

ihollins 26 Mar'13 - 09:44 - 12281 of 12322

yeah dalailama - total gamble - no foundation to chl case - attributable facts & norclear case of deception - no legal rights over their asset - in fact chl just wanted a court case - of course the indo government didnt have the opportunity to rectify the matter in their own legal system - indo of course NEVER failed to protect a foreign direct investment in an asset - yeah its all cloak & daggers - no substance what so ever - anyone else want me to think for them! hope you see im taking the proverbial

ihollins 23 Mar'13 - 11:36 - 12240 of 12322

put a few \$\$\$\$ in a month - beer money may turn into something significant!

ihollins 21 Mar'13 - 09:05 - 12208 of 12322

burbelly - item 31- Regarding the first order sought, the Claimant reaffirms its position according to which “it is permissible for a party in ICSID proceedings to state its case in public in general terms”,⁵⁰ and there is no press campaign on the part of the Claimant which might warrant a recommendation for provisional measures.⁵¹ Churchill also reiterates that the Respondent has failed to identify the necessity and urgency that would justify recommending provisional measures.

worth noting - item 53. On a more general note, the Tribunal stresses that parties to arbitration proceedings are free to engage in settlement negotiations. Article 26 of the ICSID Convention, which provides that consent given to the jurisdiction of an ICSID tribunal is “deemed consent to such arbitration to the exclusion of any other remedy”, applies to parallel judicial or arbitral proceedings, not to negotiations.

for those unsure of law - respondent is INDO Gov - Claimant is CHL

ihollins 12 Feb'13 - 11:10 - 12161 of 12322

fidra-why watch volume or trades on stocks like these - nothing happening unless the case gets thrown out/won –

disappointed with the comments about PM - how can a man be responsible for corruption unless the fraudster - ROI is known for it - but investors blaming him for some reason cant acknowledge there was a risk & its the fraudsters that are responsible - or will those people be moaning "IF" chl were to lose be aimed at the board despite the risks being there - even moaning if the case is won because they sold - rur/oxs/chl/wti all have varying / differential claims some more clear cut such as rur/oxs the end game the same

ihollins 3 Jan'13 - 11:11 - 12103 of 12322

p@ - its interesting what the ROI are using the 1965 Law on the Prevention of Blasphemy and Abuse of Religion for as a protection of some free speech belief - even on reporting facts 'not consistent' with the government view - JGlobe are suffering as a result with 'prohibitive measures' - pays to copy & paste jblobe links/content as they mysteriously disappear or change content - big change in the coal industry for indo - mainly because of issues with presidential elect hopefuls

i do wonder if wild goose cant substantiate - my knowledge (not the font of all) is Paul Mazak has never worked for anything associated with competitors - the licenses were discuss pre-appoint of credit suisse - there was a campaign in indo that also involved a former employee of a company associated with CHL - all BS its good Wild Goose is a registered paid user as he may be held to task in due course – as is good practice

A few years ago myself and some people were in this.

-A- license issues were questioned after EKCP misappropriation & fraudulent attempts - legal advice was taken on the legality of the licenses pre-investment by CHL...WILD-GOOSE if you know different shout up!!!

After some research, it became apparent that CHL did not own the mining licences.

-B- there is no evidence ANYWHERE accept the deliberate alteration of paperwork by EKCP employee -

Further, Paul Mazk, was working with the real owner. – -C- what utter rubbish

For this reason, we sold – -D- when did you sell?

I am off the opinion, nothing has changed.

-E- well a prominent law firm & the indonesian government including international arbitration would have to disagree with you!

The only thing CHL have of any value, is the Spitfire shares – -F- wild goose, so their cash has no value then?

Speaking of cash, Andy what were your expectations of the cash flow/cash burn. based on previous accounts the shortfall was around \$2M if they trim PR and director issues - but then - I have this suspicion 3rd party litigation funding would be available - "if not already offered"

HNY to all

ignore the following bit as I'm posting Wild_Goose post without alteration/input so it cannot be 'changed at a later date'

ihollins 19 Dec'12 - 13:59 - 12092 of 12322

Andy -im not sure what you consider chls cash burn to be or what your expectations are - im not aware youve inferred any expectation- would you explain what you mean by expectations/the belief of their cash burn - and what cash is needed? currently by my estimations the legal costs are essential - there are a number of other options available to the directors in terms of d2d running costs - yes dilutive measures but easy to put in place to ensure viability/funding of case - perhaps thats the difference between investors & companies that fund litigation or understand the risks - when oxus was well off the mark - those more informed started buying below 1p!

fidra - yes - its pays to go to these matters & im no persons ox!

moltke-yes & 6 months isnt that long - did anyone expect the process to be quicker than 3 yrs from filing a claim ? - jurisdictional hearing is essential to ratify terms/consequence & the power of the tribunal - fairly standard.

my belief is they are \$2M short - of course this could be well off the mark- but isnt an issue really - theres also the availability of 3rd party funding on a case like this but that could be considered dilutive to shareholders – merry xmas as the holiday season is now here

ihollins 4 Dec'12 - 21:44 - 12085 of 12322

Moltke-whether patronising or not-you best post! Ever!!! Ian!

ihollins 21 Nov'12 - 11:04 - 12064 of 12322

1st video conference due 27th Nov - indo normally up campaigns after this - once theyve realised what theyve done wrong - responses have no correlation to facts & ministers even start forgetting what the purpose is - note indo think they can win damages up to \$2b & its East Katui problem not the ROI - disappointing no one has put together the key players & conflicts for this as it is v.relevant

andy, the filter button & viewpoints are all welcome up or down- denarii & scab are examples why boards are so dire - i didnt realise denarii was posting on the wrong board when 5p target was stated +it was his own holding in USOP from £3 to 5p!the learning out of USOP is their history/board/description of upside & the inability to remain listed properly-it was avoided by many & from memory plus mkts booted them out - but 5p tomorrow isnt a viewpoint its intended to generally enrage & agitate & often it does to lesser versed/all in investors - better still no justification - theres a v.good argument for zero p week today - no joke - gd argument for zero next week but unlikely - but worst still it pushes back key posts that are v.important & detracts from a boards purpose - for me there is no loss as its d2d for me - a niche area i specialised in for many years - doesnt mean im right either - bt does mean info will be lost to idiots

ihollins 16 Nov'12 - 06:48 - 12058 of 12322

why is it that I can still see denarlls name even though on filter- is he just posting nothing? Andy are you going to ban the muppet or is the intention to allow posts lacking any form of substance- Got not issue with 5p commentary but at least under pin the statements/justify-you can justify/expect 1p on sellers not wanting further exposure to arb case-reasonable as its a niche high risk investing strategy-with fluctuation in stock all the way to arb award 1p-15p scenario with a buyer seller-risk is binary-probability of success higher than binary based on chl/EKCP operating for a significant length of time pre-issues ian

ihollins 14 Nov'12 - 10:25 - 12054 of 12322

- read the oxus announcement today & as theres certain procedural elements that are important to be aware of - the news is a sell currently / patience with 2014 end date (different to denarii believes) so plenty of time, same as CHL! No rush with any of this type of case –

ihollins 14 Nov'12 - 09:37 - 12052 of 12322

Ok burbelly im persuaded-i'll filter scab as well for free-he hasnt given anything & infers 'hes big time on skr' - http://uk.advfn.com/p.php?pid=fbb_profile&bb_id=0&user=scab scab youre filtered for actually contributing less that denarii -

some interesting media on chl - indo repeat this article regularly - same as what they did with cemex = <http://www.itnews.it/news/2012/1101131522572/yudhoyono-doesn-t-want-british-miner-churchill-mining-plc-pressuring-indonesia.html> they used the same excuse to stop cemex acquiring majority control over Semen Gresik (indo cement company) – they tried to say (I think I mentioned previously) that Cemex was a transport firm so shouldn't be entitled to compensation) – for people needing timeframes this is a very pertinent example of how delaying ROI are – the cemex case wasnt reported on until 2011 in the news to keep it away from indo citizens Cemex Asia Holdings Ltd v Republic of Indonesia, ICSID Case No. ARB/04/3 2006 – taking a consideration for the idiot denarii about costs spent on license/business development being nonrecoverable – CEMEX got all their compensation entitlement of \$400M despite the republic of Indonesia arguing a case as good as denarii or scab! Yes it was that bad-

surprised at peoples lack of consideration for how important cemex have been in setting international arbitration precedence in addition to the one about this time with Venezula - CEMEX Caracas Investments B.V. and CEMEX Caracas II Investments B.V. v. Bolivarian Republic of Venezuela (ICSID Case No. ARB/08/15)

one part of consideration is how indo will attempt to delay Russell Resources International Limited and others v. Democratic Republic of the Congo (ICSID Case No. ARB/04/11) whereby DRC got the case thrown out for non payment of arbitration fees by the claimant – reasonable I say yet importantly – no mentioned of this case yet??? Government of the Province of East Kalimantan v. PT Kaltim Prima Coal and others (ICSID Case No. ARB/07/3) – surely its relevant about ownership etc...??? its significant alright!

now what denarii brought up about timeframes – this was the longest running because the claimant handled it badly– not the respondent – 11 years in total - Antoine Goetz and others v. Republic of Burundi (ICSID Case No. ARB/01/2)- noted the claimant also didnt put timeframes and limits at the first application aka it would lead you to believe all arbs take this long– overall it was one of delay from the claimant due to financial reasons – albeit a poor victory for them –

this is what indo normally run for first about the arbitration having not jurisdiction to render a decision Banro American Resources, Inc. and Société Aurifère du Kivu

et du Maniema S.A.R.L. v. Democratic Republic of the Congo (ICSID Case No. ARB/98/7)

very relevant this – Société d'Exploitation des Mines d'Or de Sadiola S.A. v. Republic of Mali (ICSID Case No. ARB/01/5) a gold mining concession – same 'sort' of story as CHL.

In addition to the previous ones – Amco Asia Corporation and others v. Republic of Indonesia 1981

see also 'Cemex to End ICSID Claim Against Indonesia', 30 June 2006, Global Arbitration Review, available at www.globalarbitrationreview.com/news/article/3491/cemex-end-icsidclaim-against-indonesia/

Cemex is more of a precedent than Amco, but there are similarities that will prove CHL's claims.

Tza Yap Shum v Republic of Peru, ICSID Case No. ARB/07/6; see also 'First Chinese Claimant Registered at ICSID', 16 March 2007, Global Arbitration Review, www.globalarbitrationreview.com/news/article/3739.

Saluka Investments BV v Czech Republic (UNCITRAL) - now this is pertinent in terms of licensing & the legal right to protection –

ihollins 14 Nov'12 - 03:53 - 12050 of 12322

Try me again in english as its good to learn!!!! What part of the aim dont I understand - youve still not answered the questions - any input is so vague you could paste it on any stock -

Please tell me what appeals process there is on international arbitration??? Is this something they announced just before you posted? Appeal process? What process?? Has this been agreed & released by the panel- youre not looking good for info denarll!!!

What falling knife is there???? & anyone investing post arbitration surely knows there's a risk of significant loss???

Denarall-you are the first person I'm going to filter for being limited with any fact/relevance & totally unable to answer & questions!!!! Even lower than scab who can barely type chl!

ihollins 13 Nov'12 - 09:11 - 12041 of 12322

marketboy - yes & due diligence was completed near 18 mths ago + response is valid -http://bit.ly/Rurelec_Freshfield_Response good work by lawyers- idiots will read Bolivia's response and suggest its 5 years / no permit to operate / illegal activities -

i advise denarll to read page 3 para 2 about what governments do - wasted on him but for others its important!! -

off to the Third Party Funding in International Arbitration November 26 2012 in paris & taking my mate along for a ride & weekend of wine/alcohol preconference - he needs a rest! cheers ian

ihollins 13 Nov'12 - 12:18 - 12043 of 12322

marketboy2 - indeed he still drinks it - still cant acquire the taste myself- prefer anything else inc. meths!-there are a lot of crossovers between rur's/chls/oxs's cases - something denarll (pfft) missed in terms of timeframes/substantiating a case for panel - nevermind!! uploaded the responses by rur in the post above_--

ihollins 13 Nov'12 - 13:03 - 12045 of 12322

Not the thread for OXS case drop me a line@ ian_hollins@hotmail.co.uk - Am in London friday so on normal hrs for a few days-chl is very close to oxs & significant overlap of claim - just different staged mining - 1self funded 1 3rd party funded with v.good results ianh

ihollins 8 Nov'12 - 06:36 - 12022 of 12322

Without-im confused- bumi is v.different- bakries are connected admittedly-thats where the story ends-Pty Bumi & bumi plc+all other assets are distressed because of allegedaccounting errors that are being audited-bumi plc didnt receive its recapitalpayment of 293M back in july-now bakries want to transfer holdings into direct & buy out the remaining 18.9%-the risks are totally different & not about licensing-the play on bumi is simple-certain parties want to take advantage of low thermal coal prices - buy cheap & sell high-problem is its what happened to the \$500m recapitalisation bondsmoney &293M is that being used to fund buyout? Where has all the cash gone????answers to bumi plc

ihollins 8 Nov'12 - 21:25 - 12024 of 12322

Means there's cfd's being written-hldngs rns due soon!

ihollins 9 Nov'12 - 08:48 - 12027 of 12322

without-suspect it was due to him having other plans - hes still involved if you look at the story - very different angle

ihollins 10 Nov'12 - 05:42 - 12029 of 12322

really insightful-5p is below the cash value-the value of chl's holding in spitfire resources that I don't rate-i hope for 5p-chances v.unlikely until result is known-chance even of ZERO-is there a monthly prickaward on this bb?

Warning about IDIOTS - denarii 10 Nov'12 - 15:31 - 12030 of 12322

<http://uk.advfn.com/cmn/fbb/thread.php?id=24791086>

nom sayin?

ihollins 10 Nov'12 - 18:55 - 12031 of 12322

denari they have their mkt cap in cash + some crap holding in spitfire + it will never be 5p - itll be zero or 50 minimum -

Ironic? ??denarii 10 Nov'12 - 20:01 - 12032 of 12322

if its 50 plus that will be in years time

ihollins 11 Nov'12 - 08:45 - 12033 of 12322

denarll-do you understand arbitration or indonesia for that matter -your justification & intelligence is limited-you state on a thread that the smart money is 3 mths pre-arbitration result-when is that 3 mths??- the panel convene many times- so which 3 mths is it that the smart money buys now? Next year? When???-you have posters aliking chl to drugs found in bags of tourists-i didn't see you correct them-perhaps because you've no clue about how the process works -the fact indo have done this time&time again a& lost/had to pay up a minimum of 30% of value-so 5p-i hope you're right-but the risk is the same at 10por5p -total loss or gain-hands the prick award to denarll-no doubt with 40ids!

ihollins 12 Nov'12 - 08:35 - 12035 of 12322

Denarll-yet again wrong-- it's 3 yrs from service-not 5 years! Obstruction or not its 3 years unless war!!!- youve not read any of the previous posts or youd know obstructions have been covered-no mention of chance of success-youre right about the placing a few mill short- why was the last placing so high compared to mark price??? Go on marvel me with ideas?

You didnt answer when youd buy 3 months before settlement-what you gave was a 2 year window-THIS is not 3 months- so what you said is - you havent got a clue when that 3 months will be-so not the 'smart money!'

Show me one arb case in the last 5 years which hasn't been settled with 3.4 yrs for payment!!- excluding american claims as bits are different-whats your commentary on the possible obstructions-when I lived/worked in the uk there were people that were deliberaely short on their reasons for trading-yes for instutions- never lasted long then!! Easy to say 5p 2p youve failed to justify why!! I can see the sp being zero-i can also show you calcs for 20quid based on a full award of \$2B-zero because of bit failure-simple but above your reasoning!

denarii 12 Nov'12 - 20:12 - 12038 of 12322

Ih you do not know how long the arbitration will take, three to five years is a guess, and they may still prove chl don't have the right to some of the licence area. I underStand the disputed area is largely unexplored so would not be eligible for recovery of prior expenditures.

To all those who still believe, I say, bring me an effing Guinness!

ihollins 13 Nov'12 - 07:15 - 12039 of 12322

When will you learn dernall- youve read nothing on this as your comments have shown-your comments in quotes-keep it simple & im not spoon feeding you - there's info posted here & a lot more info available-youre statements are one of some1 I guess who loses a lot & has 'other ids'.

FOR CLARITY CHL IS NOT 100% RISK FREE THERE IS A POSSIBILITY YOU MAY LOSE 100%-BUT THE SMART MONEY WILL AT LEAST HAVE SOME BIT EXPOSURE-HAVING FUNDED CASES & INVESTED IN CO'S ITS WHAT PAYS VERY WELL!!!

"If you do not know how long the arbitration will take" - what utter bullcrap-timeframes are set for each process & indo generally ignore the lot-EVERY case they have tried to state 'no license' 'no permit to operate' 'no legal privilege to claim'- yes I'm talking every case since when? Answer the questions which you avoid-ive pasted/put up which cases & you must be wonky eyed not to understand-the panel have a 'legal obligation' to follow/use these cases as a template for this-no matter who appointed them-otherwise they wouldn't 'work/be appointed to this very lucrative area again'-get the idea??? Go on just nod & go derrr!!!

"three to five years is a guess", - wow youre getting close its 3 years-the clue is in the 'timeframes' THREE years-get that? Not 5 but 3 - if all cases have taken 3 yrs-with massive stalling and anti-pr- HOW long is CHL's case going to take!?!

"and they may still prove chl don't have the right to some of the licence area." You are retarded-its the first requirement of proof you prick!!!!!!

" I understand the disputed area is largely unexplored so would not be eligible for recovery of prior expenditures" - it's not prior expenditure IS IT!!! - its value of asset as proven in one specific case that set/paved the way for all BIT claims since 1973-you are a moron & ill-informed

"To all those who still believe, I say, bring me an effing Guinness!" Believe what??? There is a chance of loss/total loss! Difference is - Im Taking that risk-if I lose boohooo I wont be crying!!

So when 'is your 3 month window for buying as the smart money denarll??? You didnt answer last time what you stated clearly!!! Dont forget to justify it-but you cant -i think you should be banned if you dont answer properly denarll-you are after all an idiot!

ihollins 5 Nov'12 - 10:32 - 12017 of 12322

no rush to buy & add @ your leisure if youre that way inclined -proceedings were funded bya placing in 2011 to Gobel, Luwia & Radke at 40p - chl get all the spoils & risks then rather than Calunius taking a % - 'just about enough cash to go the distance-but may a few \$M required - ianh

ihollins 3 Nov'12 - 08:29 - 12008 of 12322

bossman-its very rare to be awarded licenses/operations back - arbitration has the view theres a lack of confidence & trust in the respondent country to make it a viable business entity - the country basically cant be trusted to operate in a fair environment - this doesnt mean it couldnt be part of a compromise agreement - plenty of water to go under the bridge - if youre not in dont be in any rush - on a indo news channel recently they trumped out an advisor - stating indo will win \$2B - this lack of understanding had bad result for them with ALL other international arb cases - its like an idiots disease!

q? what happens after the case? a) chl return all cash to investors & wind the company up b) return some cash to investors & go on the search for opportunities c) buy back shares after a spike to a decent value near its cash d) investors get award different types of shares underwritten at different values with dividends (tax efficient in certain companies) e) shldr vote to return all cash and close company - as long as theres a positive outcome shldr will be rewarded - if not shldr lose some cash

ihollins 17 Oct'12 - 19:59 - 11981 of 12323

spent significant time going over a few things - uploaded by a gd.friend in UK for bb -<http://bit.ly/IndoBIT> download it as it wont be forever - open to interpretation - the cases i posted awhile back are valid if not more relevant now - ianh

ihollins 17 Oct'12 - 21:18 - 11982 of 12323

http://www.pca-cpa.org/showpage.asp?pag_id=1145 past & present cases - establishes a certain point & actions by respondent & applications - rurelec's case may show some similarities over time - read the procedural orders & how theyre ignored to a degree –

http://www.pca-cpa.org/showpage.asp?pag_id=1436

important to note the 'unsuccessful' negotiations that took place for rurelec –

http://www.pca-cpa.org/showfile.asp?fil_id=1993 -

indo say they are negotiating - means nothing - its a legal requirement to follow the process - little substance or hope should be taken from it - if successful ground is found - rejoice - otherwise its down to ruling - so i reiterate - acquire over time - no rush - same with rur & oxs & others -

thanks to a v.gd friend of mine who has derisked significant investments forinvestment vehicles im involved with - used to have his own board till trolls were involved - chl would make a good book - shame pm isnt here - but i & others find it a loss he had to step aside - ianh

ihollins 17 Oct'12 - 21:51 - 11984 of 12323

ilostthelot - i cant explain everything but dont want to be the tempter of loss/doom- various settlements- im sure most have thought - i) full settlement in favour of chl - licenses reinstated - then have to comply with new indo mining laws - same as ii) chl get 50% of their mining licenses back which is the same as i) - iii) chl lose to the value of the cash left = nil - i dont rate any secondary investments/distractions of chl iv) chl get a financial settlement award from indo around \$500M + costs *(costs unlikely) - so your 5X is possible on item i) but if iv) award *(which is possible imo) its a 50X return approx - dont forget iii) write it off - oh well - 100K now could be worth 5M in 3yrs on \$\$\$cash award or 1/2M on i) ii) - or lose the lot - see why??? but you MAY LOSE the LOT - my exposure you may cringe @ - ianh

p@ 25 Oct'12 - 08:19 - 11985 of 12323

<http://uk.advfn.com/news/UKREG/2012/article/54680114>

debbiegee 29 Oct'12 - 14:37 - 11988 of 12323

<http://www.proactiveinvestors.com/companies/news/28985/churchill-mining-appoints-john-nagulendran-as-non-exec-director-28985.html>

Nicholas Smith (aged 60)Managing Director

Mr Smith has some 30 years' experience in the international resource/resource development industry, including significant experience in project management of major international litigation and arbitration disputes. Mr Smith also has significant experience in mergers and acquisitions and project financing.

[from co website]

Today's news is good IMO .

Surely the smartest way to pay for the extreme legal assistance required which may of been beyond the call of duty as directors ?

No win no fee or massive rewards for the directors with specific qualifications?

ihollins 30 Oct'12 - 07:04 - 11990 of 12323

most sensible options award seen on aim in a long time - aim co's should pay attention/make note of this-the appointment adds to skillset available & to assist in steering the cases/gathering info - the assurity is in the co's lawyers & they've not phoned an ambulance chaser - quietly acquiring whilst acknowledging the risks - ianh

debbiegee 30 Oct'12 - 09:05 - 11991 of 12323

In 2008 after the value of the coal reserves were discovered the Nusantara Group challenged the expiration of its licences and its expired licenses were re-established. In 2010 the current concession holders had their licences revoked to give Nusantara Group sole ownership of the mineral rights.

<http://wildlifeneews.co.uk/2012/indonesia-to-make-a-stand-against-british-mining-company/>

Looks to me like they are saying they gave Nusantara back their rights in 2008 and only chose to revoke ours in 2010 after we had continue to invest.

IMO all a joke or a terrible nightmare.

How do they expect to stand up in an International Arbitration with statements like this ???

Andy 30 Oct'12 - 09:35 - 11993 of 12323

Debbie,

I am not sure I agree with your interpretation, I have cut and pasted the peretinent piece here.

I have always thought CHL would lose, because the deposit is worth so much money!, but this article is the first to outline the case for the defence here.

I would still like to know when CHL were informed there was a "problem", and when the company notofied the stock market.

"The Mining Business Licenses ("IUPs") for each of the concessions was – or is – owned by local companies . These local companies operated within a parent company called Ridlatama Group. At the time of the issuing of the licenses Churchill Mining had no investment or involvement with the Ridlatama Group.

The Ridlatama Group of companies associated with the coal mining project include the 4 concession owners and also a mining support company called PT Indonesia Coal Development. This company owned no concessions but provided transport and support services to the 4 concession holders.

In 2007 the Ridlatama Group then entered into a partnership with Churchill Mining PLC and its subsidiaries to develop the coal project. Part of that agreement would see shares and payments made by Churchill Mining to acquire 75% interest of the East Kutai Coal Project with the Ridlatama Group holding the remaining 25%.

Churchill Mining has made great publicity about its ownership of the coal field to boost its share price.

However there are questions over whether Churchill ever met their side of the deal and made the payments and share offerings needed to secure ownership of the coal project.

The Ridlatama Group have released details of the termination of investors agreement that was made in 2008 because of Churchill Mining failure to met their side of the agreement. The Ridlatama Group states that they still own 100% of the coal project and Churchill have no interest in it at all. A copy of the termination can be seen at the Ridlatama Group website.

There are also further questions as to the legality of Churchill Mining being able to operate coal mining projects in Indonesia. Churchill began its investments in Indonesia through a company called PT Indonesia Coal Development ('ICD'). ICD is 95% owned by Churchill Mining and 5% owned by Planet Mining Plc which is an Australian company owned entirely by Churchill Mining.

For a foreign company to operate within Indonesia they need to be established as a Foreign Investment Company and gain a license to operate in the field that they want to work in.

East Kutai Regency Head Isran Noor explained "Based on data of the Indonesian Investment Coordinating Board (BKPM) and the Ministry of Justice and Human Rights of the Republic of Indonesia, on November 23, 2005, ICD was established as a Foreign Investment Company (PMA) with authorized capital and paid-up capital of US\$250,000, with the intention and purpose of engaging in Mining Services and Geology, which fall under Category 10101 KBLI - Standard Industrial Classification of Indonesia, and is not a Coal Mining Company, which falls under Category 0510 KBLI. It is clear that their operation as a Coal Mining Company is illegal." read press statement.

This license enabled Churchill to undertake surveying and support services to mining companies but not to take part in actual mining activities itself.

Following court cases by Churchill Mining against the Ridlatama Group – which were lost – it appears that Churchill Mining became established with the Ridlatama Group with a Master Service Agreement in mining transportation services. Churchill Mining invested in PT Indonesia Coal Development – the support operation of Ridlatama Group – and the investment that was permitted under their Foreign Investment Company licence – their license did not permit them to own coal mining companies.

Isran Noor was surprised with the lawsuit filed by Churchill against the East Kutai Regency Government, because Churchill has never been registered as a company investing in East Kutai. The first time that Churchill came to the notice of the local authorities was when they had publicly announced that they had invested in the second biggest coal reserves of the region. There was no evidence of the company involvement with mining in the official records of the regions Mining Office. In fact their investment licences would not allow it.

Isran believes that Churchill's attempts to sue the Indonesian government in the international courts is down to their frustration with their dispute with the Ridlatama Group. Because they have failed to sue Ridlatama they are attempting to save face by suing the authorities.

Mining law expert Prof. Dr. Abrar Saleng, also fails to see the connection between Churchill's complaint and the legal situation. "The Churchill Mining lawsuit against the government of Indonesia was directed at the wrong party, as the party with a relationship to Churchill was not the local governor nor the State, but a local company, namely Ridlatama. "

"If Churchill wanted to sue the local government and the State, the legal standing has to be clear, and the substance must be strong as well. It may go forward and file a lawsuit (against local government and the State), however, I don't see any legal connection."

ihollins 30 Oct'12 - 15:07 - 11996 of 12323

Andy - my responses to the article a-q - i hope ive got my alphabet right!

1) "I have always thought CHL would lose, because the deposit is worth so much money!, but this article is the first to outline the case for the defence here."

a) you may be right - but its a clear binary case - having seen most bit cases ill be surprised if chl dont find a resolution of some form that is above the market cap currently.

2)"I would still like to know when CHL were informed there was a "problem", and when the company notofied the stock market." there have bee rumblings for some time but nothing concrete -

b) perhaps a month/two months before? but ECKP say Jan 2011

3) "The Mining Business Licenses ("IUPs") for each of the concessions was – or is – owned by local companies. These local companies operated within a parent company called Ridlatama Group. At the time of the issuing of the licenses Churchill Mining had no investment or involvement with the Ridlatama Group."

c) That is correct CHL entered in to agreement with Ridlatama Grp after in the form of payments etc...

4)"The Ridlatama Group of companies associated with the coal mining project include the 4 concession owners and also a mining support company called PT Indonesia Coal Development. This company owned no concessions but provided transport and support services to the 4 concession holders." -

d) not sure what the defence is here - the licenses were awarded to Ridlatama which CHL can prove they made payments to -1

5) "In 2007 the Ridlatama Group then entered into a partnership with Churchill Mining PLC and its subsidiaries to develop the coal project. Part of that agreement would see shares and payments made by Churchill Mining to acquire 75% interest of the East Kutai Coal Project with the Ridlatama Group holding the remaining 25%." -

e) this is 'sort of correct' but not sure what the reasoning it -

6)) "Churchill Mining has made great publicity about its ownership of the coal field to boost its share price." -

f) correct & also publicity about the unfair treatment enacted against them i.e. revocation of licenses in a company they hold 75% of rights in -

7) "However there are questions over whether Churchill ever met their side of the deal and made the payments and share offerings needed to secure ownership of the coal project"

g) - no questions what so ever - this is the first burden of proof in bringing a International Arbitration claim - CHL have proved their ownership -

8) "The Ridlatama Group have released details of the termination of investors agreement that was made in 2008 because of Churchill Mining failure to met their side of the agreement. The Ridlatama Group states that they still own 100% of the coal project and Churchill have no interest in it at all. A copy of the termination can be seen at the Ridlatama Group website."

h) - Ridlatama alleging the Nov 24 2012 - CHL have proved this - same as paragraph above -

9) "There are also further questions as to the legality of Churchill Mining being able to operate coal mining projects in Indonesia. Churchill began its investments in Indonesia through a company called PT Indonesia Coal Development ('ICD'). ICD is 95% owned by Churchill Mining and 5% owned by Planet Mining Plc which is an Australian company owned entirely by Churchill Mining".

i) - PT Indonesia Coal Development is owned as they state - however they complied with the 'regulatory agreements/provisions at the time to purchase into a vehicle ECKP - so its irrelevant what they say -

10) For a foreign company to operate within Indonesia they need to be established as a Foreign Investment Company and gain a license to operate in the field that they want to work in" -

j) bullcrap - agreement was found for the investment in ECKP/&FDI approval -

11) East Kutai Regency Head Isran Noor explained "Based on data of the Indonesian Investment Coordinating Board (BKPM) and the Ministry of Justice and Human Rights of the Republic of Indonesia, on November 23, 2005, ICD was established as a Foreign Investment Company (PMA) with authorized capital and paid-up capital of US\$250,000, with the intention and purpose of engaging in Mining Services and Geology, which fall under Category 10101 KBLI - Standard Industrial Classification of Indonesia, and is not a Coal Mining Company, which falls under Category 0510 KBLI. It is clear that their operation as a Coal Mining Company "is illegal." read press statement."

k) - correct but CHL/ECKP were proving up the resources & not mining so they didnt need a mining license - this was to be applied for - perhaps they may even state CHL have been logging again?

12) "This license enabled Churchill to undertake surveying and support services to mining companies but not to take part in actual mining activities itself - correct - but mining exploration is permitted -"

l) now theyre actually inferring CHL did have a right but it was a right to undertake surveying/support services i.e. proving up resources/creating a JORC compliant resource statement?

13) "Following court cases by Churchill Mining against the Ridlatama Group – which were lost – it appears that Churchill Mining became established with the Ridlatama Group with a Master Service Agreement in mining transportation services. Churchill Mining invested in PT Indonesia Coal Development – the support operation of Ridlatama Group – and the investment that was permitted under their Foreign Investment Company licence – their license did not permit them to own coal mining companies."

m) - no coal mining company was owned in indonesia as they hadnt got the mining license approval - chl for UK/Investment terms & was for discovery & proving up the asset base to then 'hopefully mine'

14) "Isran Noor was surprised with the lawsuit filed by Churchill against the East Kutai Regency Government, because Churchill has never been registered as a company investing in East Kutai. The first time that Churchill came to the notice of the local authorities was when they had publicly announced that they had invested in the second biggest coal reserves of the region. There was no evidence of the company involvement with mining in the official records of the regions Mining Office. In fact their investment licences would not allow it." -

n) incorrect or their international arb filing would be rejected as a 'valid' claim.

15) "Isran believes that Churchill's attempts to sue the Indonesian government in the international courts is down to their frustration with their dispute with the Ridlatama

Group. Because they have failed to sue Ridlatama they are attempting to save face by suing the authorities."

o) incorrect theyre suing for the protection of Foreign Investment in Indonesia that the courts failed to uphold because theyre so corrupt.

16) Mining law expert Prof. Dr. Abrar Saleng, also fails to see the connection between Churchill's complaint and the legal situation. "The Churchill Mining lawsuit against the government of Indonesia was directed at the wrong party, as the party with a relationship to Churchill was not the local governor nor the State, but a local company, namely Ridlatama. "

p)- incorrect as the Republic of Indonesia has an international right to protect foreign companies assets against things happening similar to CHL or CEMEX etc...etc..check out who this guy has worked for as well!

17) "If Churchill wanted to sue the local government and the State, the legal standing has to be clear, and the substance must be strong as well. It may go forward and file a lawsuit (against local government and the State), however, I don't see any legal connection." -

q) they dont want to see a connection but the connection has already been proven by the acceptance of claim & also indoensia 'at least be seen to be willing to negotiate"

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debbiegee - timelines are determined by the arbitrator - they took 12 months to determine this with Rurelec (LSE: RUR) - extensions can be applied for as & when needed to 'validate/inform their case' - there are limits to extensions as well - a good guide is 30 months from filing - unless settled beforehand - this is a historic average covering most claims (its noted that all those filed in mid-2009 are settling & some of those filed mid-2010 have also settled) - chl are funded sufficiently i believe - with the caveat it depends on the responses/legal work required etc....so hard to gauge \$14.3m in march around \$12.5M now....i hope the tribunal is agreed as public as theyre good to follow! - off for dinner ianh

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moltke - i says things as they are - on dont tolerate unsubstantiated facts/hearsay without good explanations - having been negative on chl until there was an investment/risk case including understanding all aspects of the arbitration - all i have done is read - with that i have determined chl have a bloody good case - ive published some of what ive read here & below - the rest i shall do so when people up the ante - this is not a coal mining compay at present - its an investment in the outcome of the arbitration - being based indo - having 'seen it all before' im behind chl 90% the 10% i accept as 'chl got it wrong'...albeit the more i read the more im inclined to believe theyve been had over -

Some reading will also be needed around Rafat Ali Rizvi v. Republic of Indonesia, ICSID Case No. ARB/11/13 - this well collated timeline is v.interesting
<https://icsid.worldbank.org/ICSID/FrontServlet?requestType=CasesRH&reqFrom=ListCases&caseId=C1560&actionVal=viewCase>

rather well informed <http://www.thejakartaglobe.com/columnists/the-trojan-treaties/508545>
http://www.ashurst.com/publication-item.aspx?id_Content=6135

question time for the better versed - how many arbitration claims have been settled in favour of the claimant (normally a business) when proceedings have been taken against Indonesia???? i shall refer back in a week for the correct answer (it may change the chance of success significantly).

<http://www.thejakartaglobe.com/business/churchill-pursues-its-dreams-of-coal-via-arbitration-with-indonesia/546706>

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moltke - correct - another question out of the 144 indo claims by all countries with a BIT agreement with Indo - how many have been settled in favour of the claimant? 100%....i couldnt be bothered to wait a day...- wise arses are always welcome where the dig very deep - i dont believe in jesus!

last case was Rafat Ali Rizvi v. Republic of Indonesia, ICSID Case No. ARB/11/13 as Rizvi was a UK passport holder - not sure if he ever stood trial for certain items - but some of the precedence are v.interesting - perhaps further reading?

cheers for the link to the local paper - dont you love the indo mining association - if you look further youll see who he works/worked for previously - surely not a company operating in East Kalimantan - not related in anyway to a lovely judge? oops mean judge's wife -

fun fun fun v.interesting times - when indo state they are 'going all the way without early settlement - guaranteed they will try & settle early - dont suppose a certain person running for presidency will panic - ???

please see indos market announcement regarding bumis 'public interest today' - takes the piss - amusing though!

ianh

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Moltke - call me what you want – water of a ducks back – I read the boards to learn a few things - this board i want to challenge people too actually understand why i & others invest in BIT claims - with opinion & substantiation about chls claim - get people motivated - the more negative views the better - as long as substantiated - not this is crap etc -

moltke -- nice to know (without patronising) that youre up to speed on the exequatur - it is an issue - how do chl apply for the exequatur in the Central Jakarta District Court (CJDC) - chl has to apply for a writ of execution (what you rightly called a exequatur) - this is done after theyve submitted their claim to the International Council of Societies of Industrial Design (Icsid) - the registration deed has been issued by the ICSID as they accepted the claim on 22 june 2012 (<http://www.investegate.co.uk/Article.aspx?id=201206250726070402G>) - the exequatur is a political issue - especially in Indonesia - requirements to submit an application for an exequatur are the EXACT same as those for the registration of the award in the ICSID/yeap thats part of the BIT they have to be exactly the same or a claim would never get there - thats if you think about it (not you but anyone) - now heres where local knowledge makes it fun - CJDC generally asks for facts of the case (even though its already been agreed in principle by the ICSID - it then issues the Exequatur Order (Penetapan Exequatur) - that means crap though - so in answer to your question the chances of getting a exequatur are very high.

BUT once the exequatur has been issued the fun starts - indonesia generally dont comply with the order - they will do fk all - yeap nothing - the order actually has wording in it about being cooperation & working to process - but they still do nothing - theyll hold it up as much as possible - the court will do not much till theyre forced to by the BIT/Supreme court- i/we may be surprised & them comply & work with the process - but i suspect them to attempt to appeal the process/request an annulment etc - this all takes time - best guesstimate is 12 months just for that - then its down to the nitty gritty of the ICSID claim - assuming Indo dont forge - oops I mean find - other documents

albeit CHL have got one thing right - publicity - theyve made all commerical operators aware of whats happened - so much so significant developments have been postponed - near \$6B so far & thats whats known of publicly - i suspect its more - i know the new indo ownership rules for mining have deterred companies massively - look at those listed on the australia exchange their shares are down 90% minimum - does that explain it? Very complicated but all the fun – invest & learn – don’t invest & learn why its good to invest in BIT claims – OXS/RUR & CHL – & potentially make significant sums with a lower risk than oil companies – just beware of rur type actions where they sign a contract to give a % in exchange for funding - ianh

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moltke - do not worry for what is said on a board - a quick glance over a posters history says it all - ive worked in finance for years - scat clearly has a unique investment style - if discovering risks is a bore to some - understanding those risks must be a true bore - i gave a chat to indo-asian investors yrs back - their personality mirrors their investments - happy if up depressed if down - i post on advfn to avoid having to save info else where - like an icloud so to speak - the reason i find arb

cases so interesting is the scandal behind it but the facts are clear - luckily this 1 is in indo as i generally visit before making an investment -

going back to Paul Mazak being in charge - in indo a lot of people lose good careers on indo corruption/deception - chl have access to pm still but imo they lost an asset - my local bank relations manager - small london bank - nearly lost his job because of indo investors - luckily the higher powers saw its rife out here - not his fault.

consider this article <http://asian-power.com/power-utility/news/indonesias-pln-deals-rising-need-coal> - just the mention of West Java Coal Station to some brings back memories of the corruption in building the plant -

9 months into building PLN (allegedly) paid monies to the land owner - yes landowner had allegedly not sold the 1 acre site that enabled the access off all the land theyd bought - paying the same amount for all 1 acres as what they did for 150 acres -

look at Perusahaan Listrik Negara (pln) ambitious needs - double coal capacity within 7 years - any guesses on where that coal 'may' come from - pln is the old fashioned state owned electrical company - currently it gets most of its coal from adaro energy & bumi resources (ring a bell)? pln also plan to own assets outright to mine themselves to reduce the volatility in coal prices & remove the middle man - bet you cant guess who is a consultant on these mining prospective purchases - perhaps someone whom was cited on this page in a link about why CHL dont have a claim - oh the irony - indo have this belief if they say it often enough - everyone believes it -

what grade was/is chl's coal? yeap thermal coal - now isnt it coincidental Perusahaan Listrik Negara (the state electrical supplier) plan (by plan it means it is going to happen in indo not may happen like western styles) to develop their own assets - if chl are unsuccessful - this is what will happen - through a vehicle owned by the companies stated on pages 8 or connected with parties on page 9

<http://www.churchillmining.com/library/file/Churchill%20AGM%20Presentation%202011%20FINAL.pdf>

indo has caused more issues with their new mining laws - this article reflects my view

<http://www.miningaustralia.com.au/features/indonesia-s-shocking-changes> seeing how many projects have suddenly stalled - i believe some of bumi's issues may stem from what year their mining licenses were issued -

isnt it strange that indo dont plan to tax thermal coal exporters - reduce royalty taxation in that sector again but only for those issued after 2009 <http://www.miningaustralia.com.au/news/indonesia-flip-flops-on-mining-law> look whose connected with all the thermal coal producers - the potential president elect??? current president? indo mining association? see?

now my view is chl will be successful in their claim - just a case of when & finance - the costs will be around \$6M + all their D2D costs - so my estimate is chl are a few mill short - a possible risk is a company or persons may propose funding it for a slice of the action - like rurelec did - oxs, rur & chl all in very similar situations - just different stories - oxs an openly dismissive / corrupt government - rur nationalisation agenda also on may 1st - but generally pays 60% of claims - chl license corruption - where you can own your neighbours house by bribing a local office assistant to change the wording on a house license/deed - all for say \$6K -chl wont get \$2B but may end up with the licenses back or \$500M

from a market perspective - acquiring on weakness without over-exposure is an excellent way forward - but dont forget theres a risk of 'lose all' here on a negative for chl ruling - the upside imo outweighs the downside significantly - the best part is - these take so long you dont have to be in a hurry to acquire stock - taken me near 3 mths to current holding - ianh

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off for month - feel free to challenge all posts & speculate - surprised the above wasnt at least speculated upon – ianh

ihollins 24 Sep'12 - 18:38 - 11921 of 12323

debbiegee - you may be surprised by the connection of indo people between the two companies - we shall wait for the bumi report - spending significant time out in in asia - some of my neighbours were surprised at not being able to bribe public bodies for business purposes - just so youre aware from Bumi Articles - Indonesia ranks 110 out of 178 countries in Transparency International's Corruption Perceptions Index (Page 37 of 720 of Bumi Prospectus)

for other chl - items of interest should be:

Amco Asia Corporation and others v. Republic of Indonesia 1981

Cemex Asia Holdings Ltd v Republic of Indonesia, ICSID Case No. ARB/04/3 2006

Please see also 'Cemex to End ICSID Claim Against Indonesia', 30 June 2006, Global Arbitration Review, available at www.globalarbitrationreview.com/news/article/3491/cemex-end-icsidclaim-against-indonesia/

Cemex is more of a precedent than Amco , but there are similarities that will prove CHL'sclaims .

Tza Yap Shum v Republic of Peru, ICSID Case No. ARB/07/6; see also 'First Chinese Claimant Registered at ICSID', 16 March 2007, Global Arbitration Review, available at www.globalarbitrationreview.com/news/article/3739.

Saluka Investments BV v Czech Republic (UNCITRAL) - now this is pertinent in terms of licensing & the legal right to protection - i was negative on chl for some time - until i + others could get a decent view of things - im now v.positive chl will succeed

some v.interesting times ahead

<http://www.thejakartaglobe.com/business/indonesia-stands-firm-in-churchill-mining-dispute/546501>

<http://www.mining-reporter.com/index.php/component/content/article/818-churchill-mining/12257-indonesia-vs-churchill-mining-churchill-has-never-secured-a-mining-business-license-in-indonesia>

ihollins 26 Sep'12 - 08:18 - 11930 of 12323

Motlke - what are you due from the board? What transparancy do you require? just because theres no news do you expect an rns - this fear of the whole world is caving in if you dont get an rns is a joke - so what uneasy feeling do you have about chls international arbitration challenge/claim? its not clear cut by any means - the difference is theyre using the right people - you should look into the very last rns released - perhaps even do you own research - ive given you & readers some very good precedence & im sure chl will have a few more - instead of sat there demanding to be spoon fed - its a joke - you clearly have no understanding of indonesia - i live here for 6 ish months of the year - do business here & invest -

you should have seen the campaign against cemex & all the others- when they were awarded \$400M - you really do have no idea - its not clear cut but theres a lot of precedence against indonesia - two more you should read about that are very similar around contracts - i have this feeling its wasted on your because you want to read an rns about exactly what position they are - perhaps even every day - to make your risky invest seem not so risky - i know its risky - but im not going to bytch & moan until resolution day -

Himpura Energy et al. v. PLN & Republic of Indonesia (UNCITRAL). A series of arbitrations under Indonesian law, first against Indonesia's state-owned electric utility for breach of two geothermal energy supply contracts, then against the Government itself for the utility's failure to pay arbitration awards against it. Claimants were awarded \$575 million.

Karaha Bodas v. Pertamina (UNCITRAL). Claim under Indonesian law against Indonesia's state-owned oil company for wrongful cancellation of a geothermal project, in which claimant was awarded \$261 million.

indonesia doesnt work like the uk - uk would understand what a tribunal is - i can assure you (itll mean nothing though) indo legal advisors dont have a clue about

bit/arb claims - they actually advise senior government people that indo may win something - yeap - they dont realise (or ignore) the fact its a claim about their corruptive actions -

so stop bitching & get a life - chl will come to fruition -its not 50/50 its more like 90% in favour of chl - but you need that in an rns dont you! -

& regarding Paul Mazak - i have great respect for the bloke & him like use wants this to come off - so stop spitting feathers over something you clearly dont know - sell up and go buy stocks in a company that rns every single day!

now do some reading & stop copying and pasting crap about what indos state - a startling fact for you is indos outcome & new mining laws need attention - chls case has stopped significant investment in indo - i mean billions - they even know theyve done wrong ianh

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- the market is for grown ups - not spoon fed idiots - i have been involved in finance/indo for years - this spoon fed attitude is a joke - people need to realise a stark reality of the market - rns this rns that - grow up - jesus grown up dont moan about a market - chl WILL NOT state anything further about their claim until its lodged/legal counsel is consulted/indo will respond/etc....etc...just because something is matter of fact doesnt make it childish - perhaps this mambypandy investing attitude is childish? i suspect so -

weegoergie - had you decided to look into the cases i referred everyone to instead of moaning - youd have realised these are two cases 'with inferred contracts' v.similar to chls licenses - they had the value paid out at 60% of claim - im not for 1 min suggesting - chl get 60% of claim - more like 30% even so! but we need an rns????why? - well to save chl rns'ing - weather is hot with thunder * lightning due v.soon - most business men are wearing black shoes - guaranteed the indo govt will release an article about chl being a snow manufacturer (i kid you not) - they tried to say cemex was a lorry transport firm so they shouldnt pay - get where im coming from? or do we need an rns about that? forget childish - lets go with facts! two v.good cases that will inform chl of their actions & increase the cos (chance of success) significantly - ianh

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carlo - nicholas's previous positions give the away some information - Barrister & Solicitor of the Supreme Court of Western Australia (1975). His experience includes 10+ years as Group General Counsel for Normandy Mining Ltd whom had a longstanding dispute with Peru - newmont bought them- people perhaps should read around the title disputes/pre-emptive rguhts that Normandy (inc. Newmont) had with Yanacocha district (largest low cost mine in the world) in Peru & the settlement there

for Normandy - its far from clear cut with most registers not holding the full facts in one place - it is acknowledged that its a different claim / albeit on similar lines - nicholas im sure has a v.good grasp on chls claims - v.interesting times ahead - are we likly to end up being given the title back + costs or financial restitution for loss of economic value / asset values etc...etc...

andy - i am a plain speaker - no insults meant merely facts - i am FULLY aware of aim rules - chl notified the market as soon as the situation was ascertained - pm unfortunatly was head of ship when indo went corrupt on them (went corrupt)- this happens a lot out here - indos Vs. any foreigner - pauls guidance up until then was exceptional (my view) (&no i dont drink with him nor know him personally)
i have no need for credit on or off the board - people need to realise the essence of a market - the claims are details in rns's which im v.surprised by your questions being an investor here (i assume)?

so that people may update themselves again - hopefully answer the basic questions so that the board can move on up to speed/be informative

<http://www.churchillmining.com/library/file/Churchill%20AGM%20Presentation%202011%20FINAL.pdf>

read them all, from pages 13 - if you want to skip items - so as to inform yourself/others

chl - followed the law / aim guidance on informing market (my opinion) & certainly tried to ascertain as many facts as possible (my view again). now we are all up to speed - i look forward to some informative posts!