



SVEA COURT
Section 02
Rotel 020104

MINUTES
2023-03-03
Lecture in
Stockholm

Annex 17
Case No T 2613-23

THE COURT

Kenneth Nordlander and Thomas Edling, Court of Appeal Counsellors, rapporteur, and Sara Rastner, co-opted member.

RAPPORTEUR AND RECORDING SECRETARY

Rapporteur Mr Ari Ghavamnejad

PARTIES

Applicant

Republic of
Poland UI. Hoza
76/78 00-682
Warsaw Poland

Agents: Lawyers Martin Wallin, Julia Tavaststjerna and André Mossberg Advokatbyrå
Wallin & Partners AB.
Birger Jarlsgatan 27
111 45 Stockholm

Counterpart

Mercuria Energy Group Limited, HE 145530
Simou Menardou 8
Ria Court 8
6515 Larnaca
Cyprus

THE CASE

Invalidity of arbitral award; now question of inhibition

An arbitration award was rendered on 29 December 2022 in Stockholm between Mercuria Energy Group Limited (Mercuria) and the Republic of Poland.

The Republic of Poland has applied for a summons against Mercuria and requested that the Court of Appeal annul the arbitral award. The Republic of Poland has also requested that the Court of Appeal immediately decide that the arbitral award may not be enforced until the Court of Appeal has issued a final judgement in the case (inhibition).

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After hearing the case, the Court of Appeal decides as follows

DECISION (to be notified on 2023-03-06)

The Court of Appeal orders that the continued enforcement of the arbitral award rendered in Stockholm between the parties on 29 December 2022, SCC case no. V 2019/126, may not take place until further notice.

Reasons for the decision

According to Chapter 3, section 18 of the Enforcement Code, an arbitral award may be enforced as a final judgement, unless otherwise ordered by the court where the action against the award is brought. The Court of Appeal finds reason to now order that the arbitral award may not be enforced until further notice.

The decision cannot be appealed (section 43, second paragraph, of the Arbitration Act 1999:116).

Ari Ghavamnejad The
protocol presented /