

Insights

LIDW 2026 | BRIDGING STEPPES AND STANDARDS: KAZAKHSTAN'S EVOLVING DISPUTE LANDSCAPE

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SUMMARY

On day 3 of London International Disputes Week (LIDW) 2026, BCLP and co-sponsors BrKLA and BKS Disputes, were delighted to host a panel discussion on the rapidly evolving dispute resolution landscape in Kazakhstan.

The event brought together leading international and regional practitioners to explore litigation, arbitration and enforcement trends, with a focus on the Astana International Financial Centre (AIFC), its court and arbitration centre as well as recent developments in dispute resolution in Kazakhstan.

The keynote address was delivered by the Rt. Hon. Lord Burnett of Maldon KG, Chief Justice, AIFC Court. He described the establishment of the AIFC in 2018 and the work that he and Registrar Christopher Campbell Holt did to establish the laws, rules and regulations that now support both the AIFC Court and arbitration centre. The AIFC Court is entirely independent of the Kazakh state courts and has exclusive jurisdiction over any dispute that the parties choose to put before it. Significantly, the Kazakh government encourages the use of both the Court and Arbitration Centre for the resolution of disputes, particularly in contracts that it is a party to or that state entities are a party to. This gives foreign investors the comfort of having an independent dispute resolution either through the arbitration centre with its panel of expert, international arbitrators; or through the court, with its bench of internationally respected judges.

I was honoured to moderate the first session which explored key litigation, arbitration and enforcement trends affecting Kazakhstan. Bakhyt Tukulov, Founding Partner of TKS Disputes discussed recent developments in Kazakhstan with particular focus on the enforcement of foreign judgments and arbitral awards against companies with assets in Kazakhstan. Benjamin Wells, Partner at Belgravia Law, spoke about the evolving landscape of international investment arbitration focusing on several high profile cases in which Kazakhstan successfully challenged awards and on a recently reported case where Kazakhstan won a major arbitration against

international oil companies operating in the region. Tatiana Menshenina, Partner at Fladgate LLP, concluded the first session with a discussion on the impact of sanctions on international arbitration with particular focus on the differences in approach of the English Courts and the Singaporean Courts and the impact that this has on choice of seat and choice of arbitral institution.

The second session, moderated by Rashid Gaissin, Partner at Eldwick Law, examined the practical workings of the AIFC Court. Christopher Campbell-Holt OBE, Registrar and Chief Executive of the AIFC Court and IAC, talked about the steps that AIFC have taken to ensure efficient and cost effective case management. The system is modelled on the overriding objective of dealing with cases of dealing with cases justly and ensuring that the system of justice is accessible and fair. The procedural rules have been kept short, at roughly 100 pages, and simple so that cases can be processed quickly and efficiently avoiding unnecessary delay and expense. In conclusion Christopher highlighted the Court's emphasis on fair, independent and impartial justice and quality of outcome – qualities that have made it such an attractive option for both the Kazakh people and foreign investors.

Galina Borshevskaya, Senior Associate at Osborne Clarke, spoke about evidence with a presentation that highlighted some of the differences between how you prove your case in the AIFC Court as opposed to the English Court. In terms of disclosure, the approach adopted by the AIFC is not to follow the disclosure schemes adopted by the English Court but instead to adopt a more arbitration style process whereby parties submit specific requests for documents to which the other party may object on specific grounds before the court rules on the disputed requests. Another significant difference, of particular interest for Kazakhstani lawyers, is that unlike state courts which maintain lists of allowed experts – limiting party choice – the AIFC has adopted an English style approach that allows parties to instruct any expert with the sufficient expertise in the relevant area.

The second session concluded with a presentation from Benjamin Gray, Barrister at Littleton Chambers, on AIFC Court Rules and the Court's procedural framework. After highlighting the many practical advantages offered by the AIFC Court he focused on the recently published Commentary to the AIFC Court Rules, which was co-edited by Roman Khodykin, Partner at BCLP. The commentary is designed to reduced barriers to entry to the AIFC Court by providing a high quality translation of the rules to Russian coupled with a commentary on the application of the rules in the context of the common law and civil law procedural concepts that underpin them.

Following the session, attendees networked over drinks and various Kazakh delicacies including cured salmon topped with kefir crème and pumpkin and caraway samsa parcels.

We were delighted to welcome such a distinguished panel of speakers to such a popular and well attended event. It was fantastic to welcome so many international guests to London to discuss the

evolving dispute resolution landscape in Kazakhstan. It goes to show the level of interest in region and highlights the essential role played by the AIFC in shaping that landscape.

If you are interested in finding out more about the AIFC or dispute resolution in Kazakhstan please get in touch below.

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MEET THE TEAM



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