

News

LAWYER AUTHORS ARTICLE IN THE JOURNAL OF TRANSNATIONAL DISPUTE MANAGEMENT

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BCLP Senior Associate Nadia Hubbuck has had an article published in the April 2024 Special Issue of *The Journal of Transnational Dispute Management*. The latest edition of the TDM Journal covers Sanctions and International Arbitration: Impact on Substantive and Procedural Issues, with Nadia's paper in particular focusing on *The Effect of Exclusive Jurisdiction of Russian State Courts over Sanctioned Persons on International Arbitration Proceedings*.

The article discusses the effect of amendments to the Russian Commercial Procedure Code, which were adopted in June 2020. The amendments gave exclusive jurisdiction to Russian state courts in disputes involving sanctioned parties, regardless of any existing arbitration or foreign jurisdiction agreements between the parties. They apply to disputes involving Russian individuals and legal entities that are subject to sanctions imposed by the European Union, the United Kingdom, the United States and other Western countries, as well as to disputes arising from transactions or agreements involving such parties. As a result, Russian sanctioned parties are now able to obtain anti-suit injunctions (or anti-arbitration injunctions) in Russian courts in reliance on the amendments, thereby seeking to prevent disputes being determined in a foreign jurisdiction.

Within this context, Nadia explores whether recent judgments of the Russian courts, as well as whether the Russian sanctioned parties' access to justice has been impeded or whether they can continue to participate in foreign arbitration and court proceedings, and be represented by qualified counsel in those jurisdictions, subject to them obtaining licenses from relevant authorities to pay counsel fees.

MEET THE TEAM



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