

Solar Award Against Spain Confirmed in NY, Spain Moves for Annulment

The ICSID award in case *Eiser Infrastructure Limited and Energía Solar Luxembourg SARL v. Kingdom of Spain*, case number ARB/13/36, concluding that Spain had violated the Energy Charter Treaty, has been recognized on an ex parte petition by a New York court on June 27. Further information can be found here, edited by K. Duncan.

The award was issued on May 4 by an International Centre for Settlement of Investment Disputes tribunal after it unanimously determined that Spain had violated its international obligations to the companies by upending a series of subsidies aimed at encouraging investment in the renewable energy sector, several years after the companies sunk more than €126 million into three solar plants. The award also includes additional interest.

The case is *EISER Infrastructure Limited et al v. Kingdom of Spain*, case number 1:17-cv-03808, in the U.S. District Court for the Southern District of New York. Spain is seeking annulment of the decision for violation of the FSIA (1976).