

International Centre for Settlement of Investment Disputes

1818 H Street, N.W., Washington, D.C. 20433, U.S.A.
Telephone: (202) 458-1534 Faxes: (202) 522-2615/2027
Website: www.worldbank.org/icsid

Joy Mining Machinery Limited

v.

Arab Republic of Egypt

(ICSID Case No. ARB/03/11)
Annulment Proceeding

Order of the Annulment Committee Pursuant to ICSID Arbitration Rule 43(1)

1. On January 27, 2005, the International Centre for Settlement of Investment Disputes (ICSID or the Centre) registered an application by the Claimant for annulment of the award of the arbitral Tribunal in the case, Joy Mining Machinery Limited v. The Arab Republic of Egypt (ICSID Case No. Arb/03/11), apart from paragraphs 95-99.
2. An Annulment Committee comprising of Mrs. Antonias Dimolitsa, a national of Greece, as president; and Mr. Michael Hwang, SC, a national of Singapore, and Dr. Jose Luis Shaw, a national of Uruguay, as Committee Members, was constituted on March 9, 2005, and the proceeding was deemed to have commenced on that date, pursuant to ICSID Arbitration Rule 6(1).
3. By a letter to the parties of April 7, 2005, the Secretary of the Annulment Committee, Mr. Ucheora Onwuamaegbu, confirmed that the President of the Committee, after having consulted with its Members and the ICSID Secretariat, and with the agreement of the parties, had fixed the first session of the Committee with the parties to take place on May 25, 2005, at the World Bank's European Vice-Presidency in Paris.
4. On May 18, 2005, counsel for the Claimant wrote to the Centre requesting an adjournment of the first session of the Annulment Committee as the parties were concluding settlement discussions. This request was confirmed by counsel for the Respondent in a letter of May 19, 2005 and, there being no objection by the Annulment Committee, the first session was on May 23, 2005, adjourned.
5. By a letter of November 10, 2005, counsel for the Respondent notified the Centre that the parties had settled their dispute and wished to have the Annulment proceeding discontinued. Counsel for the Claimant in a letter of November 17, 2005, confirmed that the parties had reached an amicable settlement of the dispute between them and asked that the Committee issue an order, in accordance with Arbitration Rule 43(1), taking note of the discontinuance.

NOW THEREFORE, in accordance with Arbitration Rule 43, the Tribunal takes note of the discontinuance of the proceeding.

[*signed*]

.....

Antonias Dimolista
President of the Committee

[*signed*]

.....

Michael Hwang
Member

[*signed*]

.....

Jose Luis Shaw
Member

[December 16, 2005]

Date