

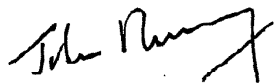
NAFTA UNCITRAL INVESTOR STATE CLAIM
POPE & TALBOT INC AND THE GOVERNMENT OF CANADA
RULING BY TRIBUNAL
ON
CLAIMANTS' MOTION FOR INTERIM MEASURES

Article 1134 of NAFTA does not confer jurisdiction on the Tribunal to enjoin the application of a measure. Since the relief requested is, in the view of the Tribunal, to enjoin the application of the measure which is the quota regime and its implementation, the Tribunal takes the view that it lacks power to grant such relief.

That view applies regardless of the jurisdictional basis of the Tribunal's general power to grant a measure of relief. It follows that the motion will be dismissed.

However the Tribunal feels compelled to state that the verification review and the report thereon were seriously flawed and are not a reliable basis for further action. Nevertheless there were also admitted errors by Pope & Talbot Inc. But the Tribunal finds these to be immaterial in the context of Pope & Talbot's total quota and past action by Canada in implementing the measure.

The Tribunal wishes it to be understood that it will be mindful of the views just expressed should these matters become material in the future.



Presiding Arbitrator