



Why not Dubai also be a Major International Arbitration Center?

by
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Rapid expansion and extensive developmental plans have undoubtedly catapulted the UAE to be an international icon. Keeping pace with this unprecedented progress, the Federal authorities have been quick to realize the importance of amending the laws and regulations to cater to the fast changing commercial and civil environs. One arena, which is bound to undergo wide-ranging changes, is the field of commercial arbitration. Needless to say, the current construction boom in the Emirates certainly requires a practical approach towards quicker resolution of disputes and proper interpretation of contracts. **In fact, the recent accession by the UAE to the New York Convention on Recognition and Enforcement of Foreign Arbitral Awards, 1958 is a step in right direction and reflects its desire to promote arbitration as a means of dispute resolution. The accession will now facilitate recognition and enforcement of awards issued in the UAE in 137 member states.** Besides, Dubai has all the ingredients and facilities to become a major international center of commercial arbitration not only for handling commercial disputes arising in the region but also attracting the international community to sit and resolve their disputes under the lex arbitri of the UAE. The importance of juridical law or the law of the seat of the arbitration can hardly be over emphasized since this law governs the whole process of arbitration besides playing a key role in enforcing the arbitral awards not only at the seat but also in other jurisdictions. Therefore, in order for the legal and business community to opt for any of the cities of the Emirates or especially Dubai as the seat of arbitration for resolving commercial disputes, the laws and regulations governing commercial arbitration should be unambiguous, clear and accommodate the internationally well established principles and concepts. It may be worthwhile to note here that with a view to keep the city of London in the vanguard of the preferred venues for international commercial arbitration, the Government of the United Kingdom had revised thoroughly their archaic arbitration laws and promulgated an entirely new Arbitration Act in 1996.

Undoubtedly, the current arbitration law which was promulgated in the year 1992 as a part of the General Civil Procedure Code under Federal Law No: (11) will have to be revised wholly and thoroughly. Without succumbing to the pressures of adopting the UNCITRAL Model Law which has been adopted by about (52) countries in varied forms since its inception, the legal luminaries could comprehensively review the juridical laws applicable to the major international centers of commercial arbitration such as London, Paris, Geneva and Hong Kong.