



محكمة قطر الدولية  
ومركز تسوية المنازعات  
QATAR INTERNATIONAL COURT  
AND DISPUTE RESOLUTION CENTRE

## PRACTICE DIRECTION ON LITIGATION RESTRAINT ORDERS

(No. 1 of 2024)

### Introduction

1. This Practice Direction is issued pursuant to article 37.2 of the Regulations and Procedural Rules of the Court.
2. The purpose of this Practice Direction is to ensure that the Court has clear powers to protect the public and its resources in the face of repeated claims and/or applications that should not have been brought by a party and/or any person associated with that party.

### Background

3. This Practice Direction applies where the Court is considering whether to make a litigation restraint order ('**LRO**') against a party and/or any person associated with a party (an '**Associate**').
4. An LRO is an order of the Court which restrains a party and/or an Associate from filing any case or any application, or any further applications in ongoing cases, without the permission of the President or a Judge of the Court nominated by the President (a '**Nominated Judge**'). Orders are to last no more than 2 years, but may be renewed by the President or a Nominated Judge for successive periods of two years if the criteria for the making of such an order are fulfilled.

### Making an order

5. If a party and/or an Associate has made, whether before or after the coming into force of this Practice Direction, two or more applications that the Court has declared to be, "*entirely*

*without merit*”, “*wholly without merit*”, “*devoid of merit*”, or words to the same effect, and in the opinion of the Registrar the making of an LRO may in the circumstances be warranted, the Registrar may refer the matter to the President of the Court to consider making an LRO against that party.

6. Where the Registrar refers the matter to the President, and the President or a Nominated Judge considers that there are prima facie grounds for making an order, the party and/or Associate may make written submissions within a timeframe specified in a directions order. Once submissions have been made, the President or a Nominated Judge will make a decision on the papers without an oral hearing.
7. The President or a Nominated Judge may make such an order if:
  - i. The President or a Nominated Judge is satisfied that two or more applications have been made by the party and/or an Associate which the Court has declared to be, “*entirely without merit*”, “*wholly without merit*”, “*devoid of merit*”, or words to the same effect in his opinion; and,
  - ii. It is reasonable in all the circumstances to make such an order.

That decision will be communicated to the party by the Court.

8. The effect of an LRO is that absent permission of the President or a Nominated Judge:
  - i. no fresh claims or applications may be filed; and
  - ii. no applications within extant claims may be filed.
9. A decision of the President or a Nominated Judge making an order shall be final and shall not be subject to appeal.

10. Any person who is the subject of a referral from the Registrar to the President will be notified in writing by the Court of the referral. From the point at which a referral is made to the date of a decision from the President or a Nominated Judge, no claims or applications may be made without the permission of the President or a Nominated Judge under the following section of this Practice Direction.

Filing claims whilst subject to an LRO

11. A party subject to an LRO who wishes to bring any claim or make any application before the QFC Civil and Commercial Court must make an application for permission to do so in writing using the Application Notice form available on the QICDRC website. The Application Notice and its exhibits/annexes must be sent to the Registrar via email.

12. The President or a Nominated Judge may decide to determine the application for permission on the basis of the application without notice to the prospective Defendant/Respondent in the normal way. If the President or a Nominated Judge decides that the claim or application may not be brought, that decision is final, and any claim or application will automatically be struck out without the need for the prospective Defendant to respond.

13. Where a party and/or Associate who is subject to an LRO files a claim or makes an application without first obtaining permission, the claim or application will automatically be struck out by the Registrar.

14. Permission shall not be given unless the President or a Nominated Judge is satisfied that the claim or application is not an abuse of the process of the Court and that there are reasonable grounds for that claim or application. Decisions to refuse permission are final and may not be appealed.

**Lord Thomas of Cwmgiedd**  
**President of the Qatar International Court**

**28 April 2024**