

ELITE PARS

Law Firm

Legal Update Prepared for
Elite Pars Clients

Introduction

Established in 2019, Elite Pars is a boutique law firm with professional lawyers and legal minds as its core team. Lawyers at Elite Pars render legal advice on a wide range of matters in parallel to dealing with various local, regional and international arbitration and litigation cases.

Elite Pars draws strength from its diversity. We recruit from a wide variety of backgrounds, seeking out the best and those with the highest potential and we invest in their development. Our profound knowledge of assorted legal areas, enables us to efficiently guide our clients through the most complex matters they are facing. Furthermore, our practical experience provides us with insights that help us assist our clients in achieving their legal goals.

In case you have any queries regarding this document or would like to inquire as to how we could serve you best, please feel free to contact our partners Dr. Navid Sato and/or Dr. Nima Nasrollahi via n.sato@elitepars.com and/or n.nasrollahi@elitepars.com.

LEGAL UPDATE: DECEMBER 2021

IRANIAN CITIZENS ABROAD TO BE PROVIDED WITH ELECTRONIC LEGAL SERVICES

The Center for Information and Technology of Judiciary is now ready to provide Iranian consulates and embassies with electronic services in order for all Iranian citizens abroad to be able to make use of such services without needing presence in the country, stated the chairman of the center in a session. He expressed that all electronic legal services would be implemented in the "MIKHAK" system of Iran Ministry of Foreign Affairs, so that any legal services inside the country would also be presentable abroad. The possibility of filing lawsuits and pursuing legal proceedings is another accessible service to Iranian citizens abroad, henceforward.

THE ESTABLISHMENT OF COMMERCIAL COURTS

The First Deputy of the Judiciary recently noted that the establishment of commercial courts is a necessity in Iranian legal system. According to Article 482 of the Bill Amending Certain Parts of Iranian Commercial Code which was enacted last year, the Judiciary was obliged to establish sufficient number of branches of the commercial court within three years from the date of entry into force of this Code. Last year, the Judiciary drafted the instructions for the establishment of commercial courts, and a complex for dealing with commercial cases was established.

However, the Bill on Commercial Procedure Code is not enacted yet after couple of years and it seems that the Islamic Consultative Assembly is reluctant to pass a separate law called the Code of Commercial Procedure.

The Deputy Attorney General and Secretary of the Resistance Economy Headquarters are now required to take the required measures for establishment of commercial courts within the next 15 days. It is believed that there is no need for enactment of a new code and commercial courts can take the form of specialized courts which were predicted under Article 29 of the Act on the Continuous Improvement of the Business Environment. Therefore, the establishment of these courts throughout the country should be pursued immediately.

CONCEIVABILITY OF INQUIRING THE AUTHENTICITY OF OFFICIAL TRANSLATION OF DOCUMENTS

Iranian Vice president for legal and parliament affairs stated in an interview that since the beginning of December, Iranians across the world would be able to inquire about the authenticity of official translation of documents through designating domestic IPs to international ones via the SANAM system.

Affirming that as the final destination of all translated documents would be foreign countries, he expressed that printing QR codes on the specific translation letter heads would henceforward be possible via the SANAM system, which makes it viable for all devices to inspect translated documents around the world properly and without any limits. He named one fundamental challenge

that beforehand, in some countries, after noticing the judiciary mark and the Iranian flag on the letterhead of the translated documents, it was assumed that the document was confirmed by the judiciary, while only documents that are signed and sealed by appraisers have such validity. Therefore, printing QR codes on such documents would make it feasible for foreign governments and organizations and also international assemblies to make respective inquiries promptly and accurately.

This recent action is mostly pivotal to organize translations and making surveillances more efficient and consolidated.

A LIMITED SCOPE FOR TERMINATION DUE TO SECONDARY U.S. SANCTIONS, SAYS THE EUROPEAN COURT OF JUSTICE

The European Court of Justice recently held that European corporations are allowed to terminate their contracts with Iranian parties only in case of improper economic losses. The court order followed a lawsuit against Deutsche Telekom brought by Melli Bank of Iran after unilateral exit of one of the subsidiary companies of the Deutsch party from a service contract with the Hamburg branch of Melli Bank. Following Melli Bank lawsuit against Deutsche Telekom, the ECJ, held that the German company argument that the cutoff was due to the secondary US sanctions is unjustified and European companies are only allowed to rely on secondary US sanctions for non-implementation of their contracts if it is clear that they will face serious economic consequences.



Dr. Navid Rahbar Sato
Managing Partner

Dr. Navid Rahbar Sato is a founding partner and the managing director of Elite Pars Law Firm. He is a qualified international and domestic lawyer in the Iranian market with a primary focus on cross border transactions and oil and gas law. With several years of experience, he has extensive comprehension of the national, regional and international commercial legal systems. He also handles litigation and arbitration cases where he sets out the legal strategies and heads the team in the process. He particularly advises clients on energy law, foreign direct investment, incorporation, mergers and acquisitions as well as import and export regulations in the region including sanctions' compliance matters.

Navid holds an SJD from Washington College of Law and is a Vanderbilt LL. M. graduate of NYU School of Law and an International Trade Law LLM graduate of the American University of Washington D.C. He is an assistant professor at Shahid Beheshti University of Tehran.

Navid speaks fluent Farsi and English, as well as basic French and Japanese.
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Dr. Nima Nasrollahi Shahri
Partner

Dr. Nima Nasrollahi Shahri is a founding partner at Elite Pars Law Firm and heads the energy, investment law and arbitration practices of the firm. He is a seasoned lawyer in the field of oil and gas and renewable energies and has advised major international oil companies with respect to their participation in Iranian oil and gas projects. He holds a PhD in International Investment Law and has completed the LL. M. program of University of Dundee in Petroleum Law and Policy. He has a long list of Persian and English publications and is currently the director of oil and gas law LL. M. program at the University of Science and Culture in Tehran where he is now supervising several dissertation theses, mostly related to the same field as well as commercial arbitration. Nima regularly does pro bono educational activities. He speaks Farsi, fluent English and intermediate French and Arabic.

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It has been enriching for us to have had you as our valued client. May you continue to trust our services!



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