Back to

forum non conveniens: a reminder

Aliyah Akram

Forum non conveniens/

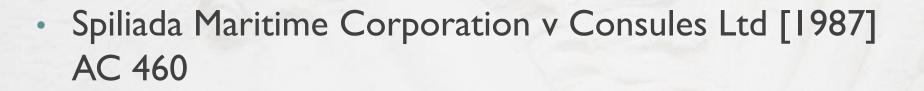
proper place

Foreign Defendant served:

within the jurisdiction

out of the jurisdiction

The Spiliada



Lord Goff:

"The effect is, not merely that the burden of proof rests on the plaintiff to persuade the court that England is the appropriate forum for the trial of the action, but that he has to show that this is clearly so."





Vedanta Resources plc v Lungowe

Lord Briggs:

"a conclusion that a foreign jurisdiction would not provide substantial justice risks offending international comity. Such a finding requires cogent evidence, which may properly be subjected to anxious scrutiny."



- Jalla v Royal Dutch Shell [2020] EWHC 459 (TCC)
- Brownlie v Four Seasons Holdings [2019] EWHC 2533 (QB)
- VTB Capital v Nutritek International Corporation [2013]
 UKSC 5
- Wink v Croatia Osiguranje D.D. [2013] EWHC 1118 (QB)
- Pike v Indian Hotels Co Ltd [2013] EWHC 4096 (QB)