

COVID-19 IN THE UAE: Courts and Arbitration Centres

As the 2019 Novel Coronavirus (COVID-19) continues to spread across the world, governments are actively working with global and local health authorities to implement nationwide measures to help curb transmission and mitigate virus-related risks as well as offer relief for businesses and individuals in these challenging times. In response, businesses and government institutions across the UAE are taking necessary action to minimize the impact of the pandemic on their operations, workforce and supply chains, in order to ensure that business - to the extent possible and subject to health and safety regulations - continues as usual.

Set out below is an update on the status of operations at various courts and arbitration centers across the UAE. This update is representative of the current climate as at 24 March 2020.

Onshore Courts

The process for registering new civil claims has not changed. However, in light of the prevailing circumstances, the procedures generally followed to serve a claim on a defendant/respondent have been put on hold - i.e. respondents/defendants will not be notified of the claim or application filed against them until further notice.

Although the position is unclear at present, it appears that hearing dates will not be set for any new civil claims, until further notice. For the time being, all ongoing civil proceedings have been adjourned/postponed to a later date.

Similarly, courts have temporarily suspended the issuance of certificates and personal status documents (e.g. marriage/divorce certificates) until 16 April 2020.

The temporary suspension of court hearings is a precautionary measure against the spread of COVID-19. Hearings into urgent matters, criminal cases and appeals involving inmates and detainees shall continue remotely, as per an order by the Chief of the Dubai Courts. Other federal courts across the UAE are likely to adopt the same approach.

That said, courts are likely to issue further guidance on next steps over the course of the next few weeks. Should you have any queries or should you require any assistance, please do not hesitate to contact one of our UAE Litigation team members below or your usual Baker McKenzie contact.

Offshore Courts

A. Dubai International Financial Centre Courts (DIFC Courts)

As a consequence of the COVID-19 pandemic, the DIFC Courts have confirmed that their employees are currently operating on a work-from-home remote basis. The doors of the DIFC Courts and Registry offices are physically closed until 26 April 2020 (or pending further notice).



All hearings will take place by video conference where possible.

Practitioners are encouraged to use the DIFC Courts e-bundling platform for preparing and lodging hearing bundles.

B. Abu Dhabi Global Markets Courts (ADGM Courts)

The ADGM Court is fully operational, given its digital platform. There is no interruption to its service in the Registry and its judges are available. All filings can be submitted via its e-Courts Platform.

Arbitration Centers:

A. Dubai International Arbitration Centre (DIAC)

DIAC is and will continue to operate as usual albeit electronically. Their business hours will remain unchanged and case managers will continue to carry out their roles remotely.

The Center is setting up a new portal which will allow applicants to file Applications for Arbitration on a new e-portal. This will replace the traditional filing of the application for arbitration in hard copy.

As for hearings, these can either be held by way of video conference or can be delayed. Such decision will be subject to the Sole Arbitrator/ Tribunal.

B. DIFC London Court of International Arbitration (DIFC-LCIA)

The DIFC-LCIA is also operating and will continue to do so as usual. The vast majority of staff have been working remotely for the last 10 days and had been able to do so without facing any issues. However, there are still a limited number of employees still working from the DIFC-LCIA offices.

Parties are encouraged to make any filings and payments electronically, as they usually would have in normal circumstances. Attending the DIFC-LCIA's offices to make payments in person (e.g. drop off cheques) is not necessary. During this time, visitors are only permitted to attend the DIFC-LCIA's offices if they have an appointment.

With regards to hearings, whether they are conducted electronically or postponed are subject to the Tribunal and parties' agreement. The DIFC-LCIA has no objections to hearings being held electronically. In fact, hearings for a number of DIFC-LCIA proceedings are being held electronically.

C. ICC International Centre for ADR (ICC)

All offices of the Secretariat of the ICC Court and the ICC ADR Centre are operational albeit with staff working remotely. Requests for Arbitration, applications for the appointment of emergency arbitrators, etc. are to be filed electronically only.

However, hearings and other meetings scheduled to take place at the ICC Hearing Centre in Paris until 13 April 2020 have been either postponed or cancelled. Meetings scheduled to take place at the ICC's offices worldwide are being conducted virtually.



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