

**IN THE MATTER OF AN ARBITRATION UNDER THE 1976 ARBITRATION RULES OF
THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW**

SVEA HOVRÄTT
Avdelning 02

INKOM: 2024-07-26
MÅLNR: T 10588-24
AKTBIL: 2

- between -

**UAB “GARSU PASAULIS”
(Lithuania)**

(the “Claimant”)

- and -

THE KYRGYZ REPUBLIC

(the “Respondent”, and together with the Claimant, the “Parties”)

ADDENDUM TO AWARD

Arbitral Tribunal

Prof. Dr. Kaj Hobér (Presiding Arbitrator)

Mr. Ian Laird

Prof. Nina Vilkova

Tribunal Secretary

Mr. Tim Robbins

Date of dispatch to the Parties: 28 May 2024

I. THE PARTIES

(A) The Claimant

1. The Claimant is UAB “Garsu Pasaulis” (“**Garsu Pasaulis**” or the “**Claimant**”), a company constituted and incorporated under the laws of the Republic of Lithuania.
2. The Claimant is represented in this arbitration by:

PLP Motieka & Audzevicius

Attn: Rimantas Daujotas / Denis Parchajev
Gyneju Street 4, Vilnius 01109
Lithuania

Email: rimantas.daujotas@motieka.com / denis.parchajev@motieka.com
Tel: +370 5 2 000 777 / +370 5 2 000 888

(B) The Respondent

3. The Respondent is the Kyrgyz Republic (the “**Respondent**”).
4. The Respondent is represented in this arbitration by:

Willkie Farr & Gallagher LLP

Attn: Grégoire Bertrou / Sergey Alekhin / Dmitry Bayandin
21 boulevard Marlesherbes
75008 Paris
France

Email: gbertrou@willkie.com / salekhin@willkie.com / dbayandin@willkie.com
Tel: +33 1 53 43 45 00

Center for Court Representation at the Ministry of Justice of the Kyrgyz Republic

Attn: Bakaikhan Dzhunusov
59, Razzakova street
720040 Bishkek
The Kyrgyz Republic

Email: court.center2022@gmail.com

Mr. Nurbek Sabirov

Business center “Avrora”, 7th floor
1A, Igemberdieva street
720020 Bishkek
The Kyrgyz Republic

Email: sabirov.nurbek@gmail.com

II. THE TRIBUNAL AND TRIBUNAL SECRETARY

5. The arbitrator appointed by Claimant is Mr. Ian Laird, whose contact details are as follows:

Mr. Ian Laird
Crowell & Moring LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004
United States

6. The arbitrator appointed on behalf of the Respondent is Prof. Nina Vilkova, whose contact details are as follows:

Prof. Nina Vilkova
Apt. 322. 34/a, Leninsky Prospect
Moscow, 119334
Russian Federation

Email: vilkova.a.n.g@gmail.com

7. The Presiding Arbitrator, jointly appointed by the co-arbitrators, is Prof. Dr. Kaj Hobér, whose contact details are as follows:

Prof. Dr. Kaj Hobér
3 Verulam Buildings, Gray's Inn
London WC1R 5NT
United Kingdom

Email: kaj.hober@outlook.com

8. Upon the proposal of the Tribunal, and agreement of the parties, Mr. Tim Robbins was appointed as Tribunal Secretary for this matter. Mr. Robbins' contact details are as follows:

Tim Robbins
Jan Pieterszoon Coenstraat 7
The Hague, 2595 WP, The Netherlands

E-mail: tim@robbinsarbitration.com

III. PROCEDURAL HISTORY

9. On 8 April 2024, the Tribunal rendered its Award in this arbitration (“Award”).
10. On 7 May 2024, the Respondent filed an Application for Correction of the Award (“Application”) pursuant to Article 36 of the 1976 UNCITRAL Arbitral Rules (“UNCITRAL Rules”) and Section 32 of the 2019 Swedish Arbitration Act (“Arbitration Act”).
11. On 10 May 2024, the Tribunal acknowledged receipt of the Application. The Tribunal invited any comments from the Claimant on the Application by 20 May 2024.
12. On 20 May 2024, the Claimant stated that it had no objections to the proposed corrections contained in the Application.

IV. RESPONDENT’S APPLICATION

13. In the Application, the Respondent sought the following corrections in the Award, the underlined portions of the italics indicate the proposed corrections:
 - (i) Page 4, definition of Mr. Sarybaev: amend “Mr. *Suslandbek Sarybaev*” to “*Ruslanbek Sarybaev*”;
 - (ii) Paragraph 4: amend “*Centre for Court Representation of the Cabinet of Minister of Justice*” to “*Centre for Court Representation at the Ministry of Justice*”;
 - (iii) Paragraph 4: amend “*Attn: Salavat Ashirbekov*” to “*Attn: Bakaikhan Dzhunusov*”;
 - (iv) Paragraph 95 at lines 2, 4, 8, and paragraphs 134(ii) and 134(iii): amend “*exercise stamps*” to “*excise stamps*”;
 - (v) Paragraph 100, line 1: amend “*on the Kazak government’s*” to “*on the Kyrgyz government’s*”;
 - (vi) Paragraph 100, lines 6 and 8: amend “*2018 Bid*” to “*2018 Tender*”;
 - (vii) Paragraph 104, line 2: amend “*various Kazakh Government*” to “*various Kyrgyz Government*”;

- (viii) Paragraph 130, line 6, and paragraph 143, line 4: amend “*ratione personae*” to “*ratione materiae*”; and
- (ix) Paragraph 241, line 4: amend “*the Interdistrict Bishkek Court*” to “*the Inter-district Court of Bishkek*”.

V. TRIBUNAL’S DECISIONS

14. Article 36(1) of the UNCITRAL Rules provides as follows:

“CORRECTION OF THE AWARD

Article 36

1. Within thirty days after the receipt of the award, either party, with notice to the other party, may request the arbitral tribunal to correct in the award any errors in computation, any clerical or typographical errors, or any errors of a similar nature. The arbitral tribunal may within thirty days after the communication of the award make such corrections on its own initiative.”

15. Section 32 of the Arbitration Act provides as follows:

“Section 32

If the arbitrators find that an award contains any obvious inaccuracy as a as a consequence of a typographical, computational, or other similar mistake by the arbitrators or any another person, or if the arbitrators by oversight have failed to decide an issue which should have been dealt with in the award, they may, within thirty days of the date of the announcement of the award, decide to correct or supplement the award. They may also correct or supplement an award, or interpret the decision in an award, if any of the parties so requests within thirty days of receipt of the award by that party.

If, upon the request of any of the parties, the arbitrators decide to correct an award or interpret the decision in an award, such shall take place within thirty days from the date of receipt by the arbitrators of the party’s request. If the arbitrators decide to supplement the award, such shall take place within sixty days.

Before any decision is made pursuant to this Section, the parties should be afforded an opportunity to express their views with respect to the measure.”

16. Pursuant to the foregoing provisions, the Tribunal has the power to make corrections upon an application of a party, including corrections of clerical or typographical errors, or any errors of a similar nature. Pursuant to Article 36 of the UNCITRAL Rules, such a request should be received within 30 days of a party’s receipt of the award.
17. In the present case, the Application was received on 7 May 2024, within the 30-day time limit.
18. The Tribunal has reviewed the proposed corrections in the Application, and confirms that the proposals are correct and should be adopted. The Tribunal further confirms that the proposed corrections are clerical or typographical errors, or errors of a similar nature. The Tribunal further notes that the Claimant has confirmed that it has no objections to the corrections proposed in the Application.
19. Accordingly, in light of the foregoing, the Tribunal hereby decides to accept the proposed corrections, and to issue this Addendum to the Award.

VI. ADDENDUM TO AWARD

20. For the reasons set forth above, the Tribunal hereby issues this Addendum to the Award, and orders that the following amendments be made to the Award:
 - (i) Page 4, definition of Mr. Sarybaev: amend “*Mr. Suslandbek Sarybaev*” to “*Ruslanbek Sarybaev*”;
 - (ii) Paragraph 4: amend “*Centre for Court Representation of the Cabinet of Minister of Justice*” to “*Centre for Court Representation at the Ministry of Justice*”;
 - (iii) Paragraph 4: amend “*Attn: Salavat Ashirbekov*” to “*Attn: Bakaikhan Dzhunusov*”;
 - (iv) Paragraph 95 at lines 2, 4, 8, and paragraphs 134(ii) and 134(iii): amend “*exercise stamps*” to “*excise stamps*”;

- (v) Paragraph 100, line 1: amend “*on the Kazak government’s*” to “*on the Kyrgyz government’s*”;
- (vi) Paragraph 100, lines 6 and 8: amend “*2018 Bid*” to “*2018 Tender*”;
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- (viii) Paragraph 130, line 6, and paragraph 143, line 4: amend “*ratione personae*” to “*ratione materiae*”; and
- (ix) Paragraph 241, line 4: amend “*the Interdistrict Bishkik Court*” to “*the Inter-district Court of Bishkek*”.

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Place of arbitration: Stockholm, Sweden

Date: 28 May 2024

Prof. Dr. Kaj Hobér
Presiding Arbitrator

Signature

A handwritten signature in black ink, appearing to read 'Kaj Hobér', written over a horizontal line.

Prof. Nina Vilkova

Signature

A handwritten signature in blue ink, appearing to read 'Nina Vilkova', written over a horizontal line.

Mr. Ian Laird

Signature

A handwritten signature in blue ink, appearing to read 'Ian Laird', written over a horizontal line.