

# Decisions on Manifest Lack of Legal Merit

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Case name	decision or Award (language(s))	date of decision or Award	Finding that Claim is Manifestly Without Legal Merit
Ioan Micula, Viorel Micula and others v. Romania (ICSID Case No. ARB/05/20) - Annulment Proceeding	Decision on the applicable arbitration rules and on the preliminary objections filed by the Respondents on Annulment (English)	June 25, 2014	–
Trans-Global Petroleum, Inc. v. Hashemite Kingdom of Jordan (ICSID Case No. ARB/07/25)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules ( <a href="#">English</a> )	May 12, 2008	Partial
Brandes Investment Partners, LP v. Bolivarian Republic of Venezuela (ICSID Case No. ARB/08/3)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules ( <a href="#">English</a> & <a href="#">Spanish</a> )	February 2, 2009	No
Elsamex, S.A. v. Republic of Honduras (ICSID Case No. ARB/09/4) - Annulment	Decision on Elsamex S.A.'s Preliminary Objections ( <a href="#">Spanish</a> )	January 7, 2014	No
Global Trading Resource Corp. and Globex International, Inc. v. Ukraine (ICSID Case No. ARB/09/11)	Award ( <a href="#">English</a> )	December 1, 2010	Yes
RSM Production Corporation and others v. Grenada (ICSID Case No. ARB/10/6)	Award ( <a href="#">English</a> )	December 10, 2010	Yes
Pan American Energy LLC v. Plurinational State of Bolivia (ICSID Case No. ARB/10/8)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules (Spanish)	April 26, 2013	–

Rafat Ali Rizvi v. Republic of Indonesia (ICSID Case No. ARB/11/13)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules (English)	April 4, 2012	–
Emmis International Holding, B.V., Emmis Radio Operating, B.V., and MEM Magyar Electronic Media Kereskedelmi és Szolgáltató Kft. v. Hungary (ICSID Case No. ARB/12/2)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules ( <a href="#">English</a> )	March 11, 2013	Partial
Accession Mezzanine Capital L.P. and Danubius Kereskedőház Vagyonkezelő Zrt. v. Hungary (ICSID Case No. ARB/12/3)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules ( <a href="#">English</a> )	January 16, 2013	Partial
Mobile TeleSystems OJSC v. Republic of Uzbekistan (ICSID Case No. ARB(AF)/12/7)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules (English)	November 14, 2013	–
Vattenfall AB and others v. Federal Republic of Germany (ICSID Case No. ARB/12/12)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules (English)	July 2, 2013	–
Venoklim Holding B.V. v. Bolivarian Republic of Venezuela (ICSID Case No. ARB/12/22) -Annulment	Decision on Respondent's Preliminary Objections pursuant to ICSID Arbitration Rule 41(5) ( <a href="#">Spanish</a> )	March 8, 2016	No
Lundin Tunisia B. V. v. Republic of Tunisia (ICSID Case No. ARB/12/30)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules (English)	January 6, 2014	–
Edenred SA v. Hungary (ICSID Case No. ARB/13/21)	Decision on Preliminary Objections Pursuant to ICSID Arbitration Rule 41(5) (English)	June 6, 2014	–
Edenred SA v. Hungary (ICSID Case No. ARB/13/21) - Revision	Decision on Revision	February 7, 2019	Yes

Transglobal Green Energy, LLC and Transglobal Green Panama, S.A. v. Republic of Panama (ICSID Case No. ARB/13/28)	Decision on the Admissibility of Respondent's Preliminary Objection to Jurisdiction of the Tribunal under Rule 41(5) of the Arbitration Rules (English)	March 17, 2015	–
MOL Hungarian Oil and Gas Company Plc v. Republic of Croatia (ICSID Case No. ARB/13/32)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules ( <a href="#">English</a> )	December 2, 2014	–
PNG Sustainable Development Program Ltd. v. Independent State of Papua New Guinea (ICSID Case No. ARB/13/33)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5) ( <a href="#">English</a> )	October 28, 2014	–
CEAC Holdings Limited v. Montenegro (ICSID Case No. ARB/14/8)	Decision on the Respondent's Preliminary Objections Pursuant to ICSID Arbitration Rule 41(5) (English)	January 27, 2015	–
InfraRed Environmental Infrastructure GP Limited and others v. Kingdom of Spain (ICSID Case No. ARB/14/12) - Revision	Decision on Claimants' Objection under ICSID Rule 41(5) to Respondent's Application for Revision (English & Spanish)	March 8, 2021	Yes
Elektrogospodarstvo Slovenije - razvoj in inženiring d.o.o. v. Bosnia and Herzegovina (ICSID Case No. ARB/14/13)	Decision on the Respondent's Preliminary Objections Pursuant to ICSID Arbitration Rule 41(5) (English)	November 3, 2015	–
Ansung Housing Co., Ltd. v. People's Republic of China (ICSID Case No. ARB/14/25)	Award ( <a href="#">English</a> )	March 9, 2017	Yes
Lion Mexico Consolidated L.P. v. United Mexican States (ICSID Case No. ARB(AF)/15/2)	Decision on Respondent's Preliminary Objections under Article 45(6) of the ICSID Arbitration (Additional Facility) Rules ( <a href="#">English</a> )	December 12, 2016	No

Álvarez y Marín Corporación S.A. and others v. Republic of Panama (ICSID Case No. ARB/15/14)	Decision on Respondent's Preliminary Objections pursuant to ICSID Arbitration Rule 41(5) (Spanish)  Reasoning of the Decision on Respondent's Preliminary Objections pursuant to ICSID Arbitration Rule 41(5) ( <u>Spanish</u> )	January 27, 2016  April 4, 2016	No
Mathias Kruck and others v. Kingdom of Spain (ICSID Case No. ARB/15/23)	Decision on the Respondent's Preliminary Objections Pursuant to ICSID Arbitration Rule 41(5) (English)	March 14, 2016	–
Watkins Holdings S.à r.l. and others v. Kingdom of Spain (ICSID Case No. ARB/15/44) - Revision	Decision on Claimants' Preliminary Objections Pursuant to ICSID Arbitration Rule Rule 41(5)	January 22, 2024	Yes
Eskosol S.p.A. in liquidazione v. Italian Republic (ICSID Case No. ARB/15/50)	Decision on the Respondent's Objection Pursuant to Rule 41(5) of the ICSID Arbitration Rules ( <u>English</u> )	March 20, 2017	No
Dominion Minerals Corp. v. Republic of Panama (ICSID Case No. ARB/16/13) - Annulment	Decision on Respondent's Applications for the Stay of Enforcement of the Award and under Arbitration Rule 41(5) ( <u>English</u> )	July 21, 2022	No
Portigon AG v. Kingdom of Spain (ICSID Case No. ARB/17/15)	Decision on Preliminary Objections pursuant to ICSID Arbitration Rule 41(5)	May 31, 2018	–
Mabco Constructions SA v. Republic of Kosovo (ICSID Case No. ARB/17/25)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5)	February 7, 2018	No
Lotus Holding Anonim Şirketi v. Turkmenistan (ICSID Case No. ARB/17/30)	Award (English)	April 6, 2020	Yes

Ecodevelopment in Europe AB and EcoEnergy Africa AB v. United Republic of Tanzania (ICSID No. ARB/17/33) - Annulment	Decision on Ecodevelopment in Europe AB and EcoEnergy Africa AB's preliminary objections pursuant to ICSID Arbitration Rule 41(5)	November 1, 2022	–
Petronor E&P Gambia Limited and APCL Gambia B.V. v. Republic of The Gambia (ICSID Case No. ARB/17/38)	Decision on the Respondent's Preliminary Objections pursuant to ICSID Arbitration Rule 41(5)	December 31, 2018	–
Almasryia for Operating & Maintaining Touristic Construction Co. L.L.C. v. State of Kuwait (ICSID Case No. ARB/18/2)	Award (English)	November 1, 2019	Yes
Red Eagle Exploration Limited v. Republic of Colombia (ICSID Case No. ARB/18/12)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5)	December 16, 2019	No
Galway Gold Inc. v. Republic of Colombia (ICSID Case No. ARB/18/13)	Decision on the Respondent's Preliminary Objections pursuant to Rule 41(5) of the ICSID Arbitration Rules	December 20, 2019	–
Alverley Investments Limited and Germen Properties Ltd v. Romania (ICSID Case No. ARB/18/30)	Decision on Preliminary Objections pursuant to ICSID Arbitration Rule 41(5)	August 1, 2019	No
Glencore International A.G. and others v. Republic of Colombia (ICSID Case No. ARB/19/22)	Decision on Respondent's Application under Rule 41(5) (English)	February 22, 2021	–
Strabag SE, Erste Nordsee-Offshore Holding GmbH and Zweite Nordsee-Offshore Holding GmbH v. Federal Republic of Germany (ICSID Case No. ARB/19/29)	Decision on Respondent's Application under Rule 41(5) (English)	July 24, 2020	No
Marko Mihaljević v. Republic of Croatia (ICSID Case No. ARB/19/35)	Decision on Respondent's Application under Rule 41(5) (English)	June 23, 2021	No

AFC Investment Solutions S.L. v. Republic of Colombia (ICSID Case No. ARB/20/16)	Award ( <u>Spanish</u> )	February 24, 2022	Yes
AHG Industry GmbH & Co. KG v. Republic of Iraq (ICSID Case No. ARB/20/21)	Award	September 30, 2022	Yes
Teyliom International and others v. Republic of Benin (ICSID Case No. ARB/20/24)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5)	November 1, 2021	–
Fengzhen Min v. Republic of Korea (ICSID Case No. ARB/20/26)	Decision on Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5) (English)	June 18, 2021	–
Nachingwea U.K. Limited (UK), Ntaka Nickel Holdings Limited (UK) and Nachingwea Nickel Limited (Tanzania) v. United Republic of Tanzania (ICSID Case No. ARB/20/38) - Annulment	Decision on Preliminary Objections pursuant to ICSID Arbitration Rule 41(5) ( <u>English</u> )	February 2, 2024	Partial
Optima Ventures LLC, Optima 7171 LLC and Optima 55 Public Square LLC v. United States of America (ICSID Case No. ARB/21/11)	Decision on the Respondent's Preliminary Objections under Arbitration Rule 41(5) ( <u>English</u> )	January 19, 2024	No
Mainstream Renewable Power Ltd and others v. Federal Republic of Germany (ICSID Case No. ARB/21/26)	Decision on Respondent's Application under ICSID Arbitration Rule 41(5) ( <u>English</u> )	January 18, 2022	No
Alpene Ltd. v. Republic of Malta (ICSID Case No. ARB/21/36)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5)	May 23, 2022	–
HSBC Latin American Holdings (UK) Limited v. Republic of El Salvador (ICSID Case No. ARB/21/46)	Decision on the Respondent's Preliminary Objections Pursuant to ICSID Arbitration Rule 41(5)	March 13, 2024	–

Vasilisa Ershova and Jegor Jeršov v. Republic of Bulgaria (ICSID Case No. ARB/22/29)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5) ( <a href="#">English</a> )	July 25, 2023	No
Bank of Nova Scotia v. Republic of Peru (ICSID Case No. ARB/22/30)	Decision on Respondent's Rule 41 Application ( <a href="#">English</a> )	May 31, 2024	Partial
JLL Capital, S.A.P.I. de C.V. v. Republic of Honduras (ICSID Case No. ARB/23/3)	Decision on Preliminary Objections (2022 Rules)	December 21, 2023	—
Autopistas del Atlántico, S.A. de C.V. and others v. Republic of Honduras (ICSID Case No. ARB/23/10)	Decision on the Respondent's preliminary objections pursuant to ICSID Arbitration Rule 41(5)	April 3, 2024	—