

Foreword

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Welcome to Law Update.

The litigation landscape continues to evolve across the Middle East and North Africa (MENA) and there is an increasing focus to improve the legal framework which, in turn, should create a more attractive environment for foreign direct investment and ultimately boost investor confidence. Specifically, there are developments taking place for the region's courts, such as Saudi Arabia announcing its intention to develop a common law court. This reinforces that international commercial courts are becoming more embedded into the legal system across the region and follow a global trend. The Dubai International Financial Centre (DIFC) has also affirmed its position as one of the region's pre-eminent common law jurisdictions. Adding to its impressive list of prominent international expertise, the DIFC Courts have achieved a new milestone by appointing the next generation of Emirati judges with trans-systemic capabilities across civil and common law. These advancements highlight that the region is not standing still and that international businesses, now more than ever, have a choice outside of the traditional hubs for commercial litigation.

Through our close collaboration with courts across the region, Al Tamimi & Company continues to keep track and remain at the forefront of new developments. Accordingly, in this month's edition, we are focusing on international commercial courts and, through several pertinent articles, our lawyers provide you with commentary and insights into the rise of international courts in the region. For example, our experts shine a spotlight on key developments and practices, including the modernisation of the courts of Bahrain (especially against the backdrop of the COVID-19 pandemic).

We also reflect on five years of the Abu Dhabi Global Market (ADGM) and its place and role as a common law jurisdiction. We explore the world of artificial intelligence, is it reality or hype, and discuss if machines can perform the jobs of lawyers. We also shed light on a recent DIFC Court of Appeal decision on building trusts and succession, and there is a guide to recognising and enforcing foreign judgments in the UAE.

Moving on from international commercial courts, we explore some of the [amendments to the ADGM Founding Law](#) which reflect the aim of matching international best practice and the [arbitrability of trademark disputes](#). In the Hotels & Real Estate sphere, [Dubai considers the need for regulation in the Property Timeshare space](#) as well as [the availability of residency visas via investment in real estate](#). In addition, you will find articles on [the impact of the Iraqi Companies Law on the formation and administrative frameworks of corporates](#), as well as [the importance of the quality of drafting contractual agreements in Kuwait](#) given the weight that is attached thereto. You can also read about [the special strategic partnership the region shares with Korea](#) which, last year, marked its 40th anniversary. There we pause to examine how both regions are seeking common ground upon which to establish mutually commercially beneficial agreements.

This edition also touches on recent notable judgments addressing [which court is competent to enforce a foreign arbitral award](#); and [the amendments to the UAE Bankruptcy Law regarding relief from its application during an Emergency Financial Crisis](#). While in Kuwait, [the right to appoint several distributors was considered 'not absolute'](#).

I hope that you enjoy this issue, which as usual is packed with interesting content from across the region.

Should you have any comments or questions, please do not hesitate to reach out.