

PCA CASE No. 2018-37

**IN THE ARBITRATION MATTER UNDER THE  
THE ARBITRATION RULES OF THE UNITED NATIONS COMMISSION ON  
INTERNATIONAL TRADE LAW 1976 (the “UNCITRAL Rules”)**

**-between-**

- 1. PROFESSOR CHRISTIAN DOUTREMEPUICH (France)**
- 2. ANTOINE DOUTREMEPUICH (France)**

**-AND-**

**THE REPUBLIC OF MAURITIUS**

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**CORRECTION OF THE AWARD ON JURISDICTION**

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**Arbitral Tribunal**

Professor Maxi Scherer (Presiding Arbitrator)  
Professor Olivier Caprasse  
Professor Jan Paulsson

**Registry**

Permanent Court of Arbitration

**3 October 2019**

## I. BACKGROUND

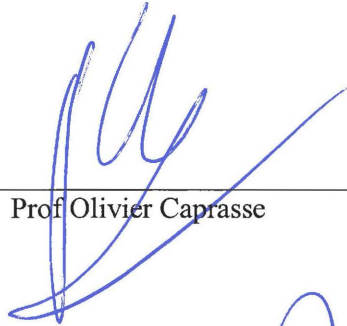
1. On 23 August 2019, the Tribunal rendered its Award on Jurisdiction in the present proceedings pursuant to Article 32 of the UNCITRAL Rules. On the same date, the Award on Jurisdiction was communicated to the Parties. The Award on Jurisdiction was physically received by each Party on 28 August 2019.
2. Article 36 of the UNCITRAL Rules provides as follows:
  - (1) Within 30 days after the receipt of the award, either party, with notice to the other party, may request the arbitral tribunal to correct in the award any errors in computation, any clerical or typographical errors, or any errors of similar nature. The arbitral tribunal may within thirty days after the communication of the award make such corrections on its own initiative.
  - (2) Such corrections shall be in writing, and the provisions of article 32, paragraphs 2 to 7, shall apply.
3. At paragraph 246 of the Award on Jurisdiction, the Tribunal has fixed the costs of the arbitration on the basis of the Statement of Account issued on 22 August 2019 by the Permanent Court of Arbitration.
4. The Statement of Account issued on 22 August 2019 by the Permanent Court of Arbitration contains a computational error in respect of the calculation of fees.
5. The Permanent Court of Arbitration has provided the Tribunal and Parties with the Corrected Statement of Account, which is annexed hereto.
6. On 23 September 2019, the Tribunal provided the Parties with a draft Correction of Award in respect of the Corrected Statement of Account.
7. No request for any other correction was submitted by either Party within 30 days after receipt of the Award on Jurisdiction.

## II. CORRECTION

8. Pursuant to Article 36 of the UNCITRAL Rules, **on its own initiative**, the Tribunal makes the following corrections to the Award on Jurisdiction:
  - A. Paragraph 246 of the Award on Jurisdiction shall read as follows:

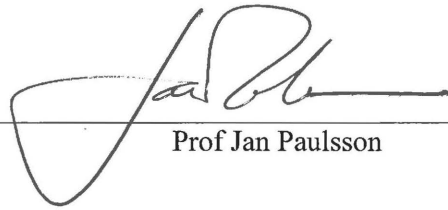
“Pursuant to Article 38 of the UNCITRAL Rules, the Tribunal fixes the arbitration costs at EUR 391,692.00. The PCA’s Corrected Statement of Account is annexed to this Award. The PCA will return the surplus (EUR 58,308) to the Parties in equal shares (EUR 29,154 to each Party).”
  - B. The Corrected Statement of Account issued by the PCA and annexed to this Correction of Award shall be annexed to the Award on Jurisdiction in place of the PCA’s Statement of Account dated 22 August 2019.
9. All other decisions remain as stated in the Award on Jurisdiction dated 23 August 2019.

SIGNED: 3 OCTOBER 2019



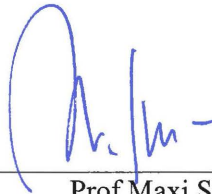
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Prof Olivier Caprasse



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Prof Jan Paulsson



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Prof Maxi Scherer  
(Presiding Arbitrator)

PCA Case No. 2018-37  
Corrected Statement of Account

|                                | Deposit           | Expenses          |
|--------------------------------|-------------------|-------------------|
| <b>Parties</b>                 |                   |                   |
| Claimant deposits              | 225,000.00        |                   |
| Respondent deposits            | 225,000.00        |                   |
|                                | <b>450,000.00</b> |                   |
| <b>Tribunal</b>                |                   |                   |
| Prof. O. Caprasse VAT          |                   | 13,342.87*        |
| Prof. O. Caprasse fees         |                   | 63,537.50*        |
| Prof. O. Caprasse expenses     |                   | 639.48            |
| Prof. M. Scherer VAT           |                   | 25,568.86         |
| Prof. M. Scherer fees          |                   | 127,595.00        |
| Prof. M. Scherer expenses      |                   | 2,299.59          |
| Prof. J. Paulsson fees         |                   | 76,310.00         |
| Prof. J. Paulsson expenses     |                   | 11,071.62         |
|                                |                   | <b>320,364.92</b> |
| <b>Other Tribunal Expenses</b> |                   |                   |
| Catering                       |                   | 2,430.00          |
| Courier expenses               |                   | 731.05            |
| IT/AV support                  |                   | 12,377.80         |
| Printing and Supplies          |                   | 1,217.53          |
| Bank charges                   |                   | 80.00             |
|                                |                   | <b>16,836.38</b>  |
| <b>Registry</b>                |                   |                   |
| PCA expenses                   |                   | 1,335.95          |
| PCA fees thr 02/08/19          |                   | 53,154.75*        |
|                                |                   | <b>54,490.70</b>  |
| <b>Total</b>                   | <b>EUR</b>        | <b>450,000.00</b> |
| <b>Remaining deposit</b>       | <b>EUR</b>        | <b>58,308.00</b>  |

\* As corrected.

