

Statement of Dissent of Dr. Santiago Torres Bernárdez

1. I vote against the present Procedural Order N° 17 because the Parties continue to be in disagreement on the appointment and confirmation of Dr. Wühler as Expert of the Tribunal (with or without a Team), on the object and purpose of the Expert's mission, its Scope, Mandate and Procedures, and the Timing allocated to each Individual Verification, as well as on the usefulness of a Verification of the Database out of context or in isolation from the legal and factual relevant surrounding circumstances. The legal grounds for this Dissent are therefore similar, *mutatis mutandis*, to those developed in my Dissenting Opinion appended to Procedural Order N° 15, including on the cost issue.

2. With respect to section D of the Procedural Order (Further Procedural Aspects), I did not object Procedural Order N° 16 in the belief that the prevailing rule was still the simultaneous submission of the translations. I agree therefore with the provision in point 31 of the present Order, although I consider that an additional period of 10 days is something short.

Signed:

Santiago Torres Bernárdez