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Uzbekistan introduces changes to the procedure for considering cases in economic courts

On May 16, 2022, the President of the Republic of Uzbekistan signed the Law “On amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the adoption of the Law “On International Commercial Arbitration”” No. 3PY-769 (the “Law No. 3PY-769”).

In accordance with the Law No. 3PY-769, cases related to arbitration proceedings are considered by economic courts. In turn, the list of cases related to the arbitration legislation is included in the Economic Procedural Code of the Republic of Uzbekistan.

Moreover, the Economic Procedural Code of the Republic of Uzbekistan has been supplemented with a new chapter 29¹, which regulates the general rules for consideration by economic courts of cases related to the provision of assistance to arbitration proceedings, establishes the procedure for appealing an arbitral award in an economic court, the procedure and grounds for the annulment of an arbitral award by an economic court.

It should be noted that cases on the appointment of an arbitrator, on the satisfaction of the challenge of an arbitrator, on the adoption of a decision on the termination of the powers of an arbitrator or on the issue of the jurisdiction of an arbitration court, on assistance in obtaining evidence, as well as on the annulment of an arbitral award, are considered by economic courts only if the place of arbitration is Uzbekistan.

Also, the Economic Procedural Code of the Republic of Uzbekistan is supplemented with the grounds for leaving and terminating the proceedings on the case by the economic court, namely if:

- ▶ there is a case in the proceedings of the arbitration court on a dispute between the same parties, on the same subject and on the same grounds, or there is an agreement of the parties participating in the case to refer this dispute to arbitration and the possibility of resorting to arbitration has not been lost, and if the defendant, objecting to the consideration of the case in the economic court, not later than his first statement on the merits of the dispute, file a motion to refer the dispute to arbitration, the court leaves the statement of claim without consideration;
- ▶ there is an arbitral award that has entered into legal force in a dispute between the same parties, on the same subject and on the same grounds, except in cases where the economic court refused to recognize and enforce the arbitral award, the court terminates the proceedings on a case.

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