

Latvia requests discontinuance of the Eugene Kazmin v. Latvia arbitration

Published: 21.12.2020.

State Chancellery

On 10 December 2020, Latvia submitted an application to the Arbitral Tribunal in *Eugene Kazmin v. Republic of Latvia* (ICSID case No. ARB/17/5),^[1] an arbitration proceeding conducted under the Rules of the International Centre for Settlement of Investment Disputes (ICSID) requesting the discontinuance of the arbitration proceedings and the reimbursement by the Claimant, Ukrainian citizen Eugene Kazmin, of all costs incurred by the State in relation to the proceedings.

If the arbitral tribunal grants Latvia's application, the decision will put an end to the proceedings in this case.

Latvia filed the application following Mr Kazmin's failure to comply with the Tribunal's order that he submit a letter of guarantee by 6 November 2020, as security for Latvia's costs,^[2] and the decision dated 14 October 2020 of Mr David Malpass, Chairman of the ICSID Administrative Council, to deny Mr Kazmin's proposal for disqualification of all three members of the Tribunal. As stated in the State Chancellery's press release dated 2 December 2020, Mr Kazmin had filed his proposal for disqualification on 30 July 2020, claiming that they lacked the required independence and impartiality.

Pursuant to Paragraph 16 of Cabinet Regulation No.228 "Procedure for Ensuring the Representation in International Investment Dispute Settlement" of 3 May 2017, the State Chancellery publishes the English original of the decision of the Chairman of the ICSID Administrative Council dated 14 October 2020.

The Republic of Latvia is represented in the arbitration proceedings by the State Chancellery and the law firm LALIVE.

^[1] The arbitration proceedings were initiated by Mr Kazmin and relate to the sale of the assets of the insolvent JSC Liepājas Metalurgs to the Ukrainian company KVV Group in 2014.

^[2] Press release by the State Chancellery on the decision of the arbitral tribunal of 2 September 2020 (available at: <https://www.mk.gov.lv/lv/aktualitates/skirejtiesas-tribunals-pienem-lemumu-apturet-skirejtiesas-procesu-lieta-jevgenijs>)

 The English original of the decision of the Chairman of the ICSID Administrative Council dated 14 October 2020. 
<https://www.mk.gov.lv/en/article/latvia-requests-discontinuance-eugene-kazmin-v-latvia-arbitration>