

Partner James Rogers and Associate Connor Gray Author *Financier Worldwide* Article on Sovereign Immunity in English Courts

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In an article for *Financier Worldwide*'s Corporate Disputes publication, Partner James Rogers and Associate Connor Gray examine how recent English case law has created two distinct tracks for enforcing investor-state arbitration awards against sovereign states. They explain that a state's ratification of the International Centre for Settlement of Investment Disputes (ICSID) Convention amounts to a waiver of sovereign immunity in the English courts, while ratification of the New York Convention does not.

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James and Connor trace this divergence through the UK Supreme Court's ruling in *Infrastructure Services v. Spain* and the Court of Appeal's ruling in *CC/Devas (Mauritius) Limited v. India*, noting that investors relying on the New York Convention must show a state agreed in writing to arbitrate rather than pointing to treaty ratification alone. They conclude that ICSID awards now have a clearer path to enforcement in the UK, giving real enforcement consequences to a party's choice of arbitration forum.

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