

# Baker McKenzie Habib Al Mulla.

## **Baker McKenzie.Habib Al Mulla**

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## Dr Habib Al Mulla

Chairman

### **Practice Areas**

Arbitration, Construction, Corporate Structuring & Restructuring, Commercial, Litigation, Infrastructure, Regulatory, Mergers & Employment Law

### **Practice Description**

Dr Habib is one of the UAE's most highly respected legal authorities. He has over 35 years' experience in UAE law and has drafted many of the modern legislative structures in place in Dubai today. Dr Habib is a strong advocate for the improvement and modernisation of UAE Laws. He is a frequent commentator on the legislation and economy of the UAE and is often consulted to draft and advise on Federal and Emirate level laws.

Dr Habib focuses his practice on litigation and arbitration. He is Chairman of the CIArb (Chartered Institute of Arbitrators) UAE Committee and most recently served as Chairman of the board of trustees for the Dubai International Arbitration Centre (DIAC).

He created the concept of financial free zones in the UAE and was the architect of the legal framework establishing the Dubai International Financial Centre (DIFC), the first financial free zone in the UAE. Dr Habib also served as Chairman of the Legislative Committee of the Dubai Financial Services Authority (DFSA).

Dr Habib has held numerous prominent government positions over the years, including being a member of the UAE Federal National Council, the federal parliament of the UAE, member of the Legislative Committee, in charge of reviewing federal legislation, member of the Economic Committee, in charge of reviewing fiscal and economic policy of the federation, Director of the Institute of Advanced Legal and Judicial Studies, in charge of training judges and prosecutors in the Emirate of Dubai and Chairman of the UAE Jurists Association.

He has published many books and articles on the UAE law and economy, including a two part book on his life's work titled *Life's Harvest*, a definitive selection of his writings on the laws, politics and economy of the UAE over the last 26 years. He is also a regular commentator in the media and a prominent speaker at many events and conferences within the UAE and internationally.

Dr Habib holds an LLB in Shari'a and law from the UAE University, a Master of Law from Harvard Law School and a Ph.D. from the University of Cambridge. He is fluent in Arabic and English.

### **Representative Matters**

Dr Habib has been lead counsel on numerous UAE and international arbitrations across a variety of sectors including construction, finance, commerce and maritime, as both counselor or expert witness. He is experienced in many arbitration rules including the Dubai International Arbitration Centre

(DIAC), the Abu Dhabi Conciliation and Commercial Arbitration Centre (ADCCAC), the International Chamber of Commerce Arbitration Centre, the LCIA and the ICSID. Dr Habib is regularly appointed as a party nominated expert and court expert in domestic and international arbitration proceedings for his expert opinion on matters relating to UAE law. Some examples of Dr Habib's arbitration cases are listed below:

- UAE Legal Expert in an ICC arbitration involving the satellite industry
- UAE Legal Expert in an ICC arbitration in relation to damages for breach of contract
- UAE Legal Expert in a DIFC arbitration in relation to bankruptcy and damages
- UAE Legal Expert in a major Hong Kong court case
- UAE Legal Expert in a case before the Queen's Court in the United Kingdom involving banking and real estate transactions
- UAE Legal Expert in an ICC arbitration in relation to a contract for the supply of technology
- Sole Arbitrator in Qatar based ICC arbitration involving a major construction project in Qatar between two Middle Eastern companies
- Co-Arbitrator in a Qatar based ICC arbitration involving a major construction project between an Indian and a UAE company
- Party-appointed arbitrator in two London based ICC arbitrations involving disputes over contracts for the supply of iron ore between Indian and UAE based companies
- Co-Counseling the Government of Dubai along with an international law firm in a Port Concession Agreement under ICSID proceedings
- Co-Counseling the Government of Dubai along with an international law firm in a Port Concession Agreement under DIAC proceedings
- Co-Arbitrator in a DCCI arbitration involving a dispute over a supply contract between an Indian company and a UAE company
- Sole Arbitrator in an ad-hoc arbitration involving a major construction project
- Sole Arbitrator in a DCCI arbitration involving a dispute over a construction contract between two UAE companies
- Sole Arbitrator in a DCCI arbitration involving a dispute relating to an insurance claim between a UAE and an international company
- Sole Arbitrator in a ADCCAC arbitration involving a distribution agreement
- Sole Arbitrator in a DCCI arbitration involving a dispute over a sale and purchase agreement for property
- Counsel to the Respondent in a DIAC arbitration concerning a dispute relating to a major Dubai based development project worth AED500 million
- Counsel to the Respondent in an ADCCAC arbitration relating to a dispute over payment obligations arising from a completed IPO valued at AED500 million
- Counsel to the Claimant in a series of ad-hoc arbitration proceedings concerning an AED100 million dispute in relation to non-payment for subcontracted work on a major Dubai construction project
- Counsel to the Claimant in a DIAC arbitration concerning an AED4 billion partnership dispute
- Counsel to the Claimant in a DIAC arbitration relating to a re-investment dispute
- Counsel to the Claimant in an ICC arbitration involving a Fortune 100 technology company concerning a commercial dispute worth AED50 million arising out of the execution of works for Dubai International Airport
- Counsel to the Claimant in an ad-hoc arbitration involving a major construction project in Dubai
- Counsel for a UAE public joint stock company in an ADCCAC arbitration against its IPO lead arranger
- Counsel for a global energy drink manufacturer in a DIAC arbitration against its regional distributor
- Counsel to the Claimant in a multimillion DIAC arbitration between a contractor and an employer in relation to the development of a major school project in Dubai.

- Chairman in an Adhoc arbitration involving a major construction project in Oman
- Counsel to the Claimant on a multimillion AED construction dispute (DIAC Rules), between a Fortune 100 contractor and an employer, concerning work in an eminent project in Dubai.
- Counsel to the Respondent in a multibillion AED construction dispute (DIAC Rules) between a contractor and a semi-governmental entity responsible for the development of a land in Dubai.
- Counsel to the Respondent in a multimillion AED construction dispute (ICC Rules) between a contractor and a sub-contractor, over the execution of construction works in a renowned oil field project in Abu Dhabi.
- Counsel to the Respondent in a multimillion AED construction dispute (Ad hoc) between an employer and a contractor over the execution of works in one of the hotels in Dubai.
- Co-arbitrator in a multimillion DIAC arbitration arising from a dispute over an agreement for the construction of 2 towers in Dubai.
- Co-arbitrator in a multimillion ICC arbitration in relation to the construction of a tourist project in Qatar.
- Co-arbitrator in a multimillion ICC arbitration in relation to the design construction and maintenance of a prominent stadium in Qatar.
- Co-arbitrator in a multimillion PCA arbitration in relation to a dispute arising from the management of a sugar project in Mauritania.
- Co-arbitrator in a multimillion UNCITRAL arbitration in relation to the generation of electricity in a power plant in Jordan.
- Chairman in a multimillion CRCICA arbitration in relation to the construction of one of the major hospitals in Egypt.
- Chairman in a multimillion construction dispute conducted under the auspices of the Permanent Court of Arbitration in Abu Dhabi.
- Counsel in a multi-million dirham arbitration dispute related to a shareholders' deadlock and the suspension of the works carried out by the EPC Contractor in charge of the design, engineering and construction of a water desalination plant in the UAE.

## **Admission**

UAE

## **Professional Associations and Memberships**

Chairman of the Board of Trustees of Dubai International Arbitration Centre (DIAC)

Member of the ICC Institute

Member of the UAE ICC National Committee

Member of Panel of Experts of the Broadcasting and Publications Standards Tribunal of the Technology, Electronic Commerce and Media Free Zone Authority (TECOM) in Dubai

Fellow Member of Chartered Institute of Arbitrators

Director of the Supervisory Board of Rasmala (Regional Investment Banking Group)

Chairman of the Dubai Financial Service Authority 2003-2006

Vice President of the Board of Governors of American University in Dubai

Member of Board of Trustees of Dubai School of Government

Member of the Federal National Council 2000-2002

Member of the ICC Commission on Arbitration and ADR from ICC United Arab Emirates

## **Education**

LLB in Shari'a and Law from the UAE University

Master of Law from Harvard Law School

Ph.D. from the University of Cambridge

## **Languages**

English

Arabic