

Enforcement against states: successful examples and possible routes

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Context and first principles

You *can* enforce against sovereigns

Often provides a comforting 'backstop'

With patience & persistence, states can be compelled to pay adverse awards

Multiple routes to successful resolution

Significant global expertise to assist

Nonpayment of arbitration awards by sovereigns

The number of unpaid awards against sovereigns, as well as the amount of compensation owed, have almost doubled from 2022 to 2023

Venezuela, Spain, Russia, Ukraine and Argentina top the list

Four further EU states feature in the top-20 non-compliant states

The challenges of enforcement against states

The role and impact of sovereign immunity

Rules applicable to service

Political dynamics and motivations (internal and external)

The impact of sanctions

Potential legal leniency

Volume and variety of assets

Routes to successful enforcement

High quality asset tracing

Successful enforcement against assets

An integrated global economy

Global politics and third-party actors

Development of a coordinated strategy and use of experts

Successful examples

IEC v. EGAS & EGPC (2018)

Egypt Agrees \$1.7B Settlement in Arbitration Case with Israel

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Egypt has agreed to pay Israel a \$1.7 billion settlement in the arbitration case filed by the Israel Electric Company (IEC) against the Egyptian Natural Gas Holding Company (EGAS) and the Egyptian General Petroleum Corporation (EGPC), a government source told [Al Borsa](#).

Argentina – multiple settlements (2013)

Argentina settles five outstanding investment treaty arbitration claims in historic break with its anti-enforcement stance

14 OCTOBER, 2013



Argentina has agreed to settle five separate investment treaty arbitration claims at a cost of around USD 500 million, in an historic departure from the Latin American state's refusal to comply with awards made by international investment treaty arbitration bodies.

Sunlodge v. Tanzania (2001)

Tanzania pays treaty award to avoid aircraft seizure

Jack Ballantyne
30 April 2021

Print article



Sunlodge seized a de Havilland aircraft purchased by Tanzania (Credit: Shutterstock/dvlcom)

Tanzania has paid US\$22 million to satisfy an UNCITRAL award after the Italian-owned creditors attempted to seize three aircraft purchased by the East African state following enforcement of the award in the Canadian courts.

Thank you!



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