

PARTIAL ANNULMENT OF THE AWARD IN *RUSORO V. VENEZUELA*: CASE NOTE ON THE DECISION OF THE PARIS COURT OF APPEAL, 29 JANUARY 2019

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ABSTRACT

*On Jan. 29, 2019, the Paris Court of Appeal issued a decision partially setting aside the award rendered by the additional facility ICSID tribunal in *Rusoro Mining v. Bolivarian Republic of Venezuela* (hereinafter “Tribunal”). The Paris Court of Appeal found that the Tribunal had exceeded the scope of its jurisdiction *ratione temporis* in its decision awarding damages to the investor and thus annulled the damages part of the award while leaving the jurisdictional and liability parts intact. This Case Note will discuss the factual background of the arbitration and the Tribunal’s award, the finding of the Paris Court of Appeal in respect of the award. It will further discuss the implications of that finding and contrast it to the findings of other states courts in the same dispute.*

KEYWORDS: *investment arbitration, French arbitration law, annulment, set aside, damages, jurisdiction, BITs, ISDS*

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