

International Centre for Settlement of Investment Disputes

In the proceedings between

Bidzina Ivanishvili
(Claimant)

and

Georgia
(Respondent)

(ICSID Case No. ARB/12/27)

Order of the Secretary-General
Taking Note of the Discontinuance of the Proceeding

Date of Dispatch to the Parties:

December 10, 2012

1. On August 20, 2012, the International Centre for Settlement of Investment Disputes (“ICSID”) received a request for arbitration from Mr. Bidzina Ivanishvili (“the Claimant”) for the institution of arbitration proceedings under the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States (“the ICSID Convention”), in respect of a dispute with Georgia (“the Request”). The Request was supplemented by letter of August 29, 2012.
2. The Secretary-General registered the Request, as supplemented, on September 10, 2012, pursuant to Article 36(3) of the ICSID Convention and Rules 6(1)(a) and 7(a) of the ICSID Institution Rules.
3. On November 30, 2012, prior to the constitution of an Arbitral Tribunal, the ICSID Secretariat received a letter from the Claimant, requesting the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 44.
4. ICSID Arbitration Rule 44 provides as follows:

If a party requests the discontinuance of the proceeding, the Tribunal, or the Secretary-General if the Tribunal has not yet been constituted, shall in an order fix a time limit within which the other party may state whether it opposes the discontinuance. If no objection is made in writing within the time limit, the other party shall be deemed to have acquiesced in the discontinuance and the Tribunal, or if appropriate the Secretary-General, shall in an order take note of the discontinuance of the proceeding. If objection is made, the proceeding shall continue.
5. By letter of November 30, 2012, addressed to both parties, the Secretary-General requested that Georgia (“the Respondent”) state whether or not it opposed the discontinuance of the proceeding pursuant to ICSID Arbitration Rule 44.
6. On December 6, 2012, ICSID received a letter from the Respondent stating it consented to the discontinuance of the proceeding as requested by the Claimant.

7. Therefore, in accordance with ICSID Arbitration Rule 44, I hereby take note of the discontinuance of the proceeding.

[Signed]

Meg Kinnear
Secretary-General