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Legal Update: Evolution of Arbitration Rules in the Middle East – A start to 2024

Arbitration Alert

In a landmark legal development, the United Arab Emirates (UAE) and Egypt are reshaping the contours of international arbitration, positioning themselves at the forefront of sophisticated dispute resolution. This year starts off with transformative changes within the Middle East, starting with the introduction of the Abu Dhabi International Arbitration Centre (arbitrateAD) and the enhanced arbitration rules unveiled by the Cairo Regional Centre for International Commercial Arbitration (CRCICA). These initiatives mark a pivotal moment, propelling the Middle East into a new era of arbitration expertise.

1. arbitrateAD's Inauguration

The emirate of Abu Dhabi has undertaken a strategic legal maneuver, elevating its global arbitration standing through the establishment of arbitrateAD. With governance led by His Excellency Abdulla Mohamed Al Mazrui and international arbitrator Gary Born, arbitrateAD replaces the old Abu Dhabi Commercial Conciliation and Arbitration Centre (ADCCAC). The arbitrateAD rules have yet to be released, but one can expect them to be in line with international standards and foster a more resolution competitive dispute environment in the Middle East.

2. CRCICA's Enhanced Arbitration Rules

Simultaneously, Egypt's CRCICA asserts its prominence by unveiling meticulously crafted enhanced arbitration rules, effective from January 15, 2024. Drawing insights from arbitration practitioners, CRCICA's rules signify a modernization of arbitration procedures. Key facets include provisions addressing the disclosure of third-party funders, streamlined online filing procedures, adept management of arbitration agreement consolidation, and

the nuanced handling of cases involving multiple contracts. Most notably, the new regulations introduce mechanisms for emergency arbitration and expedited arbitration, strategically tailored to meet the exigencies of creditors and investors seeking expeditious dispute resolution.

3. Transition and Implementation

Navigating the legal landscape, existing ADCCAC cases will be unaffected by the arbitrateAD introduction. From February 1, 2024, arbitrateAD will administer all new cases, signaling a paradigm shift in Abu Dhabi's dispute resolution dynamics. In parallel, CRCICA's revamped rules will govern all newly filed cases from January 15, 2024, ushering in a new era of arbitration in Egypt.

4. Conclusion

The strategic initiatives undertaken by the UAE and Egypt to evolve their arbitration frameworks underscore the region's commitment to providing sophisticated, competitive, and efficient dispute resolution mechanisms. The collective impact of arbitrateAD and CRCICA's rule

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changes reflects the evolving business environment in the Middle East. These advancements not only contribute to fostering a climate conducive to efficient resolution dispute but also instill confidence among investors and businesses navigating the intricate international commercial landscape. As the region positions itself as a hub for international trade and investment, the recalibration of arbitration rules signifies a proactive step towards enhancing its prominence on the global stage.

The dedicated International Arbitration team at SCHLÜTER GRAF routinely represents private corporations, MNCs, stated owned enterprises in arbitrations seated in the Middle East region. For any arbitration related query please get in touch with your usual contacts at the firm.

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