

## A step towards increased enforcement of English court judgments in the United Arab Emirates?

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On 13 September 2022, the UAE's Ministry of Justice issued a letter to the Director General of the Dubai courts, which directed the Dubai courts to enforce judgments issued by the English courts, following the decision by the English Court of Appeal to uphold the decision of a Dubai court in the case of *Lenkor Energy Trading DMCC v Puri* [2021] EWCA Civ 770.

Up until now, the Dubai courts have generally refused to enforce English court judgments because the English courts have previously been unwilling to enforce Dubai court (or other UAE Court) judgments. Parties seeking enforcement of an English court judgment in the UAE were not therefore able to show a key requirement for enforcement in Dubai, that is, evidence of reciprocity – that Dubai court judgments are enforced in England. As a result, successful enforcement of an English court judgment in Dubai was considered very unlikely.

The decision in *Lenkor*, and the Ministry of Justice's letter, could potentially make enforcement more likely because it should enable the Dubai courts to find that reciprocity exists.

The letter is not legally binding and does not guarantee enforcement, however, it signals a step towards greater judicial cooperation. Furthermore, whilst the letter only addresses the Dubai courts, it does note reciprocity between England and the UAE, and it is hoped this will establish a path for the mutual recognition and enforcement of the two countries' judgments, extending beyond the Dubai courts.

From the outset of any litigation, the viability of enforcement should be a key consideration especially when attempting to enforce against overseas assets. If you have a dispute with an international element in the UAE please get in touch with our [commercial dispute resolution team](#).



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