

State-owned Senegalese electricity company fends off claims from energy investor

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Senegal's state-owned electricity utility, Senelec, has prevailed in an arbitration against a Cayman-based investor, before a tribunal at the International Chamber of Commerce (ICC).*

We learned that the ICC tribunal dismissed all claims by Liberty-Citic Energy Cayman Ltd. under a power purchase agreement. Liberty argued that Senelec had failed to execute the contract and did not obtain a state guarantee from Senegal, and sought around 250 million USD in compensation.

We further learned that the tribunal was composed of [Luca Radicati di Brozolo](#) (chair), [William W. Park](#) (claimant's appointee) and [Vera van Houtte](#) (respondent's appointee) in this ICC case No. 22890/MK. The proceedings were seated in Paris.

In the May 4, 2020 award, the arbitrators agreed with Senelec that the contract never entered into force. Liberty was ordered to bear the arbitration costs.

The investor was represented by Boies Schiller in New York, Mame Adama Gueye et Associés in Dakar, and Oberkampf Avocats in Paris. Senelec, for its part, relied on Lazareff-Le Bars in Paris, as well as Tounkara et Associés in Dakar.

* [UPDATE May 8, 2020: We updated this report shortly after publication to include further information.]