

Blanke on UAE Arbitration Legislation and Rules: A Multi-volume Article-by-Article Commentary, Volume 1 by Dr Gordon Blanke, Second Edition 2021, Sweet & Maxwell

This is an updated edition of the first of Dr Blanke's three volumes on UAE arbitration law. This first volume is by itself an enormous achievement, with nearly 800 pages of text (inclusive of index), and there can be no argument that it will be an essential reference work for any practitioner of UAE arbitration law to possess in his or her library. Originally published in 2017, the First Edition has been well received, and carries the endorsements of two legendary arbitration practitioners, Professor Ahmed El-Koshery and Professor Martin Hunter (both of them now sadly deceased), who have testified to the merits and value of Dr Gordon Blanke's work.

Dr Blanke has no peer as a scholar of UAE arbitration law in the English language, and there is no doubt that he has taken extraordinary lengths to make the Second Edition the best in its class. It is therefore important to understand what this book seeks to achieve. It is a reference work (as opposed to a textbook) which *'imparts concepts and principle as derived from relevant case law precedent and as such does not obviate search by the reader on his or her areas of enquiry or investigation'*. It aims to provide summary commentary on each relevant article of UAE arbitration law, setting out their proper construction by reference to the prevailing case law of the UAE Courts, including in particular the UAE Courts of Cassation. While there is no doctrine of *stare decisis* in UAE law, UAE Courts have generally been consistent in their approach to arbitration in recent years, and Dr Blanke's discussion of the prevailing UAE case law on arbitration will provide valuable guidance on the individual provisions of the former UAE Arbitration Chapter and the more recent UAE Federal Arbitration Law on a case-by-case basis.

It is probably unique in its offerings of primary materials on UAE arbitration law, translated into English from Arabic, with Dr Blanke's valuable commentary in English. It also offers a thirty-one-page bibliography of commentary on UAE

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arbitration law, of which thirteen pages are taken up with a listing of articles and blogs written by Dr Blanke on the subject, which is testament to his scholarship.

Part I of this book is a 120-page introduction which provides a concise and excellent introduction to the Arbitration Law of UAE and deserves to be read in full. This introduction will give both the novice in the field and the more seasoned practitioner a good grounding in the principles of the subject as well as helpful background information to understand the big picture of arbitration in the Emirates. For those who are unfamiliar with the procedural framework of arbitrations seated in the UAE, Part I will surely be useful in acquiring in a relatively short space an informed overview of the UAE arbitration landscape. In doing so, it distinguishes, on the one hand, between free zone arbitrations seated in the Dubai International Financial Centre ('DIFC') under the DIFC Arbitration Law (and, until recently, under the rules of the DIFC – London Court of International Arbitration ('DIFC-LCIA') Rules) or in the Abu Dhabi Global Market ('ADGM') under the ADGM Arbitration Regulations and, on the other hand, arbitrations seated onshore (i.e., in mainland Dubai or Abu Dhabi). A further in-depth analysis of the DIFC Arbitration Law and the ADGM Arbitration Regulations will follow in Volume II of this work, which will be dedicated to the provision of an article-by-article commentary on the UAE free zone arbitration laws.

Part I of Volume I also incorporates references to the various arbitration rules that are in use in the UAE, including the Dubai International Arbitration Centre ('DIAC') Rules, the Abu Dhabi Commercial Conciliation and Arbitration Centre ('ADCCAC') Regulations, and the DIFC-LCIA Rules (prior to the recent major changes that were enacted with immediate effect under Decree No 34/2021 published on 20 September 2021). It is unfortunate that Dr Blanke's work could only state the law of the UAE as of 31 March 2021, which means that he has been unable to describe the full extent of the sea change that happened in the Dubai arbitration landscape with the purported merger of the DIFC-LCIA Arbitration Centre and DIAC. This Second Edition of Volume I was also written before the introduction of the new DIAC Rules earlier this year (21 March 2022), and the effect of all these changes will have to await a full discussion in Volume II, which will also contain an article-by-article commentary on the UAE free zone arbitration laws (as noted above). Volume III will complete Dr Blanke's magisterial work with an article-by-article commentary on the 2022 DIAC Rules and the ADCCAC Regulations. For this alone, we will eagerly await the publication of both volumes.

However, pending Volumes II and III, there is a useful post-scriptum at pages x to xiii of the Preface to this updated edition of Volume I which describes the major changes to the arbitration infrastructure in Dubai that have happened

following the enactment of Decree No 34/2021 up to October 2021 (the date of the post-script). This note succinctly describes the new remit of the DIAC and its transition provisions as well as what Dr Blanke thinks might happen to the relationship between DIAC and LCIA. The reader will therefore at least have a very short summary of those reforms and the observations of the leading scholar on UAE arbitration law as a guide to the current (and possible future) picture of the arbitration space in Dubai. We keenly anticipate Volumes II and III, which should give a fuller picture of the new arbitral regime in Dubai, as well as a detailed description of the regime in the free zone arbitration centres.

Dr Blanke's stellar status as a scholar in the field of UAE Arbitration Law is unchallenged, and for those who need a working guide to the full scope of the various UAE arbitration laws, his work has to be the first port of call on any questions concerning arbitration in the UAE. There is simply no parallel to this book, both in terms of scope of coverage and quality of analysis.

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