

Major New Development in Argentine Crisis Case at ICSID

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Earlier today, an ad-hoc annulment committee at the International Centre for Settlement of Investment Disputes (ICSID) completely annulled a 2007 arbitral award that had been rendered in favour of US energy company, Sempra Energy International.

The striking development serves to nullify a US \$128 Million (plus interest) award wherein a panel of ICSID arbitrators had found Argentina to have breached the terms of the US-Argentina bilateral investment treaty in the course of its handling of a financial crisis earlier this decade.

The ICSID's review committee held that arbitrators had failed to apply an Article of the US-Argentina BIT upon which Argentina had pegged its defence of emergency or necessity.

I'll be offering fuller reporting and analysis on the Decision in my *Investment Arbitration Reporter* news service, however I wanted to make readers of the KluwerArbitrationBlog aware that they can download a copy of today's remarkable ICSID ruling [here](#).

For background on the 2008 Sempra award see item #2 in this [old newsletter](#).

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(Note: An earlier version of this post had identified the award as a 2008 award, however it was rendered in September 2007)