

INTERNATIONAL CENTRE FOR SETTLEMENT
OF INVESTMENT DISPUTES
WASHINGTON, D.C.

IN THE PROCEEDING BETWEEN

HUSSEIN NUAMAN SOUFRAKI,
Claimant

and

THE UNITED ARAB EMIRATES
Respondent

ICSID Case No. ARB/02/7

**RECTIFICATION OF THE DECISION OF THE *AD HOC* COMMITTEE ON
THE APPLICATION FOR ANNULMENT OF MR. SOUFRAKI**

Members of the Committee

Judge Florentino P. Feliciano, President
Mr. Omar Nabulsi
Professor Brigitte Stern

Secretary of the Committee

Mr. Gonzalo Flores

Representing the Claimant

Mr. William D. Rogers and
Ms. Jean E. Kalicki
Arnold & Porter LLP
555 Twelfth St., N.W.
Washington, D.C., 20004
and
Professor Christopher Greenwood
Essex Court Chambers
24 Lincoln's Inn Fields
London WC2A 3EG, UK

Representing the Respondent

Mr. Stephen Jagusch and
Mr. Anthony Sinclair
Allen & Overy LLP
One Bishops Square
London E1 6AO, UK
and
Mr. Simon Roderick
Allen & Overy LLP
PO Box 3251
1603 API World Tower
Sheikh Zayed Tower
Dubai, United Arab Emirates
and
Professor James R. Crawford
Lauterpacht Research Centre for
International Law
5 Cranmer Rd.
Cambridge CB3-9BL, UK

Date of dispatch to the Parties: 13 August 2007

THE *AD HOC* COMMITTEE

Composed as above,

After deliberation,

Makes the following decision:

1. On 18 June 2002, arbitration proceedings were instituted under the Convention on the Settlement of Investment Disputes between States and Nationals of other States in respect to a dispute between Mr. Hussein Nuaman Soufraki and the United Arab Emirates (UAE). The Arbitral Tribunal, constituted on 23 October 2002, rendered its Award on 7 July 2004. On 12 November 2004, the Secretary-General of ICSID registered a Request for Annulment of the Award submitted by Mr. Soufraki. On 18 January 2005 the *ad hoc* Committee was constituted. On 5 June 2007, the *ad hoc* Committee rendered its Decision.
2. On 19 June 2007, in accordance with Article 49 of the ICSID Convention and Rule 49 of the ICSID Arbitration Rules, the United Arab Emirates (UAE) filed with the Centre a Request for Rectification of the Decision of the *ad hoc* Committee on Annulment (the "Request") dated 15 June 2007.
3. In its Request the UAE alleged that, due to an error, Mr. Anthony Sinclair of Allen and Overy LLP, who had acted as counsel for the Respondent throughout the annulment proceedings, was not listed in the title page of the Decision on Annulment.
4. On July 3, 2007 the Secretary-General registered the Request, pursuant to ICSID Arbitration Rules 49(2)(a). On the same date, the Secretary-General, in accordance with ICSID Arbitration Rule 49(2)(b), notified the parties of the registration of the Request and, in accordance with ICSID Arbitration Rule 49(2)(c) and (d), transmitted copies of the Request to Mr. Soufraki.
5. By letter dated 18 June 2007, Claimant indicated that it had no objection to the rectification requested by the Respondent.
6. The *ad hoc* Committee has taken note of the UAE's Request for Rectification and of the Claimant's lack of objections thereof. In accordance with ICSID Arbitration Rule 49(3),

the members of the *ad hoc* Committee have agreed that it would not be necessary for them to meet in order to consider the Request.

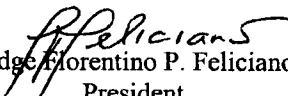
7. The *ad hoc* Committee has taken into consideration Article 49(2) of the ICSID Convention, in accordance with which the Request is made, which reads, in pertinent part:

The Tribunal upon the request of a party made within 45 days after the date on which the award was rendered may after notice to the other party decide any question which it had omitted to decide in the award, and shall rectify any clerical, arithmetical or similar error in the award. Its decision shall become part of the award and shall be notified to the parties in the same manner as the award. (...)

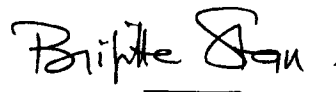
8. Having considered the UAE's Request and the Claimant's lack of objections, the *ad hoc* Committee unanimously decides to grant the Request for Rectification, thereby replacing the title page of the Decision on Annulment of 5 June 2007 with the enclosed revised title page.

9. For the purpose of ICSID Arbitration Rule 49(4), the present decision refers to the terms of the Decision on Annulment dated 5 June 2007, relating to the matters indicated in Arbitration Rule 47(1)(a-g). In accordance with Article 49(2) of the ICSID Convention, the present decision constitutes an integral part of the Decision on Annulment.

So Decided


Judge Florentino P. Feliciano
President
19 July 2007


Mr. Omar Nabulsi
Member


Professor Brigitte Stern
Member

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Mrs. Martina Polasek

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Date of dispatch to the Parties: June 5, 2007