

ARBITRATION NO. [INSERT CASE NUMBER AS PROVIDED BY THE DIAC CENTRE]

IN THE MATTER OF AN ARBITRATION UNDER ARBITRATION RULES OF THE DUBAI
INTERNATIONAL ARBITRATION CENTRE

BETWEEN:

[NAME OF CLAIMANT]

(CLAIMANT)

-AND-

[NAME OF RESPONDENT]

(RESPONDENT)

ANSWER TO THE REQUEST FOR ARBITRATION

**[NOTE: OR ANSWER TO THE REQUEST FOR
ARBITRATION AND COUNTERCLAIMS, IF
APPLICABLE]**

[Respondent's representative's law firm]

[Respondent's representative's law firm]

[Respondent's representative's address]

[Respondent's representative's telephone number]

[Respondent's representative's facsimile number]

Representative for Respondent

[Date of the Answer]

[NOTE: Respondent's Answer must be sent to the Centre within 30 days of receipt of the Request for Arbitration, pursuant to Article 5.1 of the DIAC Rules. According to Article 5.7 the Administrator may grant the Respondent an extension of time of up to 14 days for filing the Answer and any counterclaim]

[NOTE: in the event that Claimant has filed a Statement of Claim with the Request for Arbitration, pursuant to Article 4.2(a) of the DIAC Rules, Respondent may file its Statement of Defence referred to in Article 24, pursuant to 5.2 of the DIAC Rules]

[NOTE: The Answer (including all accompanying documents) shall be submitted to the Centre in three copies, or five copies in the case of a three-member tribunal, according to Article 5.3 of the DIAC Rules]

I. INTRODUCTION

1. This Answer to Claimant’s Request for Arbitration (hereinafter the “**Answer**”), [OPTIONAL: together with its Exhibits numbered R-1 to R-[*], is submitted on behalf of [Name of Respondent] (hereinafter “**Respondent**”) pursuant to Article 5 of the Arbitration Rules of the Dubai International Arbitration Centre in force as from 7 May 2007 (the “**DIAC Rules**”).
2. In this Answer, unless otherwise stated, Respondent adopts the abbreviations used in Claimant’s Request for Arbitration.
3. Unless otherwise stated, capitalised terms shall have the meanings given to them in the Request.
4. Unless expressly admitted, each paragraph of the Request and all of the claims of the Request are denied by Respondent.
5. Pursuant to Article 5 of DIAC Rules, this Answer contains information concerning the following:
 - i. The name, description and address of each of the Parties (**II**);
 - ii. Respondent’s comments as to the Arbitral Tribunal’s jurisdiction (**III**);
 - iii. Respondent’s position as regards the nature and circumstances of the dispute (**IV**);
 - iv. Respondent’s comments concerning the composition of the Arbitral Tribunal (**V**);
 - v. Respondent’s comments as to the place of arbitration, the applicable rules of law and the language of the arbitration (**VI**);
 - vi. Respondent's counterclaim(s) [if applicable] (**VII**);
 - vii. Respondent’s position regarding the relief sought by Claimant and relief sought by Respondent (**VIII**); and
 - viii. Respondent’s payment of the Registration Fees (**IX**)

II. THE PARTIES

A. Respondent [NOTE: Article 5.1(a) DIAC Rules]

6. Respondent is [Name of Respondent], a company registered under the laws of [Name of country or jurisdiction], with its registered office located at [Complete address]. [Insert brief description of Respondent's business activity, industry sector, size of business, number of employees, market position, revenue, etc., as relevant.]

7. Respondent's address is:

[Respondent's name]
[Respondent's address]
[Attention: name of Respondent's director]
[Respondent's telephone number]
[Respondent's facsimile number]
[Respondent's e-mail]

8. Respondent's Representative, to whom all correspondence should be sent in this arbitration, are:

[Respondent's representative's law firm]
[Name of the partner in charge of representing Respondent]
[Names of other lawyers]
[Respondent's representative's address]
[Respondent's representative's telephone number]
[Respondent's representative's facsimile number]
[Respondent's representative's e-mail]

B. Claimant

9. Claimant is [Name of Claimant], a company registered under the laws of [Name of country or jurisdiction], with its registered office located at [Complete address]. [Insert brief description of Claimant's business activity, industry sector, size of business, number of employees, market position, revenue, etc., as relevant.]

III. RESPONDENT'S COMMENTS AS TO THE ARBITRAL TRIBUNAL'S JURISDICTION [NOTE: ARTICLE 5.1(D) DIAC RULES]

10. [NOTE: if jurisdiction is contested] [Arguments] As a result, the Arbitral Tribunal lacks jurisdiction to hear any dispute between Claimant and [name of Respondent] or any complaints which Claimant purports to have in relation to [name of Respondent].

IV. THE NATURE AND CIRCUMSTANCES OF THE DISPUTE [NOTE: ARTICLE 5.1(B) DIAC RULES]

(a) Factual Background

11. [Explain factual background of the dispute from Respondent's perspective].

(b) The Parties' Respective Legal Obligations

12. [Cite and explain relevant contractual or legal provisions]

V. RESPONDENT'S COMMENTS CONCERNING THE COMPOSITION OF THE ARBITRAL TRIBUNAL [NOTE: ARTICLE 5.1(E) DIAC RULES]

13. In its Request for Arbitration, Claimant nominated [name of arbitrator] as [Co-Arbitrator / Sole Arbitrator], whose contact information is [insert contact information of arbitrator].

14. [NOTE: if Respondent contests the Arbitrator nominated by Claimant] Respondent contests the nomination of [name of arbitrator] on the grounds that [arguments].

15. [NOTE: ability of Respondent to appoint arbitrator depends on terms of arbitration agreement] Respondent nominates [name of arbitrator] to serve as [Co-Arbitrator / Sole Arbitrator], whose details are the following:

[Arbitrator's name]
[Arbitrator's address]
[Arbitrator's telephone number]
[Arbitrator's facsimile number]
[Arbitrator's e-mail]

VI. RESPONDENT'S COMMENTS AS TO THE PLACE OF ARBITRATION, THE APPLICABLE RULES OF LAW AND THE LANGUAGE OF THE ARBITRATION [NOTE: ARTICLE 5.1(F) DIAC RULES]

(a) The Place of Arbitration

16. [Insert Respondent's comments as to the place of arbitration] [Respondent may confirm the statement made by Claimant in the Request. In case of non-confirmation, Respondent should state its choice and reasons.]

(b) The Applicable Rules of Law

17. [Insert Respondent's comments as to the governing law] [Respondent may confirm the statement made by Claimant in the Request. In case of non-confirmation, Respondent should state its choice and reasons.]

(c) The Language of Arbitration

18. [Insert Respondent's comments as to the language of the arbitration] [Respondent may confirm the statement made by Claimant in the Request. In case of non-confirmation, Respondent should state its choice and reasons.]

VII. RESPONDENT'S COUNTERCLAIMS [IF APPLICABLE, ARTICLE 5.4 DIAC RULES]

(a) Factual Background to Counterclaims

19. [Explain Claimant's conduct which gives rise to the counterclaims.]

(b) Claimant's Violations of Its Legal Obligations

20. [Explain basis of Claimant's liability]

(c) Respondent Has Suffered Losses of [amount] for Which Claimant Is Liable

21. [Provide preliminary estimate of Respondent's losses]

VIII. RESPONDENT'S POSITION REGARDING THE RELIEF SOUGHT BY THE CLAIMANT [NOTE: ARTICLE 5.1(C) DIAC RULES] AND RELIEF SOUGHT BY RESPONDENT [NOTE: ARTICLES 5.4(B) DIAC RULES]

22. Respondent rejects Claimant's claims as set out in its Request and rejects the relief sought in its Request.

23. Respondent respectfully Requests the Arbitral Tribunal to:

- i. [NOTE: in the event that Respondent contests jurisdiction] dismiss all Claimant's claims on the ground of an Arbitral Tribunal's lack of jurisdiction with respect to a dispute between Claimant and [Respondent's name].
- ii. Dismiss Claimant's claim in their entirety;

- iii. [NOTE: if there are counterclaims] declare that Claimant has violated its obligations under [contract / other basis for liability];
 - iv. [NOTE: if there are counterclaims] order Claimant to compensate Respondent for the damages and losses suffered as a result of Claimant's conduct, currently estimated to be in the amount of [insert estimation of damages suffered by Respondent];
 - v. order Claimant to pay all arbitration costs, including Respondent's Representative's costs and expenses; and
 - vi. order payment by Claimant of interest at a rate of [insert the interest rate that is arguably applicable] on all of the above amounts as of the date these amounts were due, until the date of their effective payment.
 - vii. order any further and/or additional relief as the Tribunal may deem appropriate.
24. Respondent reserves its right to further develop its arguments and the amount of relief it is seeking.

IX. RESPONDENT'S REGISTRATION FEE [NOTE: ARTICLES 5.5 DIAC RULES]

25. [Optional: If Respondent files counterclaims] Pursuant to Article 1 of Appendix - Cost of Arbitration and Article 5.5 of the DIAC Rules, Respondent is sending an advance payment of Dhs 5,000 with the current Answer to the Request for Arbitration. Respondent acknowledges that this payment is non-refundable and shall be credited to its portion of the advance on costs.

Respectfully submitted,

[Signature of Respondent's representative]

[Name of lawyer representing Respondent]
Representative for Respondent
[Respondent's representative's address]

[Respondent's representative's telephone number]

[Respondent's representative's facsimile number]

[Respondent's representative's e-mail]

[Date of the Answer]

[*OPTIONAL*] Exhibits submitted with the Answer to the Request for Arbitration [and Counterclaim(s)]

	Exhibit	Exhibit number
1.	[•]	R-1