



## News

Many of our engagements involve matters in which our clients face significant public attention. The following is a list of news stories about the firm, our clients, cases and the results we have achieved.

### **UK Supreme Court Confirms Spain Cannot Rely on Immunity to Resist Registration of ICSID Awards**

March 4, 2026

LONDON, 4 March 2026 – Kobre & Kim secured a victory before the UK Supreme Court confirming that states cannot invoke state immunity to resist the registration of ICSID arbitral awards.

In a unanimous judgment, the Court held that by ratifying the ICSID Convention, states submit to the jurisdiction of domestic courts for the purpose of recognizing and enforcing ICSID awards pursuant to article 54 of the ICSID Convention. As a result, they may not rely on adjudicative state immunity to oppose registration of such awards.

The ruling arose from Spain's challenge to the registration in England of a 2018 ICSID award valued at approximately €120 million plus interest. The Supreme Court unanimously rejected Spain's immunity arguments, affirming that the ICSID Convention creates a binding and reciprocal enforcement regime designed to ensure that ICSID awards are recognized and enforced by contracting states.

Kobre & Kim's Andrew Stafford KC, Richard Clarke, Emily Beirne, and Kunhee Cho represented the client together with Patrick Green KC and Prof. Philippa Webb.

Mr. Clarke commented: "The judgment confirms that where States agree by treaty to waive their adjudicative immunity, as in article 54 of the ICSID Convention, they will not be able raise immunity upon registration. From an enforcement perspective, this decision paves the way for more straightforward process for the registration of ICSID Awards for all investors in the future. The Court also found that the object and purpose of the ICSID Convention supports this outcome...which has proven necessary in this case given Spain's ongoing refusal to pay the award"

A copy of the judgment can be accessed here: [\*Kingdom of Spain v. Infrastructure Services Luxembourg S.À.R.L.\* \[2026\] UKSC 9.](#)

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### **About Kobre & Kim**

Kobre & Kim is a conflict-free global law firm focused on disputes and investigations, often involving fraud and misconduct. The firm acts on behalf of creditors to monetize high-value judgments and arbitration awards, with most matters involving face values of US \$100 million to several billion dollars. It has extensive experience enforcing arbitration awards and court judgments against sovereign governments and related entities, and understands the unique legal and strategic issues that arise in complex cross-border enforcement campaigns.