

# Where to find today's UK Supreme Court decision declining to enforce an ICC award against Pakistan

## **Kluwer Arbitration Blog**

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Luke Eric Peterson (Investment Arbitration Reporter)

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The UK Supreme Court released its judgment today in a much-written about dispute pitting a Saudi company against the Government of Pakistan. In the judgment, the Court declined to enforce a 2006 ICC arbitral award in favour of Dallah Real Estate and Tourism Holding Company.

A central issue in the case was whether the Government of Pakistan - which was not itself a signatory to a 1996 contract between Dallah and a Pakistani government-created Trust - could be bound by an arbitration clause providing for ICC arbitration.

While Dallah persuaded a panel of arbitrators that Pakistan was a "true party" to the contract, the Saudi company has been unsuccessful in enforcing the tribunal's \$20,588,040 Million (US) award in the UK courts. Indeed, today's UK Supreme Court decision is the third to deny enforcement of the ICC award.

I won't rehearse all of the background here, as you can find numerous accounts of the case, including Gary Born's [comprehensive analysis](#) of an earlier (2009) Appeals Court ruling. No doubt, plenty of commentators will weigh in, in the days to come, with their views on today's judgment. In the mean time, you can find a copy of the ruling [here](#).