

B. CREMADES ACTS ON ARBITRATION OF HEIRS OF THE SULTAN OF JOLO V MALAYSIA

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On Monday 11 July 2022, two subsidiaries of the Malaysian state-owned company Petronas, were seized in Luxembourg. Specifically, with the subsidiaries Petronas Azerbaijan (Shah Deniz) and Petronas South Caucasus, which manage the state energy company's gas interests in Azerbaijan and could be worth more than USD 2 billion. Luxembourg, one of the countries party to the 1958 New York Convention, recognises and enforces the award rendered by Spanish arbitrator **Gonzalo Stampa** in Paris on 28 February 2022, which awarded the Heirs compensation of USD 14.92 billion from Malaysia.

It is important to note that as long as Malaysia continues to ignore the ruling, the money owed to the Sulu heirs will increase. The arbitrator in France decided that for each year unpaid, Malaysia's outstanding liability to the heirs would increase by 10%.

Bernardo Cremades Jr (pictured), of the law firm B. Cremades & Asociados, which represented the heirs of the Sultan of Jolo in the arbitration, said: "The legal steps laid down by international law have been fulfilled. The next step was the recognition of the enforcement of the award in any of the 170 member countries of the 1958 New York Convention, and in this case in Luxembourg. Under this convention - to which Malaysia is a party - recognition and enforcement (and consequent attachment of property) could be sought despite the defendant's objection. This risk was highlighted by the former Attorney General of Malaysia, who was in office for much of the arbitration and even sent 2 letters to the sole arbitrator, Stampa."