

# Arbitration News

JUNE 2024

## What Spanish courts are saying

SPAIN

- The High Court of Justice of Castilla y Leon, in its [Judgment of 10 May](#), dismisses an action for annulment based on the non-existence of the arbitration agreement. According to the Chamber, the Spanish Land Transport Management Act establishes an *ope legis* submission to arbitration for disputes arising in relation to the performance of land transport contracts with a value not exceeding EUR 15,000, provided that none of the intervening parties express contrary views.
- The High Court of Justice of Galicia, in its [Judgment of 30 April](#), dismisses an action for annulment partially based on the overextension of the award. The Chamber considers that the claimant should have previously exhausted the arbitration procedure, in the sense that it should have requested the rectification of the partial overextension of the award, in accordance with Article 39.1.d) of the Spanish Arbitration Act.

## What is happening outside Spain

INTERNATIONAL

- The Svea Court of Appeal, in its [Judgment of 17 June](#) (summary [here](#)), once again sets aside an award issued under the ECT which ordered Italy to compensate two investors from Denmark and Luxembourg. This is the second annulment achieved by Italy at said Court in the last two months.
- The Supreme Court of Justice of Panama, in its [Judgment of 7 May](#), confirms that foreign lawyers may practice in international arbitrations seated in Panama.
- The Swiss Federal Court, in its [Judgment of 18 April](#) (summary [here](#)), rejects the annulment of an ICC award based on the repeated appointments of an arbitrator by the same law firm. The Court notes that the “relatively small circle” of international arbitration lawyers leads to such situations but does not imply bias.

## Some interesting publications and events

ACADEMIC WORLD

- The Council and the European Union Commission sent, on 27 June, [two written notifications](#) to the Government of Portugal, the official depositary of the ECT, notifying the withdrawal of the European Union and Euratom from the ECT. This withdrawal will take effect within one year.
- The European Union and its Member States reached, on 25 June, an [agreement](#) to put an end to the continuation of intra-EU arbitration proceedings initiated under the ECT, following the CJEU’s ruling in *Komstroy*.
- ICSID published, on 18 June, the study “[Compliance with and Enforcement of ICSID Awards](#)“, which analyses the compliance with, recognition and enforcement of awards rendered until 31 December 2021.

## What we have been up to at Pérez-Llorca

PLL

- Daragh Brehony and Alberto Trueba (Litigation and Arbitration lawyers at Pérez-Llorca) published, on 27 June, the article “[What can we anticipate from the UK’s signature of the 2019 Hague Convention?](#)“ (in Spanish) in Legal Today.
- Celia Cañete (Litigation and Arbitration lawyer at Pérez-Llorca) participated, on 9 June, in the workshop “Status of international arbitration. Opportunities for young professionals” at the [17th CEIA-40 Meeting](#).
- Daragh Brehony (Litigation and Arbitration lawyer at Pérez-Llorca) moderated, on 8 June, the round table “European experiences” at the [2nd CEIA Mediation Meeting](#), organised at Pérez-Llorca.