



Changes to the UAE arbitration landscape

WHAT HAS CHANGED?

Decree No. (34) of 2021 concerning the Dubai International Arbitration Centre (“DIAC”) has been introduced in September 2021 (the “Decree”).

The changes are as follows:

1. DIAC will have its headquarters in Dubai and have a branch in the DIFC;
2. DIAC may open branches and offices inside or outside of Dubai;
3. The Emirates Maritime Arbitration Centre and DIFC’s Arbitration Institute will be abolished as set out in the Decree (the “Abolished Arbitration Centres”);
4. DIAC will substitute for the Abolished Arbitration Centres in all their rights and obligations; and
5. Assets and employees of the Abolished Arbitration Centres shall be transferred to DIAC where provided for under the Decree

WHY HAS IT CHANGED?

The objectives of the Decree are:

- to strengthen the position of Dubai as a reliable global centre for settlement of disputes through the means of alternative dispute resolution.
- to enhance the centre and be the best choice to deal with disputes in an efficient and effective manner; and
- to serve the business community of Dubai through promoting alternative dispute resolution.

WHAT ARE THE IMPLICATIONS?

Our understanding of the impact of the Decree is that:

1. Arbitral Tribunals formed in the Abolished Arbitration Centres and DIAC at the date of entry into force of the Decree will continue to consider and determine all arbitration cases that are before them, unless agreed otherwise; and
2. Agreements entered into at the date of entry into force of the Decree to resort to the Abolished Arbitration Centres shall be deemed valid and effective and DIAC shall replace these centres to determine the disputes arising out of such agreements, unless agreed otherwise by the parties.



HOW CAN WE HELP?

Individuals and/or companies who are involved in arbitration proceedings under the DIFC-LCIA or Emirates Maritime Arbitration Centre, arbitration centre rules or have clauses in their contracts and/or agreements which relate to these institutions may wish to take legal advice on the impact of the Decree.

We have a specialist team of DIFC and Corporate lawyers who can guide you through the complexities of the changes and assist with providing any updates to your agreements.

Please note that as with all our articles the above note is for guidance purposes only and does not constitute legal advice. Separate legal advice should be requested from legal counsel.

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For any enquiry please click [here](#)

