

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

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

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*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

[Signed]

Judge Florentino P. Feliciano  
President

[Signed]

Mr. Omar Nabulsi  
Member

[Signed]

Professor Brigitte Stern  
Member