

INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES

In the arbitration proceeding between

Encavis AG and others

Claimants

and

French Republic

Respondent

ICSID Case No. ARB/22/22

**ORDER OF THE ACTING SECRETARY GENERAL TAKING NOTE OF THE
DISCONTINUANCE OF THE PROCEEDING**

April 24, 2024

REPRESENTATION OF THE PARTIES

Representing Encavis AG and others:

Dr. Moritz Keller
Ms. Sarah Lemoine
Ms. Pauline Lafleure
Mr. Vinayak Panikkar
Clifford Chance Partnerschaft
mit beschränkter Berufshaftung
Junghofstraße 14
60311 Frankfurt
Germany

Representing French Republic:

Mr. Diego Colas
Mr. Tanguy Stehelin
Mr. Mathieu Raux
Mr. Jean-Baptiste Merlin
Direction des affaires juridiques du Ministère de
l'Europe et des affaires étrangères
57, boulevard des Invalides
75700 Paris
France

1. On August 17, 2022, the International Centre for Settlement of Investment Disputes (“ICSID”) received a request for arbitration from Encavis AG, Capital Stage Solar IPP GmbH, Société Centrale Photovoltaïque d’Avon les Roches SAS, and Le Communal Est Ouest (“the Claimants”) 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 the French Republic (“the Request”).
2. On September 2, 2022, the Acting Secretary-General registered the Request, pursuant to Article 36(3) of the ICSID Convention and Rules 6 and 7 of the ICSID Institution Rules and notified the Parties of the registration.
3. On October 10, 2022, the Parties jointly informed the Centre of the suspension of the proceeding.
4. On April 22, 2024, the Claimants informed the Centre that the Parties have jointly agreed to discontinue the proceeding pursuant to Rule 55(1) of the ICSID Arbitration Rules, without prejudice of their respective rights and positions concerning the dispute. The Respondent confirmed the Parties’ agreement on April 23, 2024.
5. Rule 55 of the ICSID Arbitration Rules provides:
 - (1) If the parties notify the Tribunal that they have agreed to discontinue the proceeding, the Tribunal shall issue an order taking note of the discontinuance.
 - (2) If the parties agree on a settlement of the dispute before the Award is rendered, the Tribunal:
 - (a) shall issue an order taking note of the discontinuance of the proceeding, if the parties so request; or
 - (b) may record the settlement in the form of an Award, if the parties file the complete and signed text of their settlement and request that the Tribunal embody such settlement in an Award.
 - (3) The Secretary-General shall issue the order referred to in paragraphs (1) and (2)(a) if the Tribunal has not yet been constituted or if there is a vacancy on the Tribunal.

ORDER

6. THEREFORE, considering the above and in accordance with Rule 55 of the ICSID Arbitration Rules, the Acting Secretary General hereby takes note of the discontinuance of the proceeding.

[signed]

Gonzalo Flores
Acting Secretary General