



Recent Developments in Latvian Arbitration Law

Exploring the June 2024 Amendments

Introduction of the set-aside mechanism



Application to be filed within 30 days from the rendering of the award

GROUNDS FOR SETTING ASIDE

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grounds to be proved by the party making the application



Invalidity of the arbitration agreement or incapacity of a party to the arbitration agreement



The award deals with a dispute not contemplated by or not falling within the terms of the submission to arbitration



Improper notice of the appointment of an arbitrator or the arbitral proceedings, or inability to present the case



The composition of the arbitral tribunal or the arbitral procedure was not in accordance with the agreement of the parties

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grounds to be assessed by the court of its own motion (ex officio)



The subject-matter of the dispute is non-arbitrable



The award is in conflict with the public policy



Written proceedings unless the court decides to hold a hearing



Only negative decision (refusal to set aside) can be appealed

Enforcement of domestic ad hoc arbitral awards



Until 2024 – only foreign ad hoc arbitral awards
could be recognized and enforced in Latvia



Now – also domestic ad hoc arbitral awards
can be recognized and enforced in Latvia

Court support to arbitration proceedings



Appointment of arbitrators



Replacement of arbitrators



Challenge of arbitrators



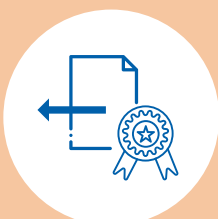
Challenge of arbitral jurisdiction



Assistance in taking of evidence



Securing the claim and granting interim measures

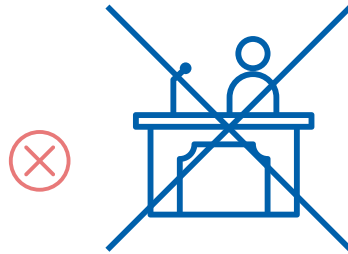


Setting aside of arbitral awards

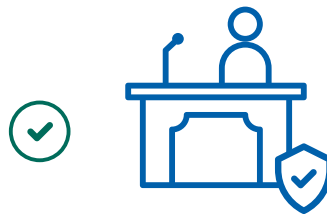


Enforcement of arbitral awards

Hearing of witnesses

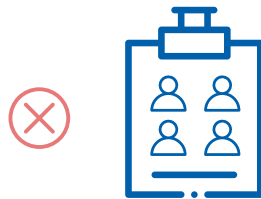


Until 2024 – witness testimonies were not permitted as an evidence in arbitration



Now – witness testimonies are allowed as a means of evidence in arbitration

Requirements for potential arbitrators



Abolishing of compulsory (closed) lists of arbitrators

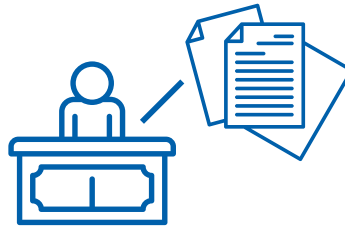


Abandoning compulsory requirement to have legal education

Impartiality and Independence of Arbitrators



Introduction of arbitrators' statement of independence and impartiality



Duty of an arbitrator to disclose any facts or circumstances that may give rise to justifiable doubts regarding his/her impartiality and independence



Timing for disclosure: prior to accepting the position of an arbitrator, or at any later stage of the arbitral process, should such facts come to light subsequently

Softening requirements for arbitration agreements



Abolishing of the requirement to have an electronically exchanged document containing an arbitration agreement to be signed with an electronic signature



Recognizing parties' consent to arbitration through exchange of submissions (the existence of an arbitration agreement alleged by one party and not denied by the other)