

Emirates Maritime Arbitration Centre to be set up in Dubai

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This arbitration centre is being launched pursuant to Dubai Maritime City Authority's Law No. 11 of 2007, which stipulates that an arbitration centre meeting international standards is to be created within Dubai's Maritime City. EMAC will fill the immediate need for a specialized maritime arbitration centre in the Middle East, Asia and Africa.

EMAC's Rules are based on the UNCITRAL Arbitration Rules 2010 but are full of new approaches and new methods which it is hoped will bring a fresh touch and a faster and cheaper arbitration process than offered by the current maritime arbitration centres.

In the speech delivered by H.E. Dr. Abdullah Belhaif Al-Nuaimi, Minister Of Public Works, in the EMAC Workshop held on 16 April 2015, he endorsed and supported EMAC and emphasized the importance of alternative dispute resolution. The UAE government believes in arbitration as one of the venues for settlement of disputes and in particular for shipping disputes. His Excellency also emphasized that the government will have no involvement in the running of the arbitration centre. It is for the parties to agree on arbitration and the arbitration centre will be fully independent. The government will assist in providing support and training to allow the centre to operate fully and independently from the government.

Some of the features of EMAC are:

- The Rules are drafted to allow the arbitration to be set-up and run with minimal involvement by the centre.
- The parties may agree on the seat of arbitration and the venue, however in the absence of an agreement the default seat will be the Dubai International Financial Centre, with the DIFC Courts as the curial courts.
- The Rules provide for multi-party arbitration, joinder, and emergency arbitration.
- The Rules allow for the conduct of arbitration through electronic means if the parties wish.
- The Rules contain provisions for fast-track arbitration and rules for dealing with small claims.

The UAE is currently a major - if not the largest - maritime and shipping hub in the region:

- Within the UAE there are about 12 - 15 commercial ports operating.
- Last year Jebel Ali port alone handled more than 15 million containers. Dubai has been the city of choice for the distribution centers and regional offices of most multinational companies.
- Khorfakkan Port is a major port and a key player in handling container shipments.
- Fujairah is the fourth largest port in handling and providing bunker services and storage for bunkers. Most of the bunker supply for the Gulf and the Indian Ocean is done through Fujairah.
- Abu Dhabi has invested heavily in its major ports which continue to grow rapidly.

EMAC will provide a natural choice for the shipping industry and associated industries to settle their disputes through specialized arbitration transaction. EMAC's structure is designed to provide services to local, regional and international shipping communities. Dubai and the UAE hope that in time EMAC will take its place alongside the established centers for maritime arbitration.