
Hughes Hubbard & Reed

DC Circuit Rejects India's Sovereign Immunity Defense in Enforcement of \$174 Million Arbitration

Deals & Matters

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Oct. 14, 2025 – The U.S. Court of Appeals for the District of Columbia Circuit rejected India’s motion to dismiss, based on sovereign immunity, a \$174 million arbitration award in a dispute with German telecommunications provider Deutsche Telekom.

The firm is representing Deutsche Telekom in India’s appeal against the enforcement of a March 2024 arbitral award, which concerned India’s cancellation of a satellite spectrum contract, an alleged breach of its 1995 bilateral investment treaty with Germany.

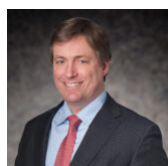
On Oct. 3, a three-judge panel, composed of U.S. Circuit Judges Sri Srinivasan, Gregory G. Katsas and Judith W. Rogers, concluded that U.S. District Judge Richard J. Leon had correctly rejected India’s sovereign immunity defense. The tribunal also rejected India’s attempt to invoke forum non conveniens based on treaty language which India argued meant that any award against India could only be enforced in India’s domestic courts. The panel however found that Judge Leon had wrongly denied India an opportunity to argue its merits defenses because its jurisdictional objections had been sufficiently “colorable” such that long-standing D.C. Circuit precedent required giving India an initial opportunity to contest jurisdiction before being required to assert its merit defenses. The Court noted, however, that India’s merits defenses against enforcement of this award had previously been considered and rejected by a number of courts abroad.

[Law360](#) and [Global Arbitration Review](#) reported on the ruling.

“[We’re] pleased that the court affirmed the district court’s decision rejecting India’s defense of sovereign immunity, rejected all of India’s other legal defenses, and left the door open for Deutsche Telekom to argue before the district court that India is precluded from relitigating defenses that courts in Switzerland, Germany, and Singapore have already considered and rejected,” James Boykin told Law360.

The Hughes Hubbard team representing Deutsche Telekom includes Boykin, Malik Havalic, Shayda Vance, Carter Rosekrans and Winthrop Jordan.

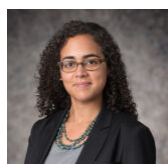
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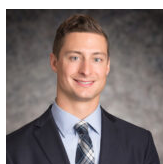
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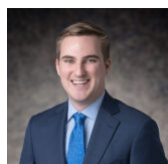
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