

EREN

THE EREN LAW FIRM

2555 PENNSYLVANIA AVENUE NW
SUITE 1005
WASHINGTON, DC 20037 1651 USA

www.erenlaw.com

+ 1 202 429 1881 (main)

H. C. EREN °

° admitted in NY, DC & MD

writer's direct:

+ 1 202 429 9883

+ 1 202 296 6322

hal.eren@erenlaw.com

VIA COURIER & E-MAIL

December 17, 2006

Ucheora Onwuamaegbu, Esq.
Senior Counsel
The Secretary of the Tribunal - ICSID Case No. ARB/05/10
International Centre for the Settlement of Investment Disputes
1818 H Street N.W. – Mail Stop U3-301
Washington, D.C. 20433, USA

Re: Malaysian Historical Salvors, Sdn, Bhd v. Malaysia, ICSID Case No. ARB/05/10

Dear Mr. Onwuamaegbu:

In response to the Tribunal's requests of November 21 and 28, 2006, please find enclosed 6 copies of Claimant, Malaysian Historical Salvors, Sdn Bhd's comments on the issue of "investment," within the meaning of Article 25(1) of the ICSID Convention, as addressed by the Tribunals in:

Bayindir Insaat Turizm Ticaret ve Sanayi, A.S. v. Islamic Republic of Pakistan (ICSID Case No. ARB/03/29), Decision on Jurisdiction (November 14, 2005);

Ceskoslovenska Obchodni Banka, A.S. v. Slovak Republic (ICSID Case No. ARB/97/4), Decision of the Tribunal on Objections to Jurisdiction (May 24, 1999); and

Patrick Mitchell v. Democratic Republic of Congo (ICSID Case No. ARB/99/7), Decision on the Application for the Annulment of the Award (November 1, 2006).

Sincerely,



Hal Eren

Enclosure