

Antisuit Injunctions by Arbitral Tribunal and Recognition: Opinion of AG Wathelet

The Opinion of AG Wathelet on C-536/13, *Gazprom*, referred by the Lietuvos Aukščiausiasis Teismas, was delivered yesterday and reads as follows:

(1) Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters must be interpreted as not requiring the court of a Member State to refuse to recognise and enforce an anti-suit injunction issued by an arbitral tribunal.

(2) The fact that an arbitral award contains an anti-suit injunction, such as that at issue in the main proceedings, is not a sufficient ground for refusing to recognise and enforce it on the basis of Article V(2)(b) of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, signed in New York on 10 June 1958.

The whole document is accessible [here](#).

(A personal bet: the ECJ will not take up the second point of the Opinion).