



27 June 2024

To the attention of:
Mr. Jackson Cole, President of the Tribunal
Dr. Nika Havendale, Arbitrator
Prof. Brynn Sterling, Arbitrator

**RESPONSE TO THE NOTICE OF NON-COMPLIANCE WITH DOCUMENT
PRODUCTION**

Dear Members of the Tribunal,

Celestria writes in connection with Astracommex's submission of the Notice of the Non-Compliance with Document Production, dated 20 June 2024.

Following the Tribunal's decision on Astracommex's document requests, Celestria produced 15 documents under Request No. 23, with additional 48 being submitted into the privilege log.

Astracommex complains that the documents provided did not contain one very specific document, that it was specifically searching for, and alleges that Celestria engaged in unfair behavior and decided to "conceal" said document.

Without prejudice to the existence and/or veracity of said document and any possible applicable privilege, Celestria submits that document production in international arbitration is not an exhaustive exercise. Parties are required to conduct a reasonable search, not a limitless one. Celestria conducted a reasonable search, which is proven by providing more than 300 documents across all granted requests and over 200 documents being added to the Privilege Log. Thus, Celestria complied with its obligations under PO2.

Additionally, the ICSID Arbitration Rules 2022, which govern these proceedings, do not allow the Tribunal to draw adverse inferences. The Tribunal should therefore reject the request.

Respectfully submitted,

CosmoLex Associates