

# **International Commercial Arbitration in the Mainland UAE:**

A Legislative, Judicial and Institutional Assessment

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As part of its goal to become a diversified, globally competitive economy, the UAE has been striving to establish itself as a leading international arbitration hub. However, this has proven challenging, as many believe further reforms to the legal framework governing international commercial arbitration are necessary for mainland UAE to become truly arbitration-friendly. However, in recent years, significant progress has been made towards this aspiration.

This book examines elements of the mainland UAE's current arbitration framework that have hindered progress, as well as the reforms and initiatives needed to overcome these challenges.

It is the first comprehensive and holistic study of international commercial arbitration in mainland UAE since the UAE Arbitration Law (Federal Law No. 6/2018) was enacted. It provides in-depth analysis of the current legal framework, which makes it essential reading for arbitration practitioners, legal professionals, and policymakers in the UAE. It is also a valuable resource for students, academics, and anyone interested in arbitration reform. Given the shared challenges and aspirations across the GCC, this book is also relevant for other jurisdictions in the region wishing to enhance their own arbitration frameworks.

Using the three modernisation pillars—the Legislative Pillar, Judicial Pillar, and Institutional Pillar—this book assesses mainland UAE's arbitration-friendliness. It analyses the relevant legislation and judicial orders, the mainland courts' approach to challenging and enforcing both domestic and foreign arbitral awards, and the role of key arbitral institutions. It also considers the required reforms needed for the mainland UAE arbitral system to become world-class and better meet users' expectations.

Many commentators have explored arbitration in the UAE, but this is the first book to comprehensively examine how historical developments have shaped the country's arbitration landscape.

It is also the first book to assess the progress made and the remaining challenges following the enactment of Federal Law No. 6/2018. In addition, it examines the interaction between the mainland and free zone arbitration regimes and provides detailed analysis of UAE court judgments from 2019 to 2022, highlighting the differences in the mainland UAE judiciary's approach to domestic and foreign arbitral awards. These findings have then been compared to the approaches of key international jurisdictions.