be unreasonably burdensome to require the Respondent to examine potentially large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law, documents recording the opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.</p> <p><i>Fifth</i>, to the extent the internal discussions, analysis, correspondence or notes regarding the issuance and enforcement of eviction orders are reflective of legal advice to governmental authorities, such documents are legally privileged.</p>
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<sup>32</sup> Offshore Co. v. National Iranian Oil Co., Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to para 3.72, which reads “[...] where a party brings a document production request on grounds that the adverse party has not provided those documents necessary to support its case, such a request should generally be denied. This type of request does not go to the requesting party’s burden of proof but rather its opponent’s. Relevance, in order to be proven in the context of a document request, must be demonstrated by establishing why the petitioning party finds the documents necessary to successfully meet its burden of proof” (**Annex 4**). See also Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14: “[W]hen a document production request is disputed, the arbitrators have the responsibility of determining whether the requesting party actually needs the documents to discharge its burden of proof. If not, the request should be denied. Hence, a document production request that fails to clearly indicate the allegations the documents are supposed to prove and to explain that proof cannot be otherwise discharged should not be granted. When assessing requests arbitrators must carefully check that the burden of proof actually lies on the requesting party. In too many cases parties request the production of documents to prove the inaccuracy of statements made by the other party [...]” (**Annex 5**)

	<p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, the requested documents are highly relevant and material to the outcome of the dispute, because they demonstrate the Government’s analysis as to the reasons why the illegal miners should or should be evicted, in light of over 200 granted, but not enforced, pending orders in favor of GCG.</p> <p>Respondent’s objection is unfounded, as it mischaracterizes Claimant’s request as formulated. The documentation and internal correspondence, notes, and analyses relating to the enforcement of the eviction orders will shed light on the extent of implementation or lack of implementation, or actions or inactions by Colombia that have resulted in the denial of GCG’s abilities to use its investments as intended. Claimant seeks Colombian officials’ analyses of the relevant eviction order, including the decisions as to whether to grant or enforce, and documents that demonstrate the Colombian government official’s efforts and actions to enforce the order related to this request. The underlying filings, and documentation requested, will elucidate the distinction between the action and inaction of Colombia’s enforcement of such orders, delay tactics, and/or failure to address the more than 600 currently pending <i>amparo administrativo</i> requests, including the one specifically identified within Claimant’s request.</p> <p>Respondent has also asserted in this arbitration that the <i>amparo administrativos</i> procedure is not the proper way to remove the illegal or “artisanal and small-scale miners” -- the documentation related to these enforced orders will be highly relevant to contradict or support its argument, and it is necessary that they be produced.</p> <p>Thus, despite Respondent’s contentions, GCG does not “use the document production procedure” to “fish” for government documents -- it is Colombia that has put such internal government documents in dispute.</p> <p><i>Second</i>, the request is sufficiently narrow and specific, and requests documents reasonably believed to exist in relation to <b>one</b> discrete eviction order, and <b>one</b> specific mine.<sup>33</sup> As the requested</p>

<sup>33</sup> Claimant further notes that it has only included within these requests those Actions which were enforced and/or granted, and has not submitted any requests related to the plethora of Actions that have not been addressed by Colombia, relevant and material to this dispute.

	<p>documentation relate to eviction orders that <i>the Colombian government itself issued</i>, they are required to implement such eviction orders, to remove the <i>illegal miners</i>, as has been determined by Colombian law, pursuant to the above-stated Resolution. Moreover, such type of documentation indisputably exists, and must be produced for the relevant orders. <i>See e.g.</i>, <b>Ex.C-91</b> (Petition from Piedad Angarita Guerrero, Office of the Attorney General, to Julio Vargas Chica, Mayor of Marmato, dated 9 February 2016 (requesting enforcement of Resolution No. 362 of 2011)). Thus, contrary to Colombia's assertions, such documents are reasonably believed to exist, and Claimant's request as formulated is sufficient under the IBA Rules, Article 3.3(a)(ii).</p> <p><i>Third</i>, serious due process implications arise for Claimant given Respondent's refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent's unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent's Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG's position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent's evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do</p>
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	<p>in its responses and objections herein.<sup>34</sup></p> <p><i>Fourth</i>, contrary to Respondent’s blanket assertions, the request is not unduly burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, and is furthermore strictly defined by reference to <b>a single government Action</b> to which the requested documents relate. Respondent’s allegation that the request concerns an “indeterminate number of government entities” over “an unlimited period of time” is meritless. The request clearly delineates the <b>exact date and timeline</b> that the Action was (1) filed, (2) granted, (3) notified, and (4) enforced. This indisputably provides Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p><i>Fifth</i>, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in</p>
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<sup>34</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B** Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C** Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; see also **Annex D** M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

	<p>their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <i>purpose</i> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of a party’s case.’” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for public access to information in control of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>35</sup> In analogous circumstances, Article 27 of Law 1437</p>
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<sup>35</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of

	<p>of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>36</sup> Further, the Colombian State Council has held that all individuals and companies -- which includes GCG -- have the right to know the reasons for any administrative decisions issued by public authorities, regarding their requests or applications, and to full access to their complete files before public authorities.<sup>37</sup></p> <p><i>Sixth</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise protected from disclosure under the law of a Party[.]” (emphasis added); IBA Rules Article 9.4.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	Request No. 19(1) denied.

2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

<sup>36</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Ex. R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).

<sup>37</sup> Due motivation of administrative acts is a burden that contemporary constitutional and administrative law imposes on the administration, according to which it is obliged to clearly and expressly state the legal and factual reasons that determine its actions. *See Annex G* (State Council. Ruling 00064 of 5 July 2018).

	With respect to Request No. 19(2) and 19(3), the Respondent shall produce any documents (a) reflecting analysis or decision regarding whether or not to undertake efforts to enforce the eviction order granted, and (b) reporting on the efforts thereafter made to enforce the eviction order.
<b>Document Request No.</b>	20
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 227 as referenced in C-68, RPP-140 (EDKE-01) LA POLA 2019 filed on April 5, 2019, granted by Resolution No. 1229, 17 September 2019; Notified 1 October 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order;</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order; and</p> <p>(3) Documents and internal correspondence, notes, or analyses related to the successful enforcement and eviction of the mine on 19 February 2020.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 19 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 19 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 19, which apply here <i>mutatis mutandis</i> .



<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 19, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	Request No. 20(1) denied.  With respect to Request No. 20(2) and 20(3), the Respondent shall produce any documents (a) reflecting analysis or decision regarding whether or not to undertake efforts to enforce the eviction order granted, and (b) reporting on the efforts thereafter made to enforce the eviction order.
<b>Document Requests related to Granted Eviction Orders (Segovia)</b>	
<b>Document Request No.</b>	21
<b>A. Documents or category of documents requested</b>	With respect to Action No. 3 as referenced in C-68, RPP-140 (EDKE-01) EL RUMBON filed on 17 November 2010, granted by Resolution No. 1172, 21 December 2011:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.  (2) There have been approximately 200 eviction orders granted (15-25%) in Segovia and Marmato, but very few enforced. Colombia in its Counter-Memorial has taken the position that this <i>amparo</i> process is not a proper procedure for removing the illegal miners. GCG believes that this current Colombia's position is inconsistent with Government's prior actions. Therefore, it is important for the outcome of this dispute to obtain documents related to the Government's rationale for granting the eviction orders and Government's subsequent efforts to enforce these eviction orders. The requested documents and internal correspondence are relevant and material to this dispute because they demonstrate what actions



	<p>and efforts were taken by Colombia, in enforcing such orders, and the reasoning that informed such actions.</p> <p>(3) The documents requested are internal to Colombia or concern communications or correspondence of an internal nature. The documents are therefore presumed to be in the exclusive custody and control of Colombia and Colombian officials.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, GCG provides no valid justification as to why the documents requested are relevant to any specific issue in dispute, still less that such documents would be material to the outcome of the case. As a party to the <i>amparo administrativo</i> procedure, GCG has full access to the record of the proceedings. GCG should therefore be in possession of a copy of all the documents issued throughout the course of such proceeding. GCG has failed to offer any justification as to why any documents recording any internal discussions, analysis, correspondence or notes of the relevant authorities, or any of the documents relied on to grant and enforce the eviction order at issue, but which were not ultimately reflected in the text of the eviction order are relevant to any disputed issue with respect to this <i>amparo administrativo</i> application, or that such documents are material to the outcome of the case. GCG cannot now use the document production procedure in order to fish for internal government documents which it hopes will show that “<i>Colombia’s position is inconsistent with Government’s prior actions</i>”.</p> <p><i>Second</i>, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is based on GCG’s assertion that Colombia has failed to prove its “<i>position that th[e] amparo process is not a proper procedure for removing the illegal miners</i>”. Contrary to GCG’s assertion, Colombia has provided ample evidence to support its case that GCG could not reasonably expect the Government to carry out military mass evictions of the communities of artisanal and small-scale miners living and working at Segovia and Marmato for decades. (See e.g. Counter-Memorial, Section II.C.3 and all documents referenced therein; and García Witness Statement, ¶¶ 21-23). To the extent GCG wishes to dispute the sufficiency or relevance of Colombia’s evidence in support of its position, GCG must do so through submission, not through a request for document production. In the words of the Iran-United States Claims Tribunal, “[w]hen a party alleges that its opponent has failed to provide</p>

	<p><i>evidence for a submission it has made and requests that party to produce the relevant evidence, this request should in most cases be dismissed.”<sup>38</sup> GCG’s request should be dismissed on this basis.</i></p> <p><i>Third</i>, the Request is excessively broad and unduly burdensome. The documents requested concern an indeterminate number of government entities, over an unlimited period of time. As such, the Request is excessively vague, and does not allow the Tribunal or the Respondent to ascertain which specific documents are being sought or may be responsive. It is therefore contrary to IBA Rule 3(3)(a)(i). GCG’s failure to identify documents with particularity also means that it would be unreasonably burdensome to require the Respondent to examine potentially large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.</p> <p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law documents recording the opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.</p> <p><i>Fifth</i>, to the extent the internal discussions, analysis, correspondence or notes regarding the issuance and enforcement of eviction orders are reflective of legal advice to governmental authorities, such documents are legally privileged.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
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<sup>38</sup> Offshore Co. v. National Iranian Oil Co., Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to para 3.72, which reads “[...] where a party brings a document production request on grounds that the adverse party has not provided those documents necessary to support its case, such a request should generally be denied. This type of request does not go to the requesting party’s burden of proof but rather its opponent’s. Relevance, in order to be proven in the context of a document request, must be demonstrated by establishing why the petitioning party finds the documents necessary to successfully meet its burden of proof” (**Annex 4**). See also Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14: “[W]hen a document production request is disputed, the arbitrators have the responsibility of determining whether the requesting party actually needs the documents to discharge its burden of proof. If not, the request should be denied. Hence, a document production request that fails to clearly indicate the allegations the documents are supposed to prove and to explain that proof cannot be otherwise discharged should not be granted. When assessing requests arbitrators must carefully check that the burden of proof actually lies on the requesting party. In too many cases parties request the production of documents to prove the inaccuracy of statements made by the other party [...]” (**Annex 5**)

<p><b>D. Reply</b></p>	<p><i>First</i>, the requested documents are highly relevant and material to this dispute. Respondent’s objection is unfounded, as it mischaracterizes Claimant’s request as formulated. The documentation and internal correspondence, notes, and analyses relating to the granted eviction orders will shed light on the extent of the illegal operations. The orders, implementation or lack of implementation, or actions or inactions by Colombia that have resulted in the denial of GCG’s abilities to use its investments as intended, and has effectively neutralized the benefit of property of GCG. Claimant seeks Colombian officials’ analyses of the relevant eviction order, including the decisions as to whether to grant or enforce, and documents that demonstrate the Colombian government official’s efforts and actions to enforce the order related to this request. The underlying filings, and documentation requested, will elucidate the distinction between the action and inaction of Colombia’s enforcement of such orders, delay tactics, and/or failure to address the more than 600 currently pending <i>amparo administrativo</i> requests, including the one specifically identified within Claimant’s request.</p> <p>Respondent has also asserted in this arbitration that the <i>amparo administrativos</i> procedure is not the proper way to remove the illegal or “artisanal and small-scale miners” -- however, the documentation related to these granted eviction orders will be highly relevant to contradict or support its argument, and it is necessary that they be produced.</p> <p>Thus, despite Respondent’s contentions, GCG does not “use the document production procedure” to “fish” for government documents -- it is Colombia that has put such internal government documents in dispute.</p> <p><i>Second</i>, Respondent’s objection on these grounds is unavailing. The request is sufficiently narrow and specific, and requests documents reasonably believed to exist in relation to <b>one</b> discrete eviction order, and <b>one</b> specific mine.<sup>39</sup> As the requested documentation relate to eviction orders that <i>the Colombian government itself issued</i>, they are required to implement such eviction orders, to remove the <i>illegal</i></p>
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<sup>39</sup> Claimant further notes that it has only included within these requests those Actions which were enforced and/or granted, and has not submitted any requests related to the plethora of Actions that have not been addressed by Colombia, relevant and material to this dispute.

	<p><i>miners</i>, as has been determined by Colombian law, pursuant to the above-stated Resolution. Moreover, such type of documentation indisputably exists, and must be produced for the relevant orders. <i>See Ex. C-91</i> (Petition from Piedad Angarita Guerrero, Office of the Attorney General, to Julio Vargas Chica, Mayor of Marmato, dated 9 February 2016 (requesting enforcement of Resolution No. 362 of 2011)). Thus, contrary to Colombia’s assertions, such documents are reasonably believed to exist, and Claimant’s request as formulated is sufficient under the IBA Rules, Article 3.3(a)(ii).</p> <p><i>Third</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised concerns about Respondent’s unsubstantiated contentions regarding this issue -- and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>40</sup></p>
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<sup>40</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133,

	<p><i>Fourth</i>, Contrary to Respondent’s blanket assertions, the Request is not unduly burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, and is furthermore strictly defined by reference to <b>a single government Action</b> to which the requested documents relate. Respondent’s allegation that the request concerns an “indeterminate number of government entities” over “an unlimited period of time” is meritless. The request clearly delineates the <b>exact date and timeline</b> that the Action was (1) filed, (2) granted, and/or (3) notified. This indisputably provides Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p><i>Fifth</i>, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential</p>
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Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; *see also* **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

	<p>business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <i>purpose</i> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for public access to information in control of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>41</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and</p>
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<sup>41</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

	<p>Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>42</sup></p> <p>Further, the Colombian State Council has held that all individuals and companies -- which includes GCG -- have the right to know the reasons for any administrative decisions issued by public authorities, regarding their requests or applications, and to full access to their complete files before public authorities.<sup>43</sup></p> <p><i>Sixth</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise protected from disclosure under the law of a Party[.]” (emphasis added); IBA Rules Article 9.4.</p> <p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	<p>Request No. 21(1) denied.</p> <p>With respect to Request No. 21(2), the Respondent shall produce any documents (a) reflecting analysis or decision regarding whether or not to undertake efforts to enforce the eviction order granted, and (b) reporting on any efforts thereafter made to enforce the eviction order.</p>
<b>Document Request No.</b>	22

<sup>42</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Exhibit R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).

<sup>43</sup> Due motivation of administrative acts is a burden that contemporary constitutional and administrative law imposes on the administration, according to which it is obliged to clearly and expressly state the legal and factual reasons that determine its actions. *See Annex G* (State Council. Ruling 00064 of July 5, 2018).

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 4 as referenced in C-68, RPP-140 (EDKE-01) EL CHOCHO filed on 17 November 2010, granted by Resolution No. 352, 3 July 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	23



<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 15 as referenced in C-68, RPP-140 (EDKE-01) LA LUCIANA filed on 21 February 2011, granted by Resolution No. 350, 3 July 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	24
<b>A. Documents or category of</b>	With respect to Action No. 16 as referenced in C-68, RPP-140 (EDKE-01) EL GUAMERU filed on 21 February 2011, granted by Resolution No. 079, 5 March 2015:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	25
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 19 as referenced in C-68, RPP-140 (EDKE-01) CORDOBA filed on 21 February 2011, granted by Resolution No. 0076, 15 March 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>The correct number of the <i>amparo</i> decision regarding the Cordoba mine is Resolution 078 of 4 March 2015 (<b>Exhibit C-183</b>).</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>Claimant notes that the correct number of the <i>amparo</i> decision regarding the Cordoba mine is Resolution 078 of 4 March 2015 (<b>Ex. C-183</b>). Claimant maintains its request for documentation as set forth above and in light of this correction.</p> <p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	26
<b>A. Documents or category of documents requested</b>	With respect to Action No. 20 as referenced in C-68, RPP-140 (EDKE-01) LA POLA filed on 21 February 2011, granted by Resolution No. 104, 6 May 2014:

	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	27
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 24 as referenced in C-68, RPP-140 (EDKE-01) LA GRANJA filed on 21 February 2011, granted by Resolution No. 1173, 2011:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.  (2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	28
<b>A. Documents or category of documents requested</b>	With respect to Action No. 25 as referenced in C-68, RPP-140 (EDKE-01) LOS GUADUALES filed on 21 February 2011, granted by Resolution No. 102, 6 May 2014:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	29
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 30 as referenced in C-68, RPP-140 (EDKE-01) BAMBU No2 filed on 26 October 2010, granted by Resolution No. 508, 23 May 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	30
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 32 as referenced in C-68, RPP-140 (EDKE-01) MINA SIN NOMBRE N.3 filed on 17 September 2011, granted by Resolution No. 199, 23 October 2014:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p>

<p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>31</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 44 as referenced in C-68, RPP-140 (EDKE-01) LAS RUINAS filed on 9 September 2012, granted by Resolution No. 090, February 2018 (pending notification to the illegal miners):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>



<b>(3) statement concerning custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	32
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 45 as referenced in C-68, RPP-140 (EDKE-01) LA NEVERA filed on 9 September 2012, granted by Resolution No. 351, 3 July 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	33
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 58 as referenced in C-68, RPP-140 (EDKE-01) ESMERALDA GOLD filed on 20 June 2013, granted by Resolution No. 353, 3 July 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	34
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 59 as referenced in C-68, RPP-140 (EDKE-01) LA ESCALONA filed on 20 June 2013, granted by Resolution No. 147, 14 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	35
<b>A. Documents or category of documents requested</b>	With respect to Action No. 60 as referenced in C-68, RPP-140 (EDKE-01) EL COGOTE filed on 8 October 2013, granted by Resolution No. 076, 4 March 2015:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.  (2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	36
<b>A. Documents or category of documents requested</b>	With respect to Action No. 61 as referenced in C-68, RPP-140 (EDKE-01) LA 29 filed on 22 October 2013, granted by Resolution No. 179, 21 March 2017:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.  (2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	37
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 62 as referenced in C-68, RPP-140 (EDKE-01) LA MILENA filed on 31 December 2014, granted by Resolution No. 0077, 4 March 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	38
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 64 as referenced in C-68, RPP-140 (EDKE-01) CERCA A BOTADEROS DE LODOS GALÁN 1 filed on 10 March 2015, granted by Resolution No. 180, 21 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	39

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 65 as referenced in C-68, RPP-140 (EDKE-01) LA ESPERANZA 3 filed on 10 March 2015, granted by Resolution No. 146, 14 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	40
<b>A. Documents or category of</b>	With respect to Action No. 66 as referenced in C-68, RPP-140 (EDKE-01) LA LUNA filed on 10 March 2015, granted by Resolution No. 160, 14 March 2017:



<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	41
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 68 as referenced in C-68, RPP-140 (EDKE-01) EL CAGUI filed on 26 March 2015, granted by Resolution No. 148, 14 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; C-68.  (2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	42
<b>A. Documents or category of documents requested</b>	With respect to Action No. 83 as referenced in C-68, RPP-140 (EDKE-01) EL CAJON filed on 25 May 2016, granted by Resolution No. 20180600034315, 10 August 2018:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	43
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 84 as referenced in C-68, RPP-140 (EDKE-01) EL CAÑON filed on 25 May 2016, granted by Resolution No. 2018060032683, 10 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	44
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 85 as referenced in C-68, RPP-140 (EDKE-01) LA FINCA filed on 1 April 2016, granted by Resolution No. 2016060092089, 10 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p>

<p>(2) comments</p> <p>(3) statement concerning custody and control</p>	<p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<p>C. Summary of objections by disputing party to production of requested documents</p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<p>D. Reply</p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<p>E. Decision of the Tribunal</p>	<p>See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p>Document Request No.</p>	<p>45</p>
<p>A. Documents or category of documents requested</p>	<p>With respect to Action No. 87 as referenced in C-68, RPP-140 (EDKE-01) LINGOTE GOLD filed on 25 May 2016, granted by Resolution No. 183, 21 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p>B. Relevance and materiality:</p> <p>(1) paragraph reference to submissions</p> <p>(2) comments</p> <p>(3) statement concerning</p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	46
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 88 as referenced in C-68, RPP-140 (EDKE-01) EL GUAMO filed on 25 May 2016, granted by Resolution No. 20170600040055, 10 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	47
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 95 as referenced in C-68, RPP-140 (EDKE-01) DIVINO NIÑO filed on 5 August 2016, granted by Resolution No. 2018060032682, 6 April 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	48
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 97 as referenced in C-68, RPP-140 (EDKE-01) CASA ATRÁS filed on 18 August 2016, granted by Resolution No. 2017060102941, 18 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .



<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	49
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 98 as referenced in C-68, RPP-140 (EDKE-01) LA TATIANA filed on 18 August 2016, granted by Resolution No. 20180600004180, 10 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	50
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 100 as referenced in C-68, RPP-140 (EDKE-01) LA YULIANA filed on 9 September 2016, granted by Resolution No. 201906047516, 30 March 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	51
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 105 as referenced in C-68, RPP-140 - MINA ESTRELLA GOLD filed on 18 November 2016, granted by Resolution No. 2017060103253, 10 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	52

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 106 as referenced in C-68, RPP-140 - MINA ÑEME ÑEME filed on 1 December 2016, granted by Resolution No. 2018060402796, 20 December 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	53
<b>A. Documents or category of</b>	With respect to Action No. 118 as referenced in C-68, RPP-140 - MINA LAS DELICIAS filed on 23 December 2016, granted by Resolution No. 20180600003574, 10 August 2018:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	54
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 122 as referenced in C-68, RPP-140 - MINA PIEDRA DORADA filed on 23 December 2016, granted by Resolution No. 2018060005422, 7 February 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.  (2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	55
<b>A. Documents or category of documents requested</b>	With respect to Action No. 126 as referenced in C-68, RPP-140 - MINA LAS CORRALEJAS (EL CORREDOR) filed on 11 January 2017, granted by Resolution No. 053, 20 February 2017:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	56
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 127 as referenced in C-68, RPP-140 - MINA LA IRACA filed on 11 January 2017, granted by Resolution on 4 May 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p>

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>57</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 161 as referenced in C-68, RPP-140 - EL MANGO 2018 filed on 8 February 2018, granted by Resolution No. 2018060222684, 8 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>



<b>(3) statement concerning custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	58
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 184 as referenced in C-68, RPP-140 (EDKE-01) La Cancha filed on 27 February 2018, granted by Resolution No. 986, 3 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	59
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 185 as referenced in C-68, RPP-140 (EDKE-01) El Progreso filed on 27 February 2018, granted by Resolution No. 987, 3 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	60
<b>A. Documents or category of documents requested</b>	With respect to Action No. 186 as referenced in C-68, RPP-140 (EDKE-01) Futurama filed on 27 February 2018, granted by Resolution No. 988, 3 August 2018:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.  (2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	61
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 217 as referenced in C-68, RPP-140 (EDKE-01) San Joaquín filed on 15 February 2019, granted by Resolution No. 0756, 25 June 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	62

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 170, RPP-140 - LA CANCHITA filed on 21 February 2018, granted by Resolution No. 2019060149957, 22 August 2019; Notified 16 October 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	63
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning SIN NOMBRE filed on 20 February 2019, granted by Resolution No. 1227, 17 September 2019; Notified 3 October 2019:</p>

	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	64
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning SOCIEDAD MINERA AMBIENTAL DEL BOSQUE filed on February 18, 2019, granted by Resolution No. 758, 25 June 2019; Notified 4 July 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	65
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning PERTURBACIÓN A SAN JOAQUÍN filed on 18 February 2019, granted by Resolution No. 756, 25 June 2019; Notified 4 July 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>This request is duplicative of Request 61.</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>Claimant notes that this request concerns the same mine as set forth in Request No. 61, and is potentially duplicative. Claimant does not request production of duplicate documentation. However, Claimant notes that there appear to be two filings or government entities at issue with respect to this Resolution, and as such requests in addition, documentation related to this request from, at minimum, the Secretaria De Minas (<i>Gobernación De Antioquia</i>) and Mayor of Segovia.</p> <p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i>.</p>
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	66
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 229, RPP-140 (EDKE-01) SOCIEDAD MINERA LA LUZ DIVINA filed on 5 April 2019, granted by Resolution No. 757, 25 June 2019; Notified 2 July 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>



	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 549 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-68. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 21 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 21 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 21, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 21(1) and 21(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Requests related to Granted Eviction Orders (Marmato)</b>	
<b>Document Request No.</b>	67
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 2 as referenced in C-69, 014-89M (RMN GAFL-11) BAJO ANTIGUO MOLINO EL CEIBO filed on 22 April 2015, granted by Resolution of 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>

<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) There have been approximately 200 eviction orders granted (15-25%) in Segovia and Marmato, but very few enforced. Colombia in its Counter-Memorial has taken the position that this <i>amparo</i> process is not a proper procedure for removing the illegal miners. GCG believes that this current Colombia’s position is inconsistent with Government’s prior actions. Therefore, it is important for the outcome of this dispute to obtain documents related to the Government’s rationale for granting the eviction orders and Government’s subsequent efforts to enforce these eviction orders. This action was one of two that were enforced and the mine evicted. The requested documents and internal correspondence are relevant and material to this dispute because they demonstrate what actions and efforts were taken by Colombia, in enforcing such orders, and the reasoning that informed such actions.</p> <p>(3) The documents requested are internal to Colombia or concern communications or correspondence of an internal nature. The documents are therefore presumed to be in the exclusive custody and control of Colombia and Colombian officials.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents (“<b>Request</b>”), and requests that it be denied by the Tribunal, for the following reasons:</p> <p><i>First</i>, GCG provides no valid justification as to why the documents requested are relevant to any specific issue in dispute, still less that such documents would be material to the outcome of the case. As a party to the <i>amparo administrativo</i> procedure, GCG has full access to the record of the proceedings. GCG should therefore be in possession of a copy of all the documents issued throughout the course of such proceedings. GCG has failed to offer any justification as to why any documents recording any internal discussions, analysis, correspondence or notes of the relevant authorities, or any of the documents relied on to grant and enforce the eviction order at issue, but which were not ultimately reflected in the text of the eviction order are relevant to any disputed issue with respect to this <i>amparo administrativo</i> application, or that such documents are material to the outcome of the case. GCG cannot now use the document production procedure in order to fish for internal government documents which it hopes will show that “<i>Colombia’s position is inconsistent with Government’s prior actions</i>”.</p>

*Second*, the Request is not a genuine request for a narrow and specific category of documents that GCG reasonably believes to exist. Rather, the Request is based on GCG’s assertion that Colombia has failed to prove its “*position that th[e] amparo process is not a proper procedure for removing the illegal miners*”. Contrary to GCG’s assertion, Colombia has provided ample evidence to support its case that GCG could not reasonably expect the Government to carry out military mass evictions of the communities of artisanal and small-scale miners living and working at Segovia and Marmato for decades. (See e.g. Counter-Memorial, Section II.C.3 and all documents referenced therein; and García Witness Statement, ¶¶ 21-23). To the extent GCG wishes to dispute the sufficiency or relevance of Colombia’s evidence in support of its position, GCG must do so through submission, not through a request for document production. In the words of the Iran-United States Claims Tribunal, “[w]hen a party alleges that its opponent has failed to provide evidence for a submission it has made and requests that party to produce the relevant evidence, this request should in most cases be dismissed.”<sup>44</sup> GCG’s request should be dismissed on this basis.

*Third*, the Request is excessively broad and unduly burdensome. The documents requested concern an indeterminate number of government entities, over an unlimited period of time. As such, the Request is excessively vague, and does not allow the Tribunal or the Respondent to ascertain which specific documents are being sought or may be responsive. It is therefore contrary to IBA Rule 3(3)(a)(i). GCG’s failure to identify documents with particularity also means that it would be unreasonably burdensome to require the Respondent to examine potentially large amounts of documents in a very short period of time, with the result that this Request should be rejected under IBA Rule 9(2)(c) as well.

<sup>44</sup> Offshore Co. v. National Iranian Oil Co., Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to para 3.72, which reads “[...] where a party brings a document production request on grounds that the adverse party has not provided those documents necessary to support its case, such a request should generally be denied. This type of request does not go to the requesting party’s burden of proof but rather its opponent’s. Relevance, in order to be proven in the context of a document request, must be demonstrated by establishing why the petitioning party finds the documents necessary to successfully meet its burden of proof” (Annex 4). See also Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14: “[W]hen a document production request is disputed, the arbitrators have the responsibility of determining whether the requesting party actually needs the documents to discharge its burden of proof. If not, the request should be denied. Hence, a document production request that fails to clearly indicate the allegations the documents are supposed to prove and to explain that proof cannot be otherwise discharged should not be granted. When assessing requests arbitrators must carefully check that the burden of proof actually lies on the requesting party. In too many cases parties request the production of documents to prove the inaccuracy of statements made by the other party [...]” (Annex 5)

	<p><i>Fourth</i>, the requested documents may contain information that is subject to legal impediment under Colombian law. Per Article 19 of the Access to Public Information Law, documents recording the opinions and points of view expressed by public officials during deliberations are confidential (<b>Annex 1</b>). To the extent the requested documents contain such information, they would be subject to confidentiality protection under the Access to Public Information Law.</p> <p><i>Fifth</i>, to the extent the internal discussions, analysis, correspondence or notes regarding the issuance and enforcement of eviction orders are reflective of legal advice to governmental authorities, such documents are legally privileged.</p> <p><i>Finally</i>, Colombia repeats its objection to the production of draft documents set out in response to Request 1 above, <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p><i>First</i>, Respondent's objection is unfounded, as it mischaracterizes Claimant's request as formulated. The documentation and internal correspondence, notes, and analyses relating to the granted eviction orders will shed light on the extent of the illegal operations. The orders, implementation or lack of implementation, or actions or inactions by Colombia that have resulted in the denial of GCG's abilities to use its investments as intended, and has effectively neutralized the benefit of property of GCG. Claimant seeks Colombian officials' analyses of the relevant eviction order, including the decisions as to whether to grant or enforce, and documents that demonstrate the Colombian government official's efforts and actions to enforce the order related to this request. The underlying filings, and documentation requested, will elucidate the distinction between the action and inaction of Colombia's enforcement of such orders, delay tactics, and/or failure to address the more than 600 currently pending <i>amparo administrativo</i> requests, including the one specifically identified within Claimant's request.</p> <p>Respondent has also asserted in this arbitration that the <i>amparo administrativos</i> procedure is not the proper way to remove the illegal or "artisanal and small-scale miners" -- however, the documentation related to these granted eviction orders will be highly relevant to contradict or support its argument, and it is necessary that they be produced.</p>

	<p>Thus, despite Respondent’s contentions, GCG does not “use the document production procedure” to “fish” for government documents -- it is Colombia that has put such internal government documents in dispute.</p> <p><i>Second</i>, Respondent’s objection on these grounds is unavailing. The request is sufficiently narrow and specific, and requests documents reasonably believed to exist in relation to <b>one</b> discrete eviction order, and <b>one</b> specific mine.<sup>45</sup> As the requested documentation relate to eviction orders that <i>the Colombian government itself issued</i>, they are required to implement such eviction orders, to remove the <i>illegal miners</i>, as has been determined by Colombian law, pursuant to the above-stated Resolution. For example, as support for GCG’s request and position, such documentation (though not relating to the requested eviction orders), indisputably exists, and must be produced for the relevant orders. <i>See Ex. C-91</i> (Petition from Piedad Angarita Guerrero, Office of the Attorney General, to Julio Vargas Chica, Mayor of Marmato, dated 9 February 2016 (requesting enforcement of Resolution No. 362 of 2011)). Thus, contrary to Colombia’s assertions, such documents are reasonably believed to exist, and Claimant’s request as formulated is sufficient under the IBA Rules, Article 3.3(a)(ii).</p> <p><i>Third</i>, serious due process implications arise for Claimant given Respondent’s refusal to produce any of the requested documentation at this stage of the proceeding. Claimant has raised serious concerns about Respondent’s unsubstantiated contentions regarding this issue - - and has a legitimate interest to request the production of documents that relate to the assertions included in Respondent’s Counter-Memorial. The request is not intended to dispute the sufficiency or relevance of the evidence presented by Colombia (though that is indeed GCG’s position, as its Reply on the Merits will demonstrate in due course). Instead, the request is intended to put the Tribunal in a position to understand the full context of the assertion in order to fairly evaluate such assertion. Respondent should not be allowed to put forward unsubstantiated claims, next refuse the production of documents relating to its claims (including documents, which support or negate those claims) in the document production phase, only to be</p>
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<sup>45</sup> Claimant further notes that it has only included within these requests those Actions which were enforced and/or granted, and has not submitted any requests related to the plethora of Actions that have not been addressed by Colombia, relevant and material to this dispute.

	<p>in a position to ultimately and without scrutiny from Claimant and the Tribunal cherry pick the documents that it wishes to place on record with its Rejoinder, denying Claimant the fair chance to make arguments concerning the validity of such assertions and sufficiency of Respondent’s evidence.</p> <p>Moreover, the question of which party bears the burden of proof is not listed as a ground for an objection in the IBA Rules. Where the burden of proof lies with the producing party, its duty to produce documents serves to ensure that it does not discharge its evidentiary burden by a selective use of evidence, as Respondent attempts to do in its responses and objections herein.<sup>46</sup></p> <p><i>Fourth</i>, Contrary to Respondent’s blanket assertions, the Request is not unduly burdensome. It complies with the specificity requirements of Article 3(3)(a) of the IBA Rules by referring to narrow and specific documents or category of documents, and is furthermore strictly defined by reference to <b>a single government Action</b> to which the requested documents relate. Respondent’s allegation that the request concerns an “indeterminate number of government entities” over “an unlimited period of time” is meritless.</p>
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<sup>46</sup> Additionally, contrary to Colombia’s contentions, “while each Party bears the burden to prove its own case, a Party should also have access to documents that will permit it to develop such case, whether that is in the form of a claim or a defence or both.” **Annex A**, *Gabriel Resources v. Romania* (ICSID Case No. ARB/15/31), PO 10, ¶ 28 to be read in the context of ¶¶ 25-29). Respondent cites to **Annex 4** (*Offshore Co. v. National Iranian Oil Co.*, Case No. 133, Chamber II (20 June 1986), cited in O’Malley, Evidence, n. 99 to ¶ 3.72) and **Annex 5** (Y. Derains, Towards Greater Efficiency in Document Production before Arbitral Tribunals—A Continental Viewpoint, ICC Bulletin 2006 Special Supplement: Document Production in International Arbitration, p. 87, ¶ 14). However, these works have been widely criticized, and Respondent’s argument is “in conflict with the right to obtain evidence. ... [T]he risk of the unequal treatment of the parties corroborates the view that the burden of proof should not be used as a requirement for document production under the IBA Rules.” **Annex B**, Reto Marghitola, *Document Production in International Arbitration*, International Arbitration Law Library, Volume 33 (Kluwer Law International 2015), pp. 55-57. “It is sometimes suggested that a party may only obtain disclosure of documents material to issues as to which it bears the burden of proof in the underlying dispute. ... There is no basis for this approach in either the IBA Rules, the ICC Task Force’s Report on E-Discovery, or sound arbitral procedures. The fact that a party bears the burden of proof on an issue does not make a document that it has requested any less relevant or material, nor any less important to the tribunal’s fact-finding mandate. Moreover, the fact that a party does not bear the burden of proof on an issue does not suggest that it will be able to prevail on that issue absent relevant and material documents; its counterparty may, if material (and adverse) documents are not disclosed, be able to prevail by selectively presenting other documents or evidence. It is both illogical and unfair to deny a party disclosure of documents otherwise subject to disclosure, merely because it does not bear the burden of proof with respect to the underlying issues to which the document is relevant.” **Annex C**, Gary B. Born, *International Commercial Arbitration*, 3rd edition (2021), p. 2539; *see also* **Annex D**, M.E. Jaffe, J.T. Dulani and D.J. Stute, *Burden of Proof as a Prerequisite to Document Production Under the 2010 IBA Rules: An Obituary*, TDM, Vol. 14, Issue 1, (January 2017) (rebutting Yves Derains’ “blanket burden-of-proof rule” (**Annex 5**) as running “counter to transparency and a party’s right to be heard ... Derains’ burden-of-proof rule prevents a requesting party from being able to probe the assertions of its opponent by requesting documents whenever the opponent carries the burden of proof on a particular claim. If the allocation of the burden would itself be a ground for refusing disclosure, the IBA’s relevance and materiality standard would be eviscerated.”

	<p>The request clearly delineates the <b>exact date and timeline</b> that the Action was (1) filed, (2) granted, and/or (3) notified. This indisputably provides Respondent with sufficient criteria to narrow its search for responsive documents.</p> <p><i>Fifth</i>, Respondent’s claim that the documents requested “may contain information that is subject to legal impediment under Colombian law” is unavailing. The case is governed <u>not</u> by Colombian law, but by the terms of the Canada-Colombia Free Trade Agreement (“the FTA”). As Respondent themselves argued and acknowledged in their 6 April 2020 letter to the Tribunal, the FTA “already ensures the protection of confidential information” under Articles 830 and 838. Specifically, Article 830 of the FTA indicates that each disputing party has the burden of designating information confidential, and Article 838 defines “confidential information” as “(a) confidential business information; and (b) information that is privileged or otherwise protected from disclosure under the law of a Party[.]” FTA, Article 838; PO5, ¶ 5. Further, as this Tribunal has acknowledged, “FTA Article 850(3) also constrains the parties’ dissemination of each other’s documents by reference to the <u>purpose</u> of such dissemination: such documents may be shared ‘in connection with the arbitral proceedings’ with such persons as considered ‘necessary for the preparation of’ a party’s case.” PO5, ¶ 15. The FTA specifically imposes on the disclosing party the duty to ensure the protection of confidential information. FTA, Article 850(3) and Article 850(4); PO5, ¶ 16. Finally, this Tribunal retains authority under the FTA (Article 850(2)) to establish specific procedures for the protection of confidential information if necessary to ensure compliance with the FTA. PO5, ¶ 16; <i>see also</i> IBA Rules, Article 9.5 (“The Arbitral Tribunal may, where appropriate, make necessary arrangements to permit evidence to be presented or considered subject to suitable confidentiality protection”). Given the immense protections provided for in arbitral proceedings on this issue, Respondent should not be allowed to use this assertion to avoid reasonable document disclosure.</p> <p>In addition, even under Colombian law, Respondent’s arguments are without merit and production would be required. Article 19 of Law 1712 of 2014 (the “Access to Public Information Law”) (<b>Annex 1</b>) sets forth the general rules for public access to information in control</p>
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	<p>of Colombian authorities, including, for example, “documents recording the opinions and points of view expressed by public officials during their deliberations” as claimed by Respondent. However, Respondent is required to provide sufficient reasons in law to avoid disclosure, such as the actual, likely, and specific risk affecting the rights or matters that the confidentiality is supposed to protect. <i>See Annex I</i>, Article 25 of Law 1755 of 2015 (Right of Petition Law).<sup>47</sup> In analogous circumstances, Article 27 of Law 1437 of 2011 specifically contemplates and provides for the disclosure to judicial authorities, such as this Tribunal. <i>See Annex J</i>, Article 27 of Law 1437 of 2011 (General Code of Administrative Procedures and Controversies) (“The confidential nature of information or specific documents will not be enforceable against competent judicial, legislative, or administrative authorities that request them for the proper exercise of their functions. These authorities must ensure the confidentiality of the information and documents that they come to know in the development of the provisions of this article.”).<sup>48</sup> Further, the Colombian State Council has held that all individuals and companies -- which includes GCG -- have the right to know the reasons for any administrative decisions issued by public authorities, regarding their requests or applications, and to full access to their complete files before public authorities.<sup>49</sup></p> <p><i>Sixth</i>, Respondent’s objection that the documents are legally privileged is similarly unavailing, and, in any event, Claimant does not seek documents concerning or reflecting legal advice to governmental authorities. <i>See</i> Article 838 of the FTA, “confidential information means: ... (b) information that is <i>privileged</i> or otherwise protected from disclosure under the law of a Party[.]” (emphasis added); IBA Rules Article 9.4.</p>
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<sup>47</sup> Under principles of Colombian law, information and documents kept by public authorities are public and of free access. Confidentiality is an exception to this rule and should be interpreted restrictively. Article 25 of Law 1755 of 2015 requires the confidentiality of a document to be declared formally and with proper justification. Therefore, if Colombia intends to designate any documents confidential, it must do so explicitly. Refusal or objection to produce documents on such general basis would also be contrary to Colombian law.

<sup>48</sup> Under Colombian law (Article 116 of the Constitution) an ICSID tribunal solving an investment arbitration claim against Colombia shall be considered a judicial authority, and thus is not bound to any of the legal provisions cited in Respondent’s objections. *See Exhibit R-142* the Political Constitution of Colombia, 4 July 1991, Art. 116).

<sup>49</sup> Due motivation of administrative acts is a burden that contemporary constitutional and administrative law imposes on the administration, according to which it is obliged to clearly and expressly state the legal and factual reasons that determine its actions. *See Annex G* (State Council. Ruling 00064 of 5 July 2018).



	<p><i>Finally</i>, Claimant adopts its limitation to the production of final copies of documents as set out in response to Request No. 1 above, which applies here <i>mutatis mutandis</i>.</p> <p>For the above reasons, Claimant respectfully requests the Tribunal to order Respondent to produce the documents requested here.</p>
<b>E. Decision of the Tribunal</b>	<p>Request No. 67(1) denied.</p> <p>With respect to Request No. 67(2), the Respondent shall produce any documents (a) reflecting analysis or decision regarding whether or not to undertake efforts to enforce the eviction order granted, and (b) reporting on any efforts thereafter made to enforce the eviction order.</p>
<b>Document Request No.</b>	68
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 3 as referenced in C-69, 134-98M (RMN HFRG-01) DEBAJO DE LA ESPERANZA filed on 23 April 2015, granted by Resolution No. 1325, 27 October 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of</b>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>

<b>requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	69
<b>A. Documents or category of documents requested</b>	With respect to Action No. 4 as referenced in C-69, RPP-357 (RMN EDMN-01) BOCAMINA LA PALMA-ECHANDÍA filed on 5 April 2015, granted by Resolution No. 705, 15 July 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	70
<b>A. Documents or category of documents requested</b>	With respect to Action No. 5 as referenced in C-69, CHG-081 TERCER MINA ENCIMA DE TOLVA DE GATO filed on 15 May 2015, granted by Resolution No. 1166, 10 October 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	71
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 8 as referenced in C-69, CHG-081 CASCABEL filed on 15 May 2015, granted by Resolution No. 1160, 10 October 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	72
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 12 as referenced in C-69, 055-98M (HETJ-22) TORNO 2 filed on 12 June 2015, granted by Resolution No. 710, 22 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	73

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 20 as referenced in C-69, 825-17 (RMN HHHBJ-03) NN (ENCIMA DE LA MINA “EL RETORNO” DEBAJO DE LA MINA “LA VAGA” filed on 26 August 2015, granted by Resolution No. 881, 17 August 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	74

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 22 as referenced in C-69, 068-98M (HETL-11) ROTAVISKY filed on 22 October 2015, granted by Resolution No. 1332, 27 October 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	75
<b>A. Documents or category of</b>	With respect to Action No. 23 as referenced in C-69, 026-98M Y 160-98M NN2 (ENCIMA DE CHURIMO) filed on 12 November 2015, granted by Resolution No. 862, 17 August 2016:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	76
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 26 as referenced in C-69, 161-98M (HETJ-06) LA COQUETA filed on November 19, 2015, granted by Resolution No. 1155, October 10, 2016 (pending final decision):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>



	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	77
<b>A. Documents or category of documents requested</b>	With respect to Action No. 27 as referenced in C-69, 118-98M (HETK-02) PAULA (AL LADO D LA MINA ROLITA) filed on 19 November 2015, granted by Resolution No. 860, 17 August 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	78
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 32 as referenced in C-69, 070-98M (HETL-15) ANGIE (ENCIMA DE LA MINA SANTA INÉS) filed on 30 December 2015, granted by Resolution No. 859, 17 August 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	79
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 33 as referenced in C-69, 070-98M (HETL-15) CAMILA (SEGUNDA MINA ENCIMA DE LA MINA SANTA INÉS) filed on 30 December 2015, granted by Resolution No. 1156, 10 October 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>80</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 34 as referenced in C-69, 160-98M (RMN HGWL-01) Y 026-98M (RMN HETJ-14) MINA 089 (AL LADO DE CHURIMO) filed on 19 October 2015, granted by Resolution No. 861, 17 August 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>81</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 43 as referenced in C-69, 091-98M Y 131-98M MINA MELISSA B (AL LADO DE LA PEÑA) filed on 21 January 2016, granted by Resolution No. 1101, 27 October 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>(2) comments</b> <b>(3) statement concerning custody and control</b>	(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	82
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 45 as referenced in C-69, 050-98M, 051-98M Y 171.98M CERCA A LAS MARINAS (MINA 1) filed on 9 March 2016, granted by Resolution No. 184, 21 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	83
<b>A. Documents or category of documents requested</b>	With respect to Action No. 46 as referenced in C-69, 050-98M, 051-98M Y 171.98M CERCA A LAS MARINAS (MINA 2) filed on 9 March 2016, granted by Resolution No. 1161, 10 October 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	84
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 50 as referenced in C-69, 134-98M MINA EL DESCANSO filed on 23 March 2016, granted by Resolution No. GSC 423, 16 May 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>



<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	85
<b>A. Documents or category of documents requested</b>	With respect to Action No. 52 as referenced in C-69, CHG-081 SARA G (AL LADO IZQUIERDO DE MINA SAN PEDRO) filed on 9 March 2016, granted by Resolution No. 1162, 10 October 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	86
<b>A. Documents or category of documents requested</b>	With respect to Action No. 58 as referenced in C-69, 121-98M, 148-98M, 149-98M Y 165-98M MINA LETICIA (AL LADO DE LA MINA TESORITO) filed on 13 July 2016, granted by Resolution No. 0083, 6 March 2017 (pending final decision):  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	87
<b>A. Documents or category of documents requested</b>	With respect to Action No. 59 as referenced in C-69, CHG-081 MINA EL PROGRESO (ENCIMA DE CAPARROSAL) filed on 11 July 2016, granted by Resolution No. 0086, 22 November 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	88
<b>A. Documents or category of documents requested</b>	With respect to Action No. 60 as referenced in C-69, CHG-081 MINA PALOMERA (ENCIMA DE CAPARROSAL) filed on 11 July 2016, granted by Resolution No. 052, 8 November 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	89
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 61 as referenced in C-69, 049-98M Y 070-98M MINA SIN NOMBRE (DIAGONAL A LA MINA ENCIMA DE LA ROCA) filed on 11 July 2016, granted by Resolution No. 084, 6 March 2017 (pending final decision):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	90
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 62 as referenced in C-69, 031-98M MINA PAULA S (MINA 1 CAMINO A LA FLORESTA) filed on 11 July 2016, granted by Resolution No. 085, 6 March 2017 (pending final decision):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	91

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 63 as referenced in C-69, CHG-081 MINA LAGRIMOSA (CERCA DE LA MINA ZORRA) filed on 11 July 2016, granted by Resolution No. 085, 22 November 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>This request is duplicative of Request 90.</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>Claimant notes that this request concerns a different mine, and different dates and final decisions for the Resolution No. as set forth in Request No. 90, and is thus not duplicative. Claimant does not request production of duplicate documentation, to the extent there may be overlap.</p> <p>Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>E. Decision of the Tribunal</b>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>

<b>Document Request No.</b>	92
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 66 as referenced in C-69, 041-98M Y102-98M CURUBITAL - MURCIELAGAL filed on 12 August 2016, granted by Resolution No. 560, 12 June 2017 (pending final decision):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	93



<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 71 as referenced in C-69, 034-98M BARRANCA 1 filed on 29 October 2010, granted by Resolution No. GTRM 472, 8 June 2011:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	94
<b>A. Documents or category of</b>	With respect to Action No. 73 as referenced in C-69, 052-98M OCHOA 1 filed on 30 March 2010, granted by Resolution No. 938, 27 December 2010:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	95
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 74 as referenced in C-69, 053-98M OCHOA 2 filed on 30 March 2010, granted by Resolution No. 939, 27 December 2010:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	96
<b>A. Documents or category of documents requested</b>	With respect to Action No. 78 as referenced in C-69, 105-98M EL MANGO 1 filed on 28 August 2012, granted by Resolution No. PARM 10, 19 February 2013:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	97
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 79 as referenced in C-69, 118-98M ROLITA filed on 29 May 2012, granted by Resolution No. PARM 12, 19 February 2013:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	98
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 81 as referenced in C-69, 127-98M TESORITO filed on 15 May 2012, granted by Resolution No. PARM 15, 19 February 2013:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>(2) comments</b> <b>(3) statement concerning custody and control</b>	(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	99
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 83 as referenced in C-69, 160-98M TINTILIANA filed on 29 May 2012, granted by Resolution No. PARM 13, 19 February 2013:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b> <b>(2) comments</b> <b>(3) statement concerning</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	100
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 84 as referenced in C-69, 4467 PATAcón filed on 30 March 2010, granted by Resolution No. GTRM 344, 17 May 2011:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	101
<b>A. Documents or category of documents requested</b>	With respect to Action No. 92 as referenced in C-69, 127-98M FRENTE A TESORITO filed on 23 April 2015, granted by Resolution No. 535, 31 May 2016; Notified 11 June 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .



<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	102
<b>A. Documents or category of documents requested</b>	With respect to Action No. 93 as referenced in C-69, 166-98M CANALÓN FRENTE A TORRENTE filed on 23 April 2015, granted by Resolution No. 607, 20 June 2016; Notified 29 July 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	103
<b>A. Documents or category of documents requested</b>	With respect to Action No. 94 as referenced in C-69, 161-98M VENTURA filed on 5 June 2015, granted by Resolution No. 708, 15 July 2016; Notified 29 July 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	104
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 95 as referenced in C-69, 4467 PATACÓN filed on 9 June 2015, granted by Resolution No. 518, 26 May 2016; Notified 17 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	105
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 96 as referenced in C-69, 073-98M (HETJ-33) CUMBA 1 filed on 22 June 2015, granted by Resolution No. 709, 15 July 2016; Notified 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	106

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 97 as referenced in C-69, 014-98M SIN NOMBRE filed on 22 June 2015, granted by Resolution No. 753, 22 July 2016; Notified 22 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	107
<b>A. Documents or category of</b>	With respect to Action No. 98 as referenced in C-69, CHG-081 SIN NOMBRE (FRENTE A MINA VILLONZA) filed on 13 July 2015, granted by Resolution No. 481, 18 May 2016; Notified 17 June 2016:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	108
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 99 as referenced in C-69, CHG-081 ENCIMA DE MINA SAN PEDRO (MINA KIKE MELFI) filed on 6 August 2015, granted by Resolution No. 507, 23 May 2016; Notified 17 June 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	109
<b>A. Documents or category of documents requested</b>	With respect to Action No. 100 as referenced in C-69, CHG-081 SIN NOMBRE (DEBAJO DE LA CARRETERA A CIEN PESOS) filed on 13 July 2015, granted by Resolution No. 482, 18 May 2016; Notified 17 June 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	110
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 101 as referenced in C-69, CHG-081 SIN NOMBRE (FRENTE A LA MINA VILLONZA 2) filed on 13 July 2015, granted by Resolution No. 506, 23 May 2016 Notified 1 June 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.



<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	111
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 102 as referenced in C-69, RPP-357 LADO IZQUIERO DE LA CHIQUITA CUATRO filed on 13 July 2015, granted by Resolution No. 723, 15 July 2016; Notified 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>112</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 103 as referenced in C-69, RPP-357 BOCAMINA TORRE 5 filed on 13 July 2015, granted by Resolution No. 704, 15 July 2016; Notified 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>(2) comments</b> <b>(3) statement concerning custody and control</b>	(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	113
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 104 as referenced in C-69, 026-98M SOBRE TINTILIANA filed on 13 July 2015, granted by Resolution No. 706, 15 July 2016; Notified 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	114
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 105 as referenced in C-69, 050-98M PEDRO GRANDE filed on 13 July 2015, granted by Resolution No. 865, 17 August 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	115
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 106 as referenced in C-69, 067-98M CUMBA 3 MATURRO filed on 13 July 2015, granted by Resolution No. 711, 15 July 2016; Notified 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	116
<b>A. Documents or category of documents requested</b>	With respect to Action No. 107 as referenced in C-69, 014-89M LAS VERÓNICAS filed on 19 August 2015, granted by Resolution No. 1163 Y 1164, 10 October 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	117
<b>A. Documents or category of documents requested</b>	With respect to Action No. 108 as referenced in C-69, 134-98M LA LEONA filed on 14 August 2015, granted by Resolution No. 523, 16 May 2016; Notified 17 June 2016:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	118
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 110 as referenced in C-69, 152-98M MINA NN (SEGUNDA MINA DEBAJO DE LAS MARINAS) filed on 6 August 2015, granted by Resolution No. 713, 15 July; Notified 29 July 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).



<b>Document Request No.</b>	119
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 111 as referenced in C-69, 050-98M LAS MARINAS filed on 12 November 2015, granted by Resolution No. 1204, 27 October 2016 (pending final decision):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	120

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 112 as referenced in C-69, 091-98M LA EVA Y LA PEÑA filed on 11 December 2015, granted by Resolution No. 864, 17 August 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	121
<b>A. Documents or category of</b>	With respect to Action No. 113 as referenced in C-69, 172-98M CHINCHILIANA filed on 11 December 2015, granted by Resolution No. 882, 17 August 2016:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	122
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 114 as referenced in C-69, 065-98M PAULINA MODA filed on 21 January 2016, granted by Resolution No. 1081, 27 October 2016:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	123
<b>A. Documents or category of documents requested</b>	With respect to Action No. 115 as referenced in C-69, CHG-081 MINA DÁVILA filed on 2 September 2016, granted by Resolution No. 088, 6 March 2017:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	124
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 116 as referenced in C-69, CHG-081 LA RATONERA 2 filed on 2 September 2016, granted by Resolution No. 157, 14 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	125
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 117 as referenced in C-69, 169-98M MINA BARRANCO filed on 2 September 2016, granted by Resolution No. 441, 26 May 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>126</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 118 as referenced in C-69, 121-98M MINA GIRALDA filed on 13 October 2016, granted by Resolution No. 185, 21 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	127
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 119 as referenced in C-69, 014-98M INVASIÓN MARUJA filed on 14 October 2016, granted by Resolution No. 087, 6 March 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>



<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	128
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 120 as referenced in C-69, 096-98M NN (FILÓN 1) filed on 22 December 2016, granted by Resolution No. 420, 16 May 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	129
<b>A. Documents or category of documents requested</b>	With respect to Action No. 121 as referenced in C-69, 050-98M CURUBITAL filed on 22 December 2016, granted by Resolution No. 270, 5 April 2017:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	130
<b>A. Documents or category of documents requested</b>	With respect to Action No. 122 as referenced in C-69, 156-98M NN (ENCIMA DE SAN ANTONIO) filed on 22 December 2016, granted by Resolution No. 262, 5 April 2017:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	131
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 123 as referenced in C-69, 127-98M PERTURBACIÓN MINA TESORITO filed on 30 January 2017, granted by Resolution No. 384, 5 April 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	132
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 124 as referenced in C-69, 054-98M PERTURBACIÓN MINA OCHOA 3 filed on 30 January 2017, granted by Resolution No. 382, 11 May 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	133

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 125 as referenced in C-69, 055-98M (HETJ-22) PERTURBACIÓN MINA TORNO 2 filed on 30 January 2017, granted by Resolution No. 383, 11 May 2017:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	134
<b>A. Documents or category of</b>	<p>With respect to Action No. 126 as referenced in C-69, 221 PERTURBACIÓN A MINA ANGELITOS filed on 30 January 2017, granted by Resolution No. 380, 11 May 2017:</p>

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	135
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 127 as referenced in C-69, HESG-04 MINA NN (CRUZADA EL MANGO) filed on 3 May 2017, granted by Resolution No. 087, 9 February 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	136
<b>A. Documents or category of documents requested</b>	With respect to Action No. 128 as referenced in C-69, 014-89M MINA MILLONES filed on 5 June 2017, granted by Resolution No. 077, 9 February 2018:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.



<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	137
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 129 as referenced in C-69, 014-89M CONSTRUCCIÓN DE TOLVA CIEN PESOS (AL LADO DE MINA RETORNO) filed on 5 June 2017, granted by Resolution No. 081, 9 February 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	138
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 130 as referenced in C-69, 014-89M MINA NN (VÍA CABRAS) NIVEL CARRETERA filed on 23 June 2017, granted by Resolution No. 078, 9 February 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>(2) comments</b> <b>(3) statement concerning custody and control</b>	(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	139
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 131 as referenced in C-69, 014-89M CASCAJERO filed on 30 August 2017, granted by Resolution No. 080, 9 February 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	140
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 163 as referenced in C-69, CHG-81 BOCAMINA ARLEY filed on 28 November 2012, granted by Resolution No. PARM 82 of 2013:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	141
<b>A. Documents or category of documents requested</b>	With respect to Action No. 168 as referenced in C-69, CHG-81 VILLONZA filed on 31 March 2010, granted by Resolution No. 751 of 2010:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	142
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 173 as referenced in C-69, CHG-81 CASCABEL filed on 10 October 2014, granted by Resolution No. GSC 106, 29 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	143
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 179 as referenced in C-69, 014-89M MINA LA CEIBA Y EL PALO filed on 18 February 2014, granted by Resolution No. GSC 00042, 30 April 2015:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	144
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 180 as referenced in C-69, 149-98M EL MANZANO filed on 10 October 2014, granted by Resolution No. GSC 0053, 29 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).



<b>Document Request No.</b>	145
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 182 as referenced in C-69, 148-98M ESCALERA filed on 10 October 2014, granted by Resolution No. GSC 0060, 21 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	146

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 186 as referenced in C-69, 067-98M PERTURBACIÓN A MINA DORADO filed on 30 January 2017, granted by Resolution No. 00379, 11 May 2017 (pending final decision):</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	147

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 189 as referenced in C-69, CHG-081 MINA DÁVILA (CASCABEL) filed on 23 June 2017, granted by Resolution No. GSC 462, 25 July 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	148
<b>A. Documents or category of</b>	With respect to Action No. 190 as referenced in C-69, CHG-081 MINA 2 (CASCABEL) filed on 14 July 2017, granted by Resolution No. GSC 456, 25 July 2018:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	149
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 191 as referenced in C-69, CHG-081 MINA 3 (EL NOGAL) filed on 14 July 2017, granted by Resolution No. GSC 461, 25 July 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	150
<b>A. Documents or category of documents requested</b>	With respect to Action No. 192 as referenced in C-69, CHG-081 MINA 1 (CASCABEL) filed on 14 July 2017, granted by Resolution No. GSC 460, 25 July 2018:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	151
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 195 as referenced in C-69, 123-98M SUB-MINA PONDEROSA (DEBAJO DE PEÑA ALTA) filed on 10 October 2017, granted by Resolution No. GSC 507, 31 August 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	152
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 197 as referenced in C-69, CHG-081 MINA NN (CERCA MINA CASCABEL BAJO) filed on 11 January 2018, granted by Resolution No. GSC 459, 25 July 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>153</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 200 as referenced in C-69, 161-98M MINA NN (CERCA DE LA ANTIGUA MINA AGUACATE) filed on 3 May 2018, granted by Resolution No. GSC 371, 31 May 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>



<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	154
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 202 as referenced in C-69, 169-98M MINA TURMALINA filed on 3 May 2018, granted by Resolution No. GSC 367, 31 May 2018:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	155
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 203 as referenced in C-69, DMC-01 LA YURANY filed on 2 April 2018, granted by Resolution No. GSC 108, 29 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	156
<b>A. Documents or category of documents requested</b>	With respect to Action No. 205 as referenced in C-69, CHG-081 MINA PONDEROSA (DEBAJO DE PEÑA ALTA) filed on 31 March 2017, granted by Resolution No. GSC 457, 25 July 2018:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	157
<b>A. Documents or category of documents requested</b>	With respect to Action No. 206 as referenced in C-69, 073-98M MINA NN (CERCA DE MINA CARMONA) filed on 27 November 201[7], granted by Resolution No. GSC 503, 31 May 2018:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	158
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 207 as referenced in C-69, 088-98M MINA LA ESTRADA filed on 13 September 2018, granted by Resolution No. GSC 073, 22 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	159
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 208 as referenced in C-69, 040-98M MINA CASCABEL 1 filed on 20 November 2018, granted by Resolution No. GSC 0085, 25 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	160

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 212 as referenced in C-69, 034-98M MINA CASCABEL filed on 20 November 2018, granted by Resolution No. GSC 0085, 25 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>This request is duplicative of Request 159.</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>E. Decision of the Tribunal</b>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<b>Document Request No.</b>	161
<b>A. Documents or category of</b>	<p>With respect to Action No. 214 as referenced in C-69, 095-98M MINA COROZO filed on 20 November 2018, granted by Resolution No. GSC 0043, 21 January 2019:</p>

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	162
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 216 as referenced in C-69, 096-98M MINA ESFUERZO filed on 20 November 2018, granted by Resolution No. GSC 0074, 22 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>



	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	163
<b>A. Documents or category of documents requested</b>	With respect to Action No. 218 as referenced in C-69, CHG-081 MINA SIN NOMBRE 7 filed on 20 November 2018, granted by Resolution No. 0089, 29 January 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	164
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 219 as referenced in C-69, 134-98M MINA TORRENTE filed on 20 November 2018, granted by Resolution No. GSC 0108, 29 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>This request is duplicative of Request 155.</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>Claimant notes that this request concerns a different mine than set forth in Request No. 155, and is thus not duplicative. Claimant does not request production of duplicate documentation, to the extent there may be overlap.</p> <p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	165
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 220 as referenced in C-69, MINA ANDREA 5, MINA ANDREA 6 filed on 20 November 2018, granted by Resolution No. GSC 0082, 25 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	166
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 222 as referenced in C-69, 041-98M MINA MURCIELAGAL filed on 20 November 2018, granted by Resolution No. GSC 0072, 22 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	167
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 223 as referenced in C-69, 4467 MINA PATACON filed on 20 November 2018, granted by Resolution No. GSC 0072, 22 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>168</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 225 as referenced in C-69, CHG-081 MINA SIN NOMBRE 3 filed on 20 November 2018, granted by Resolution No. GSC 0064, 21 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	169
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 228 as referenced in C-69, 134-98M MINA TORRENTE 1 filed on 20 November 2018, granted by Resolution No. GSC 0108, 29 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>This request is duplicative of Request 155 and 164.</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>E. Decision of the Tribunal</b>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<b>Document Request No.</b>	170
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 230 as referenced in C-69, CHG-081 MINA SIN NOMBRE 6 filed on 20 November 2018, granted by Resolution No. GSC 0067, 21 January 21 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>



<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	171
<b>A. Documents or category of documents requested</b>	With respect to Action No. 232 as referenced in C-69, 140-98M MINA LA PUERQUERA filed on 20 November 2018, granted by Resolution No. GSC 281, 23 April 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	172
<b>A. Documents or category of documents requested</b>	With respect to Action No. 233 as referenced in C-69, CHG-081 MINA SIN NOMBRE 4 filed on 20 November 2018, granted by Resolution No. GSC 0065, 21 January 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	173
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 234 as referenced in C-69, 091-98M MINA PEÑA filed on 20 November 2018, granted by Resolution No. GSC 0071, 21 January 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).

<b>Document Request No.</b>	174
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 236 as referenced in C-69, 152-98M MINA EL PORVENIR 3 filed on 21 November 2018, granted by Resolution No. GSC 348, 30 May 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	175

<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 237 as referenced in C-69, 166-98M MINA CARRIZALES 1 filed on 23 November 2018, granted by Resolution No. GSC 347, 30 May 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	176
<b>A. Documents or category of</b>	With respect to Action No. 238 as referenced in C-69, 055-98M MINA TORNO 2 filed on 23 November 2018, granted by Resolution No. GSC 429, 28 June 2019:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	177
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 244 as referenced in C-69, 169-98M MINA BARRANCO filed on 22 November 2018, granted by Resolution No. GSC 307, 15 May 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	178
<b>A. Documents or category of documents requested</b>	With respect to Action No. 245 as referenced in C-69, 121-98M MINA GIRALDA filed on 22 November 2018, granted by Resolution No. GSC 309, 15 May 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	179
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 251 as referenced in C-69, 148-98M MINA LA ESCALERA filed on 23 November 2018, granted by Resolution No. GSC 389, 19 June 2019; Notified 5 July 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.



<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	180
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 252 as referenced in C-69, 149-98M MINA MANZANO filed on 23 November 2018, granted by Resolution No. GSC 388, 19 June 2019; Notified 19 June 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>181</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to Action No. 253 as referenced in C-69, 026-98M, 160-98M MINA CHURIMO 2 - TINTILIANA 3 filed on 23 November 2018, granted by Resolution No. GSC 386, 19 June 2019; Notified 19 June 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>(3) statement concerning custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	182
<b>A. Documents or category of documents requested</b>	With respect to Action No. 258 as referenced in C-69, 067-98M MINA EL DORADO 1 filed on 23 November 2018, granted by Resolution No. GSC 413, 27 June 2019; Notified 11 July 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	183
<b>A. Documents or category of documents requested</b>	With respect to Action No. 264 as referenced in C-69, 026-98M SEGUNDA PERTURBACIÓN A CHURIMO 2 filed on 3 December 2018, granted by Resolution No. GSC 393, 19 June 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	184
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning LAS MARINAS 5, 050-98M, 051-98M filed on 23 November 2018, granted by Resolution No. GSC 329, 21 May 2019; Notified 4 June 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	185
<b>A. Documents or category of documents requested</b>	With respect to the Action concerning MINA TORNO 2, 055-98M filed on 23 November 2018, granted by Resolution No. GSC 319, 15 May 2019. Notified 29 May 2019:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	186
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning MINA LA ESCALERA, 148-98M filed on 23 November 2018, granted by Resolution No. GSC 389, 15 May 2019; Notified 29 May 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	<p>This request is duplicative of Request 179.</p> <p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	187
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning PERTURBACION A LA MINA ZORRA 1, 173-98M filed on 3 December 2018, granted by Resolution No. GSC 552, 21 August 2019; Notified 4 September 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).



<b>Document Request No.</b>	188
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning MINA LA RICA, RPP-357 filed on 3 December 2018, granted by Resolution No. GSC 553, 21 August 2019; Notified 5 September 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	189

<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning MINA EL GUAYABO, RPP-357 filed on 3 December 2018, granted by Resolution No. GSC 530, 8 August 2019; Notified 23 August 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	190
<b>A. Documents or category of</b>	With respect to the Action concerning MINA CEIBA DERECHA, RPP-357 filed on 3 December 2018, granted by Resolution No. GSC 531, 8 August 2019; Notified 23 August 2019:

<b>documents requested</b>	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	191
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 289 as referenced in C-69, CHG-081 SOCORRO 2 filed on 6 May 2019, granted by Resolution No. GSC 714, 4 October 2019; Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	192
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 294 as referenced in C-69, CHG-081 GRANADINA filed on 16 May 2019, granted by Resolution No. GSC 718, 10 October 2019; Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>

<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	193
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 295 as referenced in C-69, CHG-081 BOTÁNICA 2 filed on 16 May 2019, granted by Resolution No. GSC 686, 30 September 2019; Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The eviction order

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	194
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 296 as referenced in C-69, CHG-081 BOTÁNICA O VILLONCITA filed on 16 May 2019, granted by Resolution No. GSC 687, 30 September 2019; Notified 14 November 14, 2019; Confirmed Resolution GSC 697, 11 November 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolutions referenced above reflects ongoing case developments since the filing of Claimant's Memorial.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	195
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 298 as referenced in C-69, 014-98M MINA LOS DÍAZ (DEBAJO DE MOLINO EL CEIBO) filed on 6 June 2019, granted by Resolution No. GSC 755, 22 October 2019; Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.

<p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	196
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 299 as referenced in C-69, 055-98M LA FORRA 2 filed on 4 June 2019, granted by Resolution No. GSC 710, 4 October 2019; Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.



<b>(2) comments</b>	(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .
<b>(3) statement concerning custody and control</b>	(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	197
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 302 as referenced in C-69, CHG-081 MURCIELAGAL (Jimmy Cardona) filed on 4 June 2019, granted by Resolution No. GSC 713, 4 October 2019; Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>(3) statement concerning custody and control</b>	(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	198
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 303 as referenced in C-69, CHG-081 MINA NN (CORTES ENCIMA DE CARRETERA) filed on 4 June 2019, granted by Resolution No. GSC 719, 10 October 2019. Notified 14 November 2019:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>

<b>custody and control</b>	
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	199
<b>A. Documents or category of documents requested</b>	With respect to Action No. 305 as referenced in C-69, 033-98M MINA NN (LA SEVILLANA) filed on 5 August 2019, granted by Resolution No. GSC 073, 10 February 2020; Notified 16 July 2020:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .

<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	200
<b>A. Documents or category of documents requested</b>	With respect to Action No. 309 as referenced in C-69, 4467 PERTURBACIÓN A MINA PATACON 2019 filed on 5 August 2019, granted by Resolution No. GSC 0083, 10 February 2020; Notified 16 July 2020:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>disputing party to production of requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	201
<b>A. Documents or category of documents requested</b>	<p>With respect to Action No. 311 as referenced in C-69, 221 ANGELITOS (REACTIVACIÓN) filed on August 5, 2019, granted by Resolution No. GSC 0088, February 10, 2020. Notified July 16, 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137; C-69. The Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>requested documents</b>	
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	202
<b>A. Documents or category of documents requested</b>	With respect to the Action concerning 127-98M, MINA AL LADO DE TESORITO 1 filed on 29 August 2019, granted by Resolution No. 0084, 10 February 2020:  (1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and  (2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.  (2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i> .  (3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i> .
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	203
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning RPP-357 MINA LA GALLINAZA 1 filed on 16 September 2019, granted by Resolution No. GSC 0063, 30 January 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .

<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	204
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning RPP-357 MINA LA PINTA filed on 16 September 2019, granted by Resolution No. GSC 0049, 24 January 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).



<b>Document Request No.</b>	205
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning 094-98M, 169-98M MINA SAN MIGUEL filed on 16 September 16, 2019, granted by Resolution No. GSC 091, 10 February 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	206

<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning 097-98M MINA FORRA No. 1 filed on 30 December 2019, granted by Resolution No. GSC 0758, 19 November 2020; Notified 10 March 2021:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	207
<b>A. Documents or category of</b>	With respect to the Action concerning 131-98M; 091-98M MINA LA OVEJA (ENCIMA DE LA EVA) filed on 6 February 2020,

<b>documents requested</b>	<p>granted by Resolution No. GSC 753, 20 November 2020; Notified 10 March 2021:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	208
<b>A. Documents or category of documents requested</b>	With respect to the Action concerning 031-98M; 071-98M MINA NN (DEBAJO DE LA MINA LA ESTRADA) filed on 5 March 2020, granted by Resolution No. GSC 0756, 19 November 2020. Notified 10 March 2021:

	<p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>
<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant’s Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>
<p><b>Document Request No.</b></p>	<p>209</p>
<p><b>A. Documents or category of documents requested</b></p>	<p>With respect to the Action concerning 031-98M CARIBE (ENCIMA DE LA MINA ESTRADA) filed on 6 May 2020, granted by Resolution No. GSC 773, 26 November 2020; Notified 7 December 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p>

	(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.
<b>B. Relevance and materiality:</b>  <b>(1) paragraph reference to submissions</b>  <b>(2) comments</b>  <b>(3) statement concerning custody and control</b>	<p>(1) Claimant's Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflects ongoing case developments since the filing of Claimant's Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<b>C. Summary of objections by disputing party to production of requested documents</b>	Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>D. Reply</b>	Claimant repeats its replies to Respondent's objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i> .
<b>E. Decision of the Tribunal</b>	See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).
<b>Document Request No.</b>	210
<b>A. Documents or category of documents requested</b>	<p>With respect to the Action concerning, 014-89M BOBCAT 5 - NIVEL 16 filed on July 21, 2020, granted by Resolution No. 761, 19 November 2020; Notified 4 December 2020:</p> <p>(1) Documents, including internal discussions or analysis as to whether or not to grant a request for an eviction order; and</p> <p>(2) Documents and internal correspondence demonstrating enforcement efforts of granted eviction order.</p>

<p><b>B. Relevance and materiality:</b></p> <p><b>(1) paragraph reference to submissions</b></p> <p><b>(2) comments</b></p> <p><b>(3) statement concerning custody and control</b></p>	<p>(1) Claimant’s Memorial ¶ 544 [statistics as of 6 October 2019]; Counter-Memorial, ¶¶ 132, 136-137. The eviction order and Resolution referenced above reflect ongoing case developments since the filing of Claimant’s Memorial.</p> <p>(2) Claimant repeats its comments to Request No. 67 <i>mutatis mutandis</i>.</p> <p>(3) Claimant repeats its statement to Request No. 67 <i>mutatis mutandis</i>.</p>
<p><b>C. Summary of objections by disputing party to production of requested documents</b></p>	<p>Colombia objects to this Request for the Production of Documents for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>D. Reply</b></p>	<p>Claimant repeats its replies to Respondent’s objections to this request for the same reasons as set out above with respect to Request No. 67, which apply here <i>mutatis mutandis</i>.</p>
<p><b>E. Decision of the Tribunal</b></p>	<p>See rulings on Request No. 67(1) and 67(2); the same rulings apply with respect to subparts (1) and (2) of the present Request).</p>