

■ Arbitration case against Venezuela...

ConocoPhillips to register US\$11.5b award won in 2019

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UNITED STATES oil giant ConocoPhillips has been granted permission by the local High Court to register a US\$11.5 billion arbitration award it won against Venezuela in 2019 by the World Bank's International Centre for Settlement of Investment Disputes (ICSID).

During a virtual hearing yesterday, Justice Frank Seepersad granted the application by the company to register the award in accordance with domestic law, which had to do with the expropriation of its oil assets by Venezuela almost 20 years ago.

In making the decision, the judge said the granting of the application fell within the local court's jurisdiction and that based on the ICSID Convention, Trinidad and Tobago, which was also a signatory to the Convention, was legally bound to enforce the award.

The ruling comes just more than six months after Justice Seepersad also allowed ConocoPhillips to register another arbitration award in the sum of US\$1.3 billion that was granted to it by the International Chamber of Commerce (ICC) against Venezuelan state-owned energy company Petroleos de Venezuela SA (PDVSA) in April 2018.

That application was granted in September of last year.

In the latest ruling, Justice Seepersad said he was allowed by law to grant the approval of the application in the absence of an input by the Venezuelan government given that the award was an authentic one and that Venezuela had exhausted all of its appeal options, the last being in January of this year.

In addition to that, the judge stated that even though Venezuela took the decision to withdraw from the convention in 2012, this was irrelevant given that when the present proceedings were initiated, it was still a signatory.

Dealing with service of the registration, Justice Seepersad permitted the company to serve it on the Venezuelan Embassy in this country.

The latest award attempts to compensate ConocoPhillips for the forced takeover of its Petrozuata and Hamaca heavy-oil projects and the offshore Corocoro light oil projects in 2007.