

ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



REPORT ON THE AALCO'S REGIONAL ARBITRATION CENTRES

**Prepared by:
The AALCO Secretariat
29-C, Rizal Marg,
Chanakyapuri Diplomatic Enclave
New Delhi- 110021
(INDIA)**

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REPORT ON THE AALCO'S REGIONAL ARBITRATION CENTRES

I. INTRODUCTION

A. Background

1. The Asian-African Legal Consultative Organization (AALCO), during its Thirteenth Annual Session held in Lagos (Nigeria) in 1973, proposed that apart from follow-up of the work of the United Nations Commission on International Trade Law (UNCITRAL) in the field of International Commercial Arbitration, the Organization should also conduct an independent study on some of the more important practical problems relating to the subject from the point of view of the Asian-African region. Accordingly, the Secretariat prepared an outline of the study, which received favorable response from the Member States. The Secretariat thereafter prepared a detailed and comprehensive study and the Trade Law Sub-Committee considered this study during the Fifteenth Annual Session held in Tokyo (Japan) in 1974.

2. At the Tokyo Session, AALCO endorsed the recommendations of its Trade Law Sub-Committee, that efforts should be made by Member States to develop institutional arbitration in the Asian and African regions. Thereafter, the Secretariat, following the mandate of the Tokyo Session, prepared a revised study on the same topic so as to enable the Trade Law Sub-Committee during the Kuala Lumpur Session, to formulate principles or model rules for consideration. At the Kuala Lumpur Session (Malaysia) held in 1976, the Trade Law Sub-Committee requested the Secretariat to undertake a feasibility study for establishing Regional Arbitration Centres in the Asian-African region, to be placed before the Eighteenth Annual Session of AALCO.¹

3. At the Eighteenth Annual Session, held in Baghdad (Iraq) in 1977, discussions were focused on the Secretariat study titled 'Integrated Scheme for Settlement of Disputes in the Economic and Commercial Matters', which envisaged *inter alia*, the establishment of a network of Regional Centres for Arbitration functioning under the auspices of the AALCO in different parts of Asia and Africa so that the flow of arbitration cases to arbitral institutions outside the

¹ The Secretariat study elaborated the two basic objectives of the AALCO's integrated dispute settlement scheme. In the first place, to establish a system under which disputes and differences arising out of transactions in which both the parties belong to the Asian-African and Pacific regions could be settled under fair, inexpensive and adequate procedures. Secondly, to encourage parties to have their arbitrations within the region where the investment made or the place of performance under an international transaction was a country within this region. The conclusions made in the study were in favour of establishment of six sub-regions, namely East Asia, South-East Asia, West Asia, North Africa, East Africa and West Africa. It was, however, pointed out that scheme could initially work with two Centres and other Centres could be established in the light of experience and volume of work.

Asian-African region could be minimized. The Integrated Scheme also represented an effort on the part of the developing countries for the first time to evolve a fair, inexpensive and speedy procedure for settlement of disputes.

4. At the Nineteenth Annual Session, held in Doha (Qatar) in 1978, AALCO endorsed the Trade Law Sub-Committee's recommendations on the establishment of two Arbitration Centres for the Asian and African regions in Kuala Lumpur (Malaysia) and Cairo (Arab Republic of Egypt) respectively. It was envisaged that the two Arbitration Centres would function as international institutions under the auspices of AALCO with the following objectives:

- a. Promoting international commercial arbitration in the Asian and African regions;
- b. Coordinating and assisting the activities of existing arbitral institutions, particularly among those within the two regions;
- c. Rendering assistance in the conduct of Ad Hoc arbitrations, particularly those held under the UNCITRAL Arbitration Rules;
- d. Assisting the enforcement of arbitral awards; and
- e. Providing for arbitration under the auspices of the Centre where appropriate.

5. In pursuance to the above decision, an Agreement was concluded in April 1978, between the AALCO and the Government of Malaysia in respect of the establishment of a Regional Centre for Arbitration in Kuala Lumpur. A similar Agreement was concluded in January 1979 with the Government of the Arab Republic of Egypt with respect to the establishment of a Regional Centre for Arbitration in Cairo. The Agreements recognized the status of the Centres as intergovernmental organizations and conferred certain immunities and privileges for their independent functioning.

6. The Host Governments also offered suitable premises, financial grants and necessary staff to run the Centres. The Centres adopted UNCITRAL Arbitration Rules with suitable modifications and offered their services to any party whether within or outside the region for the administered arbitration and facilities for arbitration whether *ad hoc* or under the auspices of any other institution.

7. The success of these two Regional Arbitration Centres prompted the Organization to establish two more Centres, one in Lagos (Nigeria), which was formally inaugurated in 1989. And the other Centre was established in Tehran (Islamic Republic of Iran), for which an Agreement was concluded between AALCO and the Government of Islamic Republic of Iran in

1997 and subsequently the President of the Islamic Republic of Iran ratified the Agreement for implementation on 10 June 2003. A Memorandum of Understanding (MoU) between AALCO and the Government of Republic of Kenya was signed on 3 April 2006 during the Forty-Fifth Annual Session of AALCO held in the Headquarters in New Delhi to establish a fifth Centre in Nairobi. The Agreement establishing the Nairobi Regional Centre for Arbitration was signed by the then Secretary-General of AALCO and the Attorney-General of the Republic of Kenya during the Forty-Sixth Annual Session of AALCO held at Cape Town, Republic of South Africa from 2 to 6 July 2007.

(i) Kuala Lumpur Regional Centre for Arbitration (KLRCA), Malaysia

8. AALCO's first Regional Centre for Arbitration was established in Kuala Lumpur, Malaysia in March 1978. This was considered as an important landmark in the movement for promoting Asian-African solidarity in international legal matters and economic relations. The Centre was established for an initial period of three years by a formal exchange of letters between the Malaysian Government and the then AALCC. The Centre was formally inaugurated by the then Rt. Hon' ble Tun Hussein Onn, Prime Minister of Malaysia on 17 October 1978.

9. Subsequently, an agreement was signed between the Government of Malaysia and the then AALCC relating to the Regional Centre for Arbitration in Kuala Lumpur on 29 July 1981.² Thereafter, the Headquarters Agreement for Kuala Lumpur Centre for International Commercial Arbitration was signed on 10 August 1989.³

10. In order to formalize the continued functioning of the KLRCA, with effect from 1 January 1992, an Agreement between AALCO and the Government of Malaysia relating to the Regional Centre for Arbitration in Kuala Lumpur was signed on 14 February 2004.⁴

11. The Centre offers facilities and assistance for the conduct of arbitral proceedings, including the enforcement of awards made in the proceedings held under the auspices of the Centre. The Rules for arbitration under the auspices of the Centre are the UNCITRAL Arbitration Rules of 1976 with certain modifications and adaptations. Other main functions of the Centre are

²This agreement was signed by the then Minister of Commerce and Industry H.E. Tengku Ahmad Rithauddeen on behalf of Malaysia and for AALCC the then Secretary-General Mr. B. Sen.

³ It was signed by the then Attorney-General of Malaysia H.E. Tan Sri Abu Talib Bin Othman and Mr. F. X. Njenga, the then Secretary-General, AALCC.

⁴This agreement was by signed by H. E. Datuk Seri Utama Dr. RaisYatim, Minister at the Prime Minister's Department andAmb. Dr. Wafik Zaher Kamil, the then Secretary-General of AALCO.

to promote international commercial arbitration in the Asia-Pacific region and to render advice and assistance to parties who may approach the Centre.

12. Apart from these services, the Centre also provides other options for the settlement of disputes such as mediation/conciliation under the Conciliation Rules of the Centre. The Centre, realizing the growing importance of intellectual property in the arena of Information and Communications Technology, also administers international and domestic “.my domain” name dispute resolution service, provided by the Malaysian Network Information Centre (MYNIC), which administers the “.my domain”. All domain name disputes are governed and administered in accordance with MYNIC's Domain Name Dispute Resolution Policy (MYDRP), Rules of the MYDRP and RCAKL Supplemental Rules.

(ii) Cairo Regional Centre for International Commercial Arbitration (CRCICA), Arab Republic of Egypt

13. The first Regional Arbitration Centre in African region, the Cairo Regional Centre for International Commercial Arbitration (“CRICA”) was established in January 1979. The Centre was established for an initial period of three years by a formal exchange of letters between the Government of the Arab Republic of Egypt and AALCO. In 1983, another agreement was concluded between AALCO and the Government of the Arab Republic of Egypt for granting a permanent status to the Cairo Centre.

14. The Cairo Centre offers specialized services to settle trade and investment disputes, through arbitration. It also includes Alternative Dispute Resolution (ADR) techniques such as conciliation, mediation and technical expertise. Apart from this, the Centre also offers advice to parties to international commercial and investment contracts regarding drafting these contracts, promote arbitration and other ADR techniques in the Afro-Asian region through the organization of international conferences, seminars, and training programmes for international arbitrators and legal scholars from the Afro-Asian region by the Centre's Institute for Arbitration and Investment. The Cairo Centre follows the UNCITRAL Arbitration Rules with certain modifications.

15. Apart from this, the Cairo Centre had also established the Institute of Arbitration and Investment in 1990; the Institute of Arab and African Arbitrators in the Arab Republic of Egypt in 1991; the Centre's Maritime Arbitration Branch in Alexandria, which deals exclusively with maritime disputes in 1992; the Cairo Branch of the Chartered Institute of Arbitrators of London in 1999; Alexandria Centre for International Arbitration in 2001; and a Mediation and ADR Centre

as a branch of the Cairo Centre to administer commercial arbitration and other peaceful non-binding means of avoiding and settling trade and investment disputes in 2001.

(iii) Regional Centre for International Commercial Arbitration-Lagos (RCICAL), Federal Republic of Nigeria

16. In 1980, an Agreement was concluded with the Government of the Federal Republic of Nigeria for the establishment of a third Centre in Lagos. The Centre was formally inaugurated in March 1989. On 26 April 1999, the then Attorney General and Minister of Justice, on behalf of Nigeria and the then Secretary-General of the AALCC, had signed an Agreement in this connection. Since then, the Centre has been put into operation on the basis of its human resource and capital.

17. The Centre is today a beehive of activities providing venues for both domestic and international arbitration in economic and commercial matters in Africa South of the Sahara, particularly, the West African Sub-Region. On 7 February 2006, the then Secretary-General of AALCO, inaugurated the Advisory Committee of the Regional Centre for International Commercial Arbitration, Lagos. Also present on the occasion were Hon'ble A.G. Karibi-Whyte, CFR (Rtd.), Justice of the Supreme Court of Nigeria, Mrs. Eunice Oddiri, Director of the Centre, Members of the Advisory Board and many other dignitaries.

18. RCICAL is not for profit and is established primarily for the purpose of providing Alternative Dispute Resolution (ADR) methods to Litigation for the settlement of commercial disputes arising from International commercial transactions between parties engaged in trade, commerce and investments within and outside the African region. Such (ADR) methods include Arbitration, Mediation Conciliation etc. The RCICAL is an autonomous International arbitral institution which has its seat in Lagos. The Headquarters Agreement in relation to RCICAL is a treaty signed in 1999 between the Asian African Legal Consultative Organization (AALCO) and the Federal Government of Nigeria, as a host country.

(iv) Tehran Regional Arbitration Centre (TRAC), Islamic Republic of Iran

19. On 3 May 1997, an Agreement was concluded between the Government of the Islamic Republic of Iran and AALCO for the establishment of a Regional Centre for Arbitration in Tehran. At the AALCO's Forty-Second Annual Session in Seoul (Republic of Korea), the Delegate of Islamic Republic of Iran informed that the Judicial Power has adopted the Agreement

and that all the legal procedures applicable in the Islamic Republic of Iran for the ratification of the said Agreement were completed.

20. On 31 January 2005, the President of the Islamic Republic of Iran endorsed the Agreement for implementation and on 31 January 2005, the then Secretary-General of the AALCO approved the TRAC Rules of Arbitration.

(v) Nairobi Regional Arbitration Centre, Republic of Kenya

21. It may be recalled that during the Arusha (Tanzania, 1986) and Bangkok (Thailand, 1987) Annual Sessions of AALCO, the representative of Republic of Kenya had requested the AALCO to consider the feasibility of establishing a Regional Arbitration Centre in Nairobi to serve the countries in Eastern and Southern Africa. The African, Caribbean and Pacific Group of States (ACP) Secretariat had also approached the AALCO Secretariat for relevant information about the establishment and working of the AALCO's Regional Centres with a view to considering the possibility of establishing such a Centre in Nairobi. At about the same time, the Preferential Trade Area for Eastern and Southern African Countries (PTA) had also sought technical assistance for establishing an Arbitration Centre to serve the countries in those parts of Africa. The PTA Centre for Arbitration was set up in Djibouti on 21 November 1987 to function under the auspices of the PTA Federation of Chambers of Commerce and Industry.

22. During the Thirty-Second Annual Session in Kampala (Uganda 1993), the Leader of the Delegation of Tanzania expressed the view that the PTA Centre in Djibouti had not negated the need for a Centre in Nairobi and suggested that the Secretariat should pursue the possibility and modalities for the establishment of a Centre in Nairobi. Consequently, the then AALCO Secretary-General, H. E. Mr. Frank X. Njenga had approached the Member Governments of Kenya, Uganda and Tanzania with a view to ascertaining the extent of material assistance and back-up support that could be provided by them for the establishment of a Centre in Nairobi which appeared to be an apt location to cater to the needs of the States in the Eastern and Southern parts of the African continent. Accordingly, at the Thirty-Third Annual Session held in Tokyo (Japan, 1994), a proposal was put before the Leaders of Delegations of Member States for the establishment of additional Centres in Tehran and Nairobi.

23. It may be recalled that during the Forty-Fifth Annual Session of AALCO held at New Delhi (Headquarters) on 3 April 2006, the then Secretary-General of AALCO and the Attorney General of the Republic of Kenya signed the Memorandum of Understanding (MoU) for the Establishment of the Regional Centre for Arbitration in Nairobi, Republic of Kenya.

24. In pursuance to the MoU, an Agreement Establishing the Nairobi Regional Arbitration Centre for Arbitration was signed between the then Secretary-General of AALCO and the Attorney General of the Republic of Kenya during the Forty-Sixth Annual Session of AALCO held at Cape Town, Republic of South Africa from 2-6 July 2007.

25. Be that as it may, as regards the progress made on the establishment of the Nairobi Centre for International Arbitration, an up-date was given by Mrs. Agimba Christine Anyango, Deputy Solicitor of Kenya and the Head of Delegation of the Republic of Kenya to the Fifty-Third Annual Session held at Tehran, Islamic Republic of Iran. She had stated that the Government of Kenya enacted a law in 2013 to establish the centre and that the Centre's objectives are very consistent with AALCO's objectives of establishing regional arbitration centres which offer facilities for both domestic and international obligations. She also went on to add that the Act that has established the Centre also has established an arbitral court that shall be governed by UNCITRAL rules⁵. Therefore, it is hoped that the AALCO's fifth such Centre will be fully functional very soon in order to cater the needs of East and Southern African region States of Africa.

B. Activities of the Centres

27. Although in the beginning, the promotional activities of AALCO's Regional Arbitration Centres were primarily carried out by the AALCO, in view of experience accumulated over the years and the contacts established by these Centres with Governments, governmental agencies and international institutions, such promotional activities are now mainly carried out by the Centres themselves. Such promotional activities are highlighted in the Reports of the Directors of the respective Centres.

28. It is a matter of great satisfaction that, over the years, there has been considerable increase in the number of cases, both international and domestic, referred to AALCO's Regional Arbitration Centres. The types of cases include oil contracts, insurance, intellectual property, construction contracts etc. and involve both public and private sectors. The resolution of commercial disputes by other Alternative Dispute Resolution (ADR) methods such as Mediation and Conciliation under the Rules of AALCO Centres is another option being favoured by the Parties.

⁵ See, for the entire statement on the progress towards the creation of Nairobi Centre for International Arbitration, the Verbatim Record of the Fifty-Third Annual Session of AALCO, Tehran, Islamic Republic of Iran, 15-18 September, 2014, pp.223-224, available at www.aaclo.int.

29. An important function of the Directors of AALCO's Arbitration Centres has been to act as an Appointing Authority in such arbitrations. The Centres have been organizing international conferences, seminars and training courses in their respective regions. In addition, the Directors of the Centres have actively pursued the conclusion of Cooperation Agreements with other arbitration institutions.

30. With a view to enhancing the role and activities of the AALCO Regional Arbitration Centres, the Secretary-General would like to urge the Member States to fully support the growing activities of these Centres and consider making financial contributions to help in the implementation of their plans and activities. Further, in this context, two concrete suggestions for consideration of Member States are as follows:

(i) The Member States may consider designating a body, for example, the national chamber of commerce or other industrial promotion organizations to be associated with the AALCO Regional Arbitration Centres as the Liaison Agency within the country, with a view to promoting the activities of AALCO Centres.

(ii) Whilst entering into contracts on behalf of the Government, Public Corporations and other Government Undertakings, consideration may be given to incorporate an arbitration clause for settlement of disputes under the arbitration rules of AALCO's Regional Arbitration Centres.

31. Such encouragement from the Member States would further boost the work of AALCO's Regional Arbitration Centres.

32. The following part of this Secretariat Report places for consideration the Report of the Director of the Tehran Regional Arbitration Centre (TRAC), and Cairo Regional Centre for International Commercial Arbitration (CRCICA) highlighting the details of the activities of the Centre in the year 2013 and the foreseen plans for 2014..

33. The reports of the Kuala Lumpur Regional Centre for Arbitration, 2012-2013 and the Lagos Arbitration Centre shall be circulated during the Annual Session

II. REPORT ON THE ACTIVITIES OF THE CAIRO REGIONAL CENTRE FOR INTERNATIONAL COMMERCIAL ARBITRATION (CRCICA, CAIRO), 2013

I. Letter from the Director

34. Unlike the previous versions of CRCICA's Annual Reports, which used to cover 18 months of activities, this Annual Report, submitted to AALCO during the first quarter of 2015, covers CRCICA's caseload and activities during the 12 months of 2014. Since 2012, CRCICA is publishing a quarterly online newsletter covering its caseload and all its activities conducted during the relevant quarter.

35. CRCICA caseload in 2014 witnessed the filing of more cases than in 2013 as well a new annual record for purely international cases not involving any Egyptian party. CRCICA caseload also continues to cover a vast variety of disputed contracts including media and entertainment, construction, lease agreements, real estate, supply, hotel management in addition to sale and purchase of shares and services. I am particularly proud of the diversity of the nationalities of the parties and arbitrators coming not only from Africa and Asia, but also from Europe and Latin America.

36. One of the key developments in 2014 is the issuance by CRCICA, for the first time since its inception in 1979, of Practice Notes determining the Centre's policies regarding its decisions under the Arbitration Rules in force since 1 March 2011. The Practice Notes have been prepared based on the decisions taken by the Centre's Advisory Committee during its quarterly meetings in 2012 and 2013 and have thus far received a warm welcome by the users, who appreciate the enhanced transparency in the institution's decision-making process. Within this context and thanks to the excellent work of the members of its Advisory Committee, CRCICA also intends to publish in 2015 its practice regarding challenges to arbitrators filed under its auspices.

37. In 2014, CRCICA continued its regional and international contributions to the development of both international arbitration and commercial mediation. This included holding a major biennial international conference in November in Sharm El Sheikh regarding the role of state courts in international arbitration, followed by another successful event in December celebrating twenty years of application of the Egyptian Law on Arbitration, which is based on the UNCITRAL Model Law of 1985. CRCICA also held several training programs, workshops, lectures and seminars on arbitration and mediation and was actively promoting both dispute

resolution mechanisms in Europe (Milan and Marseille), Asia (Beijing and Shanghai), Africa (Casablanca and Mauritius), Middle East (Manama) and the USA (Miami).

38. Another salient feature of the reported period are CRCICA's publications ranging from its well-known Journal of Arab Arbitration and the English Volume IV of CRCICA Awards to special updated chapters on arbitration in Egypt and under CRCICA's auspices published in the reputable World Arbitration Reporter. CRCICA also contributed to a special publication on interim measures and continues to publish its awards in Arabic.

39. After the official inauguration of its new Hearing Centre in 2013, CRCICA is starting 2015 with a very ambitious renovation project that would enable it by the end of September to offer to the arbitration community in the region and beyond a new state-of-the art Conference Centre matching its status as one of the best arbitral institutions in the world.

II. The African Development Bank ranks CRCICA as one of the Best Arbitration Centres across the African Continent and Elsewhere, April 2014



**ONE OF THE BEST
Arbitration Centres
across the African
Continent and
Elsewhere 2014**



40. The African Development Bank (AFDB) posted the Assessment Report of Arbitration Centres in Côte d'Ivoire, Egypt and Mauritius. Prepared by Dr. Werner Jahnel, Partner, LALIVE as mandated by the AFDB, the Report focuses on the following three centres: La Cour Commune de Justice et d'Arbitrage (CCJA) in Côte d'Ivoire, the Cairo Regional Centre for International Commercial Arbitration (CRCICA) in Egypt, and the Mauritius International Arbitration Centre (LCIA-MIAC) in Mauritius. The purpose of the Report is to assess the said arbitration centres against the requirements and standards for "*international commercial arbitration*" according to the Bank's Rules and Procedures for the Procurement of Goods and Works and to examine, among other issues, "the neutral venue requirement" in each of these centres.

41. The research methodology of the report was double-staged based on desk review of documents and site visits of some of the Centres involved. The Final Report consolidates the findings of the two stages and provides a final assessment of each centre. The basic features of the Report on CRCICA follow:

1. Recognition: CRCICA is one of the best arbitration centres across the African Continent and can readily be recommended for use by parties from both the African continent and elsewhere.

2. Neutrality: CRCICA fulfills the Bank's important requirement for a neutral venue even in cases of commonality of origin between one of the parties to the arbitration and the State in which the Centre is located, i.e. Egypt.

3. Strengths: the professionalism of the Centre and the suitability of the CRCICA Rules for the conduct of important international arbitration proceedings are noted as significant features of CRCICA.

4. Users' Review: All the practitioners consulted confirmed that the Cairo Centre was functioning very well and that the current political situation in the region did not have any impact on the organization of the Centre and its ability to properly administer the arbitral proceedings. This factor, together with the Centre's status as an independent non-profit international organization, enhance public confidence entrusted to the Centre.

5. French version of the CRCICA Rules: The assessor received no negative feedback regarding the Centre. He has however stressed the importance of having a French version for CRCICA's Arbitration Rules, which is due to be released in the first half of 2015.

6. Assessor's Conclusion: The system at CRCICA as a whole appears to provide the necessary safeguards to guarantee a suitable framework to all parties to the arbitration.

CRCICA reviews the outcome of this report with pride and satisfaction. It is notable that the Centre has recently received similar acknowledgements of neutrality and professionalism from other international financial organizations as well as commercial dispute resolution institutions in the course of their assessment of neutral and appropriate arbitration venues⁶.

⁶ The full Report is available through the following link:

http://www.afdb.org/fileadmin/uploads/afdb/Documents/Procurement/Project-related-Procurement/Assessment_Report_of_arbitration_centres_in_C%3%B4te_d%E2%80%99Ivoire_Egypt_and_Mauritius.pdf

III. CRCICA Director Elected Vice President of ICCA, April 2014



42. The International Council for Commercial Arbitration (ICCA) announced new appointments to its Executive Body and Governing Board, ahead of its meeting in Miami in April 2014. In this context, ICCA elected two vice presidents; Ms. Adriana Braghetta, co-head of arbitration at LO Baptista Schmidt Valois Miranda Ferreira Agel in São Paulo and Dr. Mohamed Abdel Raouf, Director of CRCICA.

43. Both vice-presidents were selected from ICCA's 40-strong Governing Board, on which they have served since 2012. They replaced ex-vice presidents Teresa Cheng SC, the chair of the HKIAC, and Russian law professor Alexander Komarov.

44. 5 new members including two corporate counsels were also elected to the ICCA Governing Board. All new members of the Executive Body and the Governing Board formally took their posts on 6 April at the ICCA Congress in Miami, where the ex-president, Jan Paulsson, handed over the reins to the current president, Dutch arbitrator Albert Jan van den Berg.

IV. CRCICA's Key Development of the Year: The Issuance of the First Institutional Practice Notes in the Region



45. For the first time since its inception in 1979, CRCICA issued eight Practice Notes determining the discretion and role of the Centre as well as its policies regarding the following decisions under CRCICA's Arbitration Rules in force since 1 March 2011:

1. The Centre's decision not to proceed with arbitral proceedings in accordance with Article 6 of the Rules;
2. The application of Article 10(3) of the Rules regarding multiparty arbitrations and its correlation with Article 9(2);
3. The notification to the parties and the arbitral tribunals of the submissions deposited by the parties, in light of Article 17(4) and (5) and Article 48 of the Rules;
4. The termination of already suspended arbitral proceedings due to failure of payment of the costs of the arbitration;
5. The determination of the fees of the arbitral tribunal based on sums in dispute exceeding three million US Dollars in accordance with the scales set out in Table (3) annexed to the Rules;
6. The determination of the costs of the arbitration according to Article 42(5) of the Rules in the case of the arbitral tribunal's decision to terminate the proceedings before the issuance of a final award according to Article 36 of the Rules;
7. The partial payment of fees to the resigning arbitrators; and
8. The advance partial payment of the arbitrators' fees after the oral hearing under Article 45(8) of the Rules.

46. The Practice Notes were prepared based on the decisions taken by the Centre's Advisory Committee (AC) during its quarterly meetings in 2012 and 2013 and have been approved in the AC's meeting dated 23 June 2014. The Practice Notes shall apply to all currently pending CRCICA cases and are available in Arabic and English on CRCICA's website at the following link:

CRCICA Practice Notes JUNE 2014 (Arabic version):

http://www.crcica.org.eg/publication/PDF/CRCICA_Arbitration_PRACTICE_NOTES2014_AR.pdf

CRCICA Practice Notes JUNE 2014 (English version):

http://www.crcica.org.eg/publication/PDF/CRCICA_Arbitration_PRACTICE_NOTES2014_EN.pdf

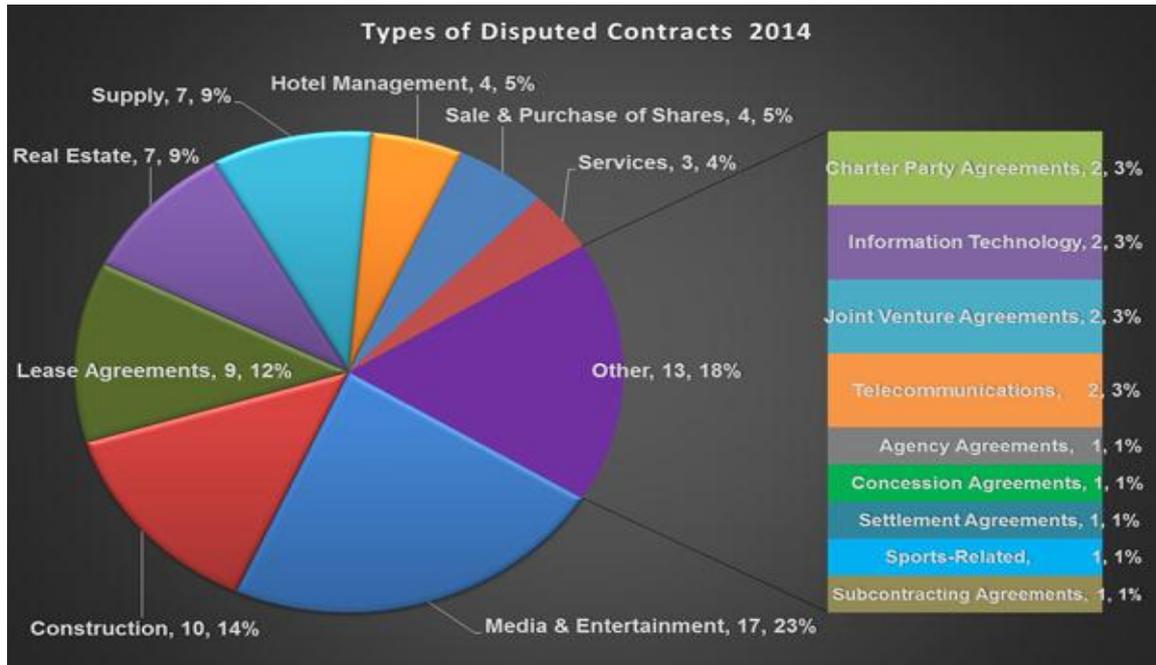
V. CRCICA Caseload: More Cases in 2014 than in 2013 and New Record for Purely International Cases



47. The total number of arbitration cases filed before CRCICA until 31 December 2013 reached 1016 cases. In 2014, 74 new arbitration cases were filed compared to 72 cases scored in 2013. 17 out of the 74 new cases were filed in the first quarter of 2014, while 18 cases were filed in the second quarter of 2014. The third quarter of 2014 witnessed the filing of 23 new arbitration cases, while 16 new cases were filed in the last quarter of 2014. The largest amount in dispute filed in 2014 amounted to US \$176,000,000.

48. According to the statistics of 2014, Media and Entertainment disputes rank on top of the disputed contracts referred to the Centre (17 Cases) followed by construction disputes (10 cases) and lease agreements (9 cases). Real estate and supply cases filed in 2014 amounted to 7 cases each, while the number of cases arising out of hotel management and sale and purchase of shares amounted to 4 cases each. Three cases arising out of services contracts were also filed in 2014. The other 13 cases filed in 2014 related to charter party agreements, information technology, joint venture agreements and telecommunications (2 cases each), in addition to cases arising out of agency, concession, settlement and subcontracting agreements as well as sports-related disputes (1 case each).

49. The following pie shows a breakdown of the types of disputed contracts in 2014:

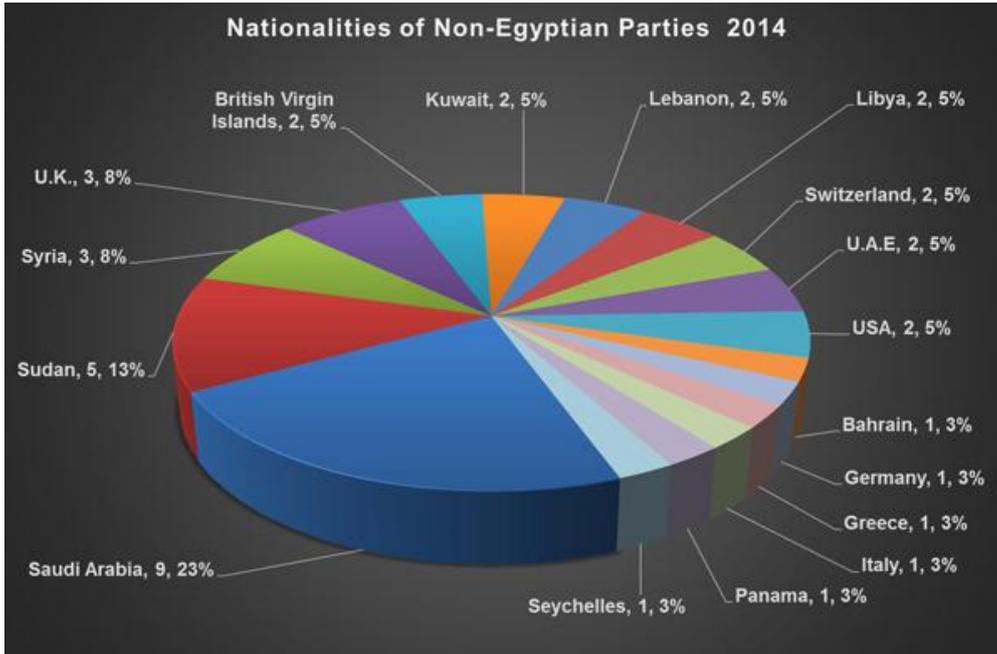


50. The rich variety of the types of disputed contracts referred to CRCICA in 2014 clearly illustrates the importance of arbitration as a means of dispute settlement and confirms the credibility of institutional arbitration under CRCICA's auspices.

51. According to the statistics of 2014, parties from Saudi Arabia rank on top of the non-Egyptian parties referring their disputes to the Centre followed by parties from Sudan, Syria, Kuwait, Lebanon, Libya, U.A.E. and Bahrain, while parties from the U.K. rank on top of non-Arab parties referring their disputes to the Centre, followed by parties from Switzerland, USA, British Virgin Islands, Germany, Greece, Italy, Panama and the Seychelles.

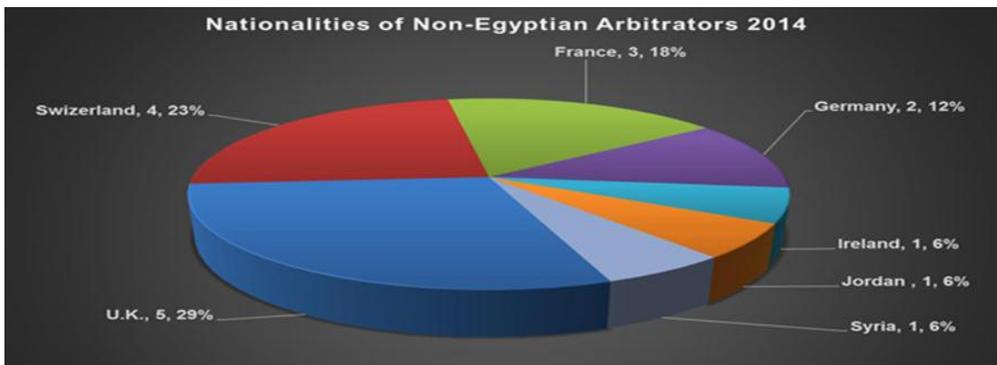
52. CRCICA is pleased to see that in 2014, its Arbitration Rules have been chosen by parties to 9 purely international contracts concluded between parties from Saudi Arabia, Kuwait, Sudan, Panama, Switzerland, U.A.E., Seychelles and Lebanon. This marks a new record in the number of purely international cases (not involving any Egyptian party) that have been filed under the auspices of the Centre in one year.

53. The following pie shows a breakdown of the nationalities of non-Egyptian parties in 2014:



54. According to the statistics of 2014, arbitrators from U.K. rank on top of non-Arab arbitrators, followed by arbitrators from Switzerland, France, Germany and Ireland. Arab arbitrators came from Jordan and Syria.

55. The following pie shows a breakdown of the nationalities of non-Egyptian arbitrators in 2014:



VI. Annual CRCICA BOT Meeting, 10 December 2014



56. On 10 December 2014, CRCICA Board of Trustees (BOT) held its annual meeting at CRCICA's headquarters in Cairo. The meeting was presided by his Excellency Dr. Nabil Elaraby (Chairman of the BOT) and attended by: Judge Mohamed Amin El Mahdy (Vice-Chairman - Egypt), Prof. Dr. Ahmed Kamal Aboul Magd (Egypt), Dr. Ziad A. Al-Sudairy (Saudi Arabia), Prof. Bernardo M. Cremades (Spain), Prof. Dr. Yehia El Gamal (Egypt), Judge Dr. Adel Koura (Egypt), Dr. Nayla Comair Obeid (Lebanon), Prof. Dr. Fouad Riad (Egypt).

57. During the meeting, CRCICA Director presented CRCICA's activities and caseload in 2013-2014 as well as its financial statement of operations for the year ending on 31 December 2013 as audited by the external auditor. The final designs of CRCICA's new Conference Centre and library to be inaugurated in 2015 were also presented.

58. The BOT approved CRCICA's membership in the International Federation of Arbitration Centres in the Islamic World and unanimously agreed to nominate two new African experts (Ms. Olufunke Adekoya from Nigeria and Judge Abdul Qawi Yusuf from Somalia) to become members of the BOT. The esteemed Nominees kindly accepted the mission.

VII. Advisory Committee Meetings



59. The Advisory Committee of the Centre is scheduled to meet four times a year. In 2014, the AC met on 24 March, 23 June, 29 September and 16 November.

60. Meetings were attended by the following members: Prof. Dr. Ahmed S. El KOSHERI (Chairman- Egypt), Dr. Philippe LÉBOULANGER (Vice-Chairmen – France), Prof. Nassib ZIADÉ (Vice-Chairmen – Bahrain), Prof. Dr. Mohamed Salah ABDEL WAHAB (Egypt), Judge. Dr. Borhan AMRALLAH (Egypt), Prof. Dr. Mohamed BADRAN (Egypt), Judge. Mohamed Amin EL MAHDY (Egypt), Prof. Dr. Mahmoud Samir EL SHARKAWY (Egypt), Prof. Dr. Hamza HADDAD (Jordan), Dr. Karim HAFEZ (Egypt), Prof. Dr. Hossam ISSA (Egypt), Judge. Dr. Adel F. KOURA (Egypt), Prof. Dr. Fathi WALY (Egypt), Ms. Rabab YASSEEN (Switzerland) in addition to CRCICA Director.

61. Among other businesses, the 2014 Committee meetings discussed and approved the final English and Arabic versions of CRCICA's Practice Notes, which shall govern the Centre's policies regarding the following decisions under CRCICA's Arbitration Rules in force since 1 March 2011:

1. The Centre's decision not to proceed with arbitral proceedings in accordance with Article 6 of the Rules.
2. The application of Article 10(3) of the Rules regarding multiparty arbitrations and its correlation with Article (9/2).
3. The notification to the parties and the arbitral tribunals of the submissions deposited by the parties, in light of Article 17(4) & (5) and Article 48 of the Rules.
4. The termination of already suspended arbitral proceedings due to failure of payment of the costs of the arbitration.

5. The determination of the fees of the arbitral tribunal based on sums in dispute exceeding three million US Dollars in accordance with the scales set out in Table (3) annexed to the Rules.
6. The determination of the costs of the arbitration according to Article 42(5) of the Rules in the case of the arbitral tribunal's decision to terminate the proceedings before the issuance of a final award according to Article 36 of the Rules.
7. The partial payment of fees to the resigning arbitrators.
8. The Advance partial payment of the arbitrators' fees after the oral hearing under Article 45(8) of the Rules and are deemed an important institutional development that fosters transparency in the decision-making process.

VIII. Events Update

Comparative Commercial Arbitration: Theory and Practice (CCATP)



62. CRCICA launched “Comparative Commercial Arbitration: Theory and Practice” (CCATP) in 2011, as the first comparative arbitration program in the Arab World with a simultaneous bilateral tutorial methodology that combines Civil Law and Common Law systems. The program is a progressive educational ladder of four successive modules covering the main arbitration stages being the arbitration agreement, the arbitral tribunal, the arbitral proceedings and finally the arbitral award. The program, in its four modules, provides the ideal platform to underpin and support the development of professional experience in arbitration.

63. CCATP is held in cooperation with the Cairo Branch of the Chartered Institute of Arbitrators (CI Arb). Tutors are Dr. Mohamed Abdel Raouf, CRCICA Director, and Dr. Mohamed S. Abdel Wahab, Vice President of the Cairo Branch of the CI Arb.

64. Upon completion of the program, in its four modules, participants are eligible to apply for the membership of CRCICA.

65. Attendees have been a mixture of lawyers, judges, engineers, governmental officials and representatives of the different business sectors from Egypt, Syria, Jordan, Ethiopia, Libya, Morocco, Tunisia, Sudan, Saudi Arabia, United Arab Emirates and Palestine.

66. In 2014, CCATP was held as follows:

1. First Module: The ARBITRATION AGREEMENT, 15-17 March 2014



67. Held by CRCICA and CIArb Cairo, the 2014 round of the Comparative Commercial Arbitration Law: The Theory and Practice (CCATP) started on 15-17 March 2014 by the First Module: The Arbitration Agreement. The course was a balanced combination of lectures and tutorials. It provided participants with sufficient knowledge of the theory and practice in all the requirements for the writing and understanding of the arbitration agreement.

68. Generally, the didactics of the course are based on an unprecedented collection of documentations including comparative state court decisions on the arbitration agreement of the European (British, French and Swiss), American and Arab (Egyptian, Saudi, Sudanese, Tunisian, Emirati and Syrian) jurisdictions. Also, documents include a unique collection of arbitration agreement related arbitral principles extracted from awards of many international arbitration institutions including CRCICA. The mock case, the educational masterpiece of the course, is tactfully prepared to spot all possible types of the pathological arbitration clauses cited in CRCICA's rich institutional record.

69. The course was attended by 45 practitioners representing an outstanding variety of business sectors, being petroleum, construction, real estate, investment, banking, air conditioning

industry, trading, representatives of national courts and public prosecutors, ministries of justice of Egypt and United Arab Emirates, the League of Arab States and Libyan Commercial attaches in Cairo as well as private lawyers and professionals from Jordan, Saudi Arabia and Egypt.

2. Second Module: The ARBITRAL TRIBUNAL, 8-10 June 2014



70. The Arbitral Tribunal: the second module of the Comparative Commercial Arbitration: Theory and Practice (CCATP), was held on 8-10 June 2014. In this module, "the Arbitral Tribunal" is studied in depth based on a big number of the most recent international court decisions and institutional regulations. Unlike the traditional format of arbitral tribunal programs, which mainly focuses on the composition of tribunals, the program tackled all aspects related to the tribunal including the appointment of arbitrators, the scope and nature of their mission as well as challenge, removal, resignation and replacement of arbitrators. Considerable attention was also given to the rights, obligations and liabilities of arbitrators.

71. Reference documents included an unprecedented collection of court judgments, published institutional decisions, analytical articles as well as expert commentaries. Participants have had the chance to role play through four mock cases designed to raise and discuss all top issues related to the composition and functioning of the arbitral tribunal, with special emphasis on conflicts of interests including issue conflicts. 30 practitioners participated in this module in representation of many sectors of businesses and professions.

3. Third Module: The ARBITRAL PROCEEDINGS, 1-3 September 2014



72. The third module of CRCICA's Comparative Commercial Arbitration: Theory and Practice (CCATP) was held on 1-3 September 2014. Beside traditional topics pertaining to the arbitral proceedings such as the commencement and conduct of proceedings, interim measures, suspension and termination of proceedings, the Arbitral Proceedings Module tackled other important aspects of the arbitral proceedings. Examples of these aspects are: the determination of the rules applicable to the arbitral proceedings, the relationship between the selected procedural rules and the mandatory procedural provisions in the law of the place of arbitration as well as basic principles of pleadings before arbitration.

73. Evidence in Arbitration was tackled intensively including the general rules of evidence, the rules applicable to the taking of evidence, the means of evidence [writing - witness - experts (The Sachs Protocol) - Inspection], the production of documents [The Redfern Schedule], discovery, tribunal's discretion in weighing the evidence and finally the IBA Rules on the Taking of Evidence in International Arbitration, May 2010).

4. Fourth Module: The ARBITRAL AWARD, 22-25 December 2014

74. The fourth module of CRCICA training program on: "Comparative Commercial Arbitration: Theory and Practice" (CCATP) was held at Dr. Aboul-Enein's hearing room from 22 to 25 December 2014. In this module, the "Arbitral Award" was handled in depth as based on most recent court judgments in different jurisdictions. Reference documents included a huge collection of court decisions which were regularly updated, analytic articles, expert commentaries

and a model arbitral award. In groups, participants drafted an arbitral award based on the facts of a mock case. With varying professional backgrounds, participants came from Egypt and Jordan.

CRCICA Hosts the Oral Hearings of the First Annual SHALAKANY LAW OFFICE ARBITRATION MOOT (SAM), Cairo, 19 April 2014



75. On 19 April 2014, CRCICA hosted the Oral Pleadings of The Shalakany Law Office International Commercial Arbitration Moot (SAM). SAM is an annual competition of teams representing law schools throughout Egypt and is intended to stimulate the study of international commercial law and to promote and develop interest and skills in international commercial arbitration. The nature of the Moot is intended to lead participants to interpret the texts of international commercial law to develop an expertise in advocating a position before an arbitral panel. The Moot is designed as an educational learning program in the form of a competition. It is not intended to be a competition with material benefits.

76. The pleadings were divided into four teams of students coming from the Cairo University English Section Law, IDAI Sorbonne (Cairo University French Section Law) and Assiut University.

77. There were two groups of arbitral tribunals. Members of the tribunals were Prof. Dr. Ahmed S. El Kosheri, Senior Partner of Kosheri, Rashed and Riad Law Firm; Chairman of CRCICA's Advisory Committee, Prof. Dr. Fouad A. Riad, Former Judge on the International Criminal Tribunal for War Crimes in the former Yugoslavia (ICTY) and Member of the National Council for Human Rights (NCHR), Dr. Naglaa Nassar, Managing Partner of Nassar Law Office, Dr. Khaled El Shalakany, Managing Partner of Shalakany Law Office and Dr. Mohamed Abdel Raouf, CRCICA Director. Ms. Dina Hassan of El Shalakany Law Office and Ms. Menna Sadek of CRCICA also joined the tribunals in representation of junior practitioners.

78. Students worked on cases as counsels, they filed written statements and delivered oral pleadings. The tribunals were very impressed by the unique performance of students. The IDAI Sorbonne team won the competition and was awarded the first prize.



Launching Seminar of Henri Capitant's Egypt Group, 23 June 2014



79. On June 23, 2014, CRCICA hosted the international launching seminar of Henri Capitant's Association entitled "The necessity of reforming Private and Economic Relations Laws: a Franco-Egyptian perspective". The general theme involved a close examination and comparison between the evolution of the French and Egyptian laws regarding different legal topics such as the reform of the French civil law, the non-execution of contracts under Egyptian law, the evolution of economic law, evidence law and the evolution of arbitration law.

80. The seminar helped connecting the legal French speaking community in Egypt from universities, law firms and the different sectors of business environment and also managed to draw a closer look at the challenges and evolution of both the French and Egyptian laws.

81. The event was organized on the occasion of establishing the Association's Egypt Group, which will function temporarily under the auspices of the IDAI ("Institut de Droit des Affaires Internationales" in Cairo), which is a delocalized branch of the prestigious University of Paris 1

Panthéon-Sorbonne. The establishment of the Egypt Group will foster collaboration between Egyptian and French jurists and will, hence, widen the scope of research in many important topics and changes made in the Egyptian law and case law. Members of the Egyptian Group are Prof. Dr. Hossam Loutfi, Professor at Cairo University, Director of the Civil Law Department (Beni Suef), Dr. Maged Ackad, Principal, Ackad Law Office, Dr. Ismail Selim, Partner, Zulficar & Partners Law Firm, and CRCICA Director, Dr. Mohamed Abdel Raouf.

82. It is notable that the Henri Capitant Association of Friends of French Legal Culture (Association Henri Capitant des Amis de la Culture Juridique Française) has been involved in the process of reforming the French civil law. The Association, which celebrates its 75th birthday this year, is present through national groups and correspondents in more than 55 countries and has undertaken numerous initiatives, all aimed at showcasing the values and methods of the civil law legal culture.

83. It organizes numerous events, preeminent among them are the International Days, which have been held since its inception, and the proceedings of which are published in a collection which today includes more than sixty volumes. Each year, these International Days revolve around a theme that involves various branches of the law (private and public, national and international), and bring together lawyers from some thirty countries in Europe, America, Africa and Asia.

Sharm El Sheikh V: The Role of State Courts in International Arbitration, 16-17 November, 2014



1. SHARM ELSHEIKH Conferences: An Overview

84. SHARM EL SHIEKH Series of Conferences is the WORLD'S SOLE international biennial conference on «**The Role of State Courts in International Arbitration**». This biennial event is known to have established a permanent venue for practitioners from all over the world

for the exchange of pragmatic thoughts on the renovating relation between state courts and arbitration in a cross-cultural context.

85. Since 2005, SHARM ELSHIEKH conferences have been organized in cooperation with the United Nations Commission on International Trade Law (UNCITRAL), the International Federation of Commercial Arbitration Institutions (IFCAI) and the Arab Union for International Arbitration (AUIA).

86. The idea of SHARM ELSHIEKH Conferences first blinked in the CRCICA/UNCITRAL joint Regional Judicial Colloquium held in Cairo in 2002. Upon the unique success of the widely attended Colloquium, the UNCITRAL encouraged CRCICA to keep up the tradition of holding similar events as a methodical follow up on the changing relations between the judiciary and arbitration.

2. Vision

87. **SHARM ELSHEIKH V** followed several successive legal and judicial developments in the Arab world that have led to remarkable reforms with respect to the settlement of commercial and investment disputes in general and commercial arbitration in particular. A number of extremely interesting decisions have been rendered in most of the Arab states during the last two years. These decisions are worth of examination and scrutiny due to their important role in emphasizing the supportive, parallel and supervisory role of state courts in international commercial arbitration. It is undisputable that state courts play an important role to determine whether a particular place is convenient to be chosen as a seat for arbitration. The Conference aimed therefore to identify the salient judicial trends in the Arab world and to shed light over the latest judicial practices in the most significant seats of arbitration worldwide, including Europe (France, England, Switzerland, Sweden and Italy), Asia (Turkey), Africa (Sudan, Morocco and Tunisia), the United States and Latin America (Venezuela and Brazil). It attempted to study these trends by tackling the role of state courts during the four basic phases of the arbitration process starting from the arbitration agreement, the arbitral tribunal, the arbitration proceedings and ending with the arbitral award.

3. Agenda

88. Through 6 working sessions, the agenda was tackled by almost 30 celebrated international figures from all continents around the globe. Prof. Dr. Ahmed El-Kosheri who was most recently granted the GAR's prestigious lifetime achievement award was the Keynote Speaker.

89. The Structural pattern of the agenda was based on the role of state courts during the four basic phases of the arbitration process, namely, the arbitration agreement, the arbitral tribunal, the arbitration proceedings and the arbitral award. Most recent, and most controversial, court decisions on arbitration were discussed by national judges and national courts' leading counsels in different jurisdictions as well as international arbitration practitioners all over the globe.

90. The conference provided floor for most recent arbitration issues. For the first time in the Arab World the new UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration was arrayed. Similarly, discussions tackled the new IBA Guidelines on Conflicts of Interests and the Use of Advance Waivers in ICC Arbitration.

91. The program also presented new, and controversial, concepts affecting or likely to affect the due process of arbitral procedures, such as the academic immunity of arbitrators and the role of the emergency arbitrators. For more details, please view the detailed report of the Conference in

English:http://crcica.org.eg/conferences/reports/2014/CRCICA_conf_SharmElSheikhV_1617_November_2014En.pdf

and Arabic:

http://crcica.org.eg/conferences/reports/2014/CRCICA_conf_SharmElSheikhV_1617_November_2014Ar.pdf

4. Conferees

92. There was a total of 220 participants in attendance from 28 countries being Algeria, Austria, Australia, Bahrain, Brazil, Egypt, France, Germany, India, Iraq, Italy, Jordan, Lebanon, Morocco, Palestine, Qatar, Saudi Arabia, Sudan, Sultanate of Oman, Sweden, Switzerland, Syria, UAE, UK, USA, Tunisia, Turkey and Venezuela.



Egyptian Arbitration Law: Celebrating Twenty years of Application, 28 December 2014



93. This celebratory event was held on the occasion of the twentieth anniversary of the Egyptian Arbitration Law no 27 / 1994. The agenda featured three discussion panels tackling the following themes:

- 1) Practical problems arising out of the application of the Egyptian Arbitration Law;
- 2) Case Law on the Law;
- 3) Salient Features of the arbitration legislative policy in Egypt;

94. In a dynamic discussion structure, a wide variety of experts approached the different topics of the agenda. Each panel tackled a number of comprehensive practice-grounded questions that triggered a unique exchange of experience among panelists complemented by expert questions and interventions from the floor.

95. At the closing session, CRCICA reported a proposal of amendment, integrating the discussions of the conference as well as recommendations of revisions prepared earlier by eminent practitioners under the auspices of the Centre.

96. Users representing a variety of business sectors were in attendance, including the fields of telecommunication, construction, banking import and export, capital market. Also, many law firms, ministries of justice, universities, non-governmental and international organizations and national courts were represented.

97. Beside an outstanding majority of Egyptian professionals, there were attendees from United Arab Emirates, Sudan and Yemen who chose to observe the leading Egyptian experience in the application of the Arbitration Law.

98. The full report of the conference is available in Arabic through this link:

http://crcica.org.eg/conferences/reports/2014/CRCICA_conf_arbitration_28_December_2014.pdf

IX. CI Arb Cairo Wednesday One Seminars over a Year:



The Duration of the Arbitration Process: Extension, Suspension and Termination, 8 January 2014

99. On 8 January 2014, Mr. Yasser Mansour, Managing Partner, Mansour Law Office, delivered a lecture entitled "The Duration of the Arbitration Process: Extension, Suspension and Termination". The topic covered all features related to the duration of arbitration out of both theoretical and practical perspectives. The lecture led to a very interesting discussion among the attendees.

Critical Issues Related to the Arbitration Agreement and the Composition of the Arbitral Tribunal in International Commercial Arbitration, 5 February 2014

100. On 5 February 2014, Prof. Dr. Mahmoud Samir El Sharkawy, International Lawyer and Arbitrator; Former Dean, Faculty of Law, Cairo University, delivered a lecture on "Critical Issues Related to the Arbitration Agreement and the Composition of the Arbitral Tribunal in International Commercial Arbitration". By the attendance of a considerable number of in-house counsels, the lecture stimulated lively discussions.

Blending Mediation and Arbitration, 5 March 2014

101. On 5 March 2014, Dr. Khaled El Shalakany, the Managing Partner of Shalakany Law Office, delivered a lecture on "Blending Mediation and Arbitration". Being of an increasing importance, the topic attracted a big number of attendees from different backgrounds.

Judicial review of the absence of the award signature by the minority of the arbitral tribunal, 2 April 2014

102. On April 2, 2014, Prof. Nader M. Ibrahim, LL.D., Arab Academy for Science Technology and Maritime Transport, delivered a lecture on "**Judicial Review of the absence of the award signature by the minority of the arbitral tribunal**". Prof. Ibrahim analyzed the actual application of Article 43(1) of the Egyptian Arbitration Act No. 27 of 1994, which requires the majority of the arbitral tribunal to provide the reasons for the absence of award signature by the minority. Based on recent Egyptian Cassation Court decisions (namely that of: Feb. 9, 2010 and June 11, 2012), the lecturer reached the conclusion that the Egyptian Cassation Court follows an attenuated line of interpretation that focuses on the reason underpinning the legal requirement of justifying the minority's refusal to sign the award, and which the Court sums up in the safeguard of the deliberations, leading to actual non-requirement of the said justification as long as deliberations between all members of the Tribunal have taken place. This line of case-law is supportive to arbitration, but is considered too much liberal by the lecturer, who calls upon the courts of Appeal and Cassation to require actual explanation for the absence of the signature by the minority, especially as to whether the minority was given the opportunity to participate in the deliberations, as well as the valid formation of the tribunal at the time of the award making.

103. The lecture was attended by members of law firms, mass media sector, investment and construction companies, international organizations, state courts, administrative prosecution, industrial corporations and holding companies.

Applicable Law in Petroleum Arbitrations, 7 May 2014

104. On May 7, 2014, in a biographical narrative structure of his lecture **entitled "Applicable Law in Petroleum Arbitration"**, Prof. Dr. Ahmed S. EL KOSHERI, Senior Partner of Kosheri, Rashed and Riad Law Firm and Chairman of CRCICA's Advisory Committee, shared with the audience his sixty-year record of experiences in tackling petroleum-related arbitrations. In a chronological fashion, the lecture arrayed the significant developments in oil concession law with highlights on the various legal and political circumstances affecting such developments over decades.

105. He stressed that the dominating feature of international petroleum contracts, in the past, was a lack of balance between the rights and obligations of host states and foreign petroleum companies, which, in many cases, involved an obvious negligence of national law systems. Concession agreements had been unilateral in nature in that they benefited mainly the oil companies and not the oil wealth holder. However, following a number of political changes and

OPEC critical decisions, the practical scene started to change striking a relative balance between rights and obligations. One of the most significant model examples, in this concern, was the Government of Kuwait versus Aminoil Company Case after Kuwait's nationalization of the company in 1978 and the termination of its petroleum concession. As a counsel for the Kuwaiti Government, Prof. Dr. El Kosheri succeeded in convincing the tribunal with the legitimacy of the nationalization in the light of international law despite counter-calls to internationalize the case. The award supports the legitimacy of the nationalization against reasonable compensations. According to the lecturer, the legal principles enshrined in the Kuwait/Aminoil award provided a model for many tribunals to follow.

106. Prof. El Kosheri concluded that petroleum arbitrations still unfold many developments regarding the balance between rights and obligations of big and high tech foreign companies on one hand and national companies of developing countries with lesser acquisitions and abilities on the other.

107. The seminar scored the highest level of attendance in the monthly Wednesday One Seminars with 120 participants from Law firms, public authorities, universities, national and inter-Arab holding companies, embassies, oil companies, banks, industrial corporations, construction companies and state courts. It was particularly honored by the presence of many of Professor El Kosheri's colleagues, including Professors Georges Abi Saab and Foad Riad.

Key Procedural Issues in International Arbitrations Seated in Cairo: The Case for Pragmatic and efficient Solution, 18 June 2014

108. On June 18, 2014, Dr. Karim Youssef, partner and head of Middle East arbitration at Amereller Legal Consultants (associated with Mena Associates in Cairo) and associate professor of Law at Cairo University School of Law, gave a lecture titled "Key Procedural Issues in International Arbitrations Seated in Cairo: the Case for Pragmatic and Efficient Solutions." The lecture was intended to be interactive and focused on practical aspects of doing document production in Cairo. The lecture instigated useful and informative reactions from the floor about the regulation of document production by the parties, under the Egyptian Evidence Law in Civil and Commercial Matters, and under the IBA Rules on the Taking of Evidence. The interaction with the audience that followed extended to broader aspects of arbitration in Egypt and the day-to-day practical experiences of arbitration practitioners, lawyers generally but also practitioners with non-legal backgrounds, which contributed to enriching the discussion.

109. Participants represented law firms, schools of law, construction and engineering companies, holding companies, industrial corporations, judicial authorities, general prosecutions, state courts, ministries, investment companies, banks, tourism sector, oil and gas corporations, maritime and social insurance companies, trade firms and international organizations.

International Public Policy in Commercial Arbitration, 10 September 2014

110. On 10 September 2014, Dr. Ismail Selim, Partner, Zulficar and Partners delivered a lecture entitled "International Public Policy in Commercial Arbitration". Dr. Selim defined the notion of International Public Policy not only in Private International Law, but also and more specifically as a bar to enforcement of arbitral awards. It was noted that such notion designates the body of principles and rules recognized by a State, which, by their nature, may bar the recognition or enforcement of an arbitral award rendered in the context of international Commercial arbitration when recognition or enforcement of said award would entail their violation on account either of the procedure pursuant to which it was rendered (procedural international public policy) or of its contents (substantive international public policy)." The Lecturer clarified that such notion is adopted by the majority of states even though only few states explicitly adopt in their Arbitration Laws the term "International Public Policy". Indeed, other states adopt such notion in their jurisprudence whether explicitly or by differentiating between "Public Policy" under Article V-2-b of the New York Convention from one side and mandatory rules from the other side.

111. Examples were given from the jurisprudence of numerous common law and civil law countries including Egypt. The lecture also involved an important differentiation between the notions of "International Public Policy" and "Transnational Public Policy" and explained the notion of "Lois de Police". Dr. Selim concluded with an overview of two very recent decisions of the Egyptian Court of Cassation on Public Policy in Arbitration. The lecture was very well received from attendees representing many sectors.

Particularity of Arbitration in Construction Contracts, 15 October 2014

112. On 15 October 2014, Eng. Sharif Al-Nazer, Consultant Engineer and International Arbitrator, delivered a lecture entitled "Particularity of Arbitration in Construction Contracts". Taking into consideration the inter-webbed contractual relations in construction disputes, privacy of arbitration is of crucial importance in construction contracts. The lecturer tackled the different aspects of this theme in a stimulating fashion.

Reflections on the Settlement of International Economic Disputes, 23 October 2014

113. On 23 October 2014, Prof. Dr. Georges ABI-SAAB, delivered a lecture entitled "Reflections on the Settlement of International Economic Disputes". Prof. Dr. Abi-Saab is Emeritus Professor of International Law at the Graduate Institute of International Studies in Geneva, and Member of the Institute of International Law; Former Chairman of the Appellate Body of the World Trade; and Member of the Administrative Tribunal of the International Monetary Fund, and of various international arbitral tribunals (ICSID, ICC, UNCITRAL, CRCICA).

114. The lecture adopted a comprehensive approach towards the settlement of international economic disputes out of Prof. Abi-Saab's valuable experiences. Attendees were particularly interested in the effect of changing international economic circumstances on the settlement of disputes.

Issues Regarding of the Arbitration agreement in Investment Disputes,5 December 2014

115. On 5 December 2014, Mr. Mohamed A.H. Madkour, Partner, Head of Dispute Resolution at Ibrachy & Partners delivered a lecture entitled "Issues Regarding of the Arbitration agreement in Investment Disputes". The lecture handled the most peculiar aspects of arbitration agreements in investment disputes stressing the importance of accurately drafting its provisions to avoid complications that might arise in the course of settling as crucial type of disputes as investment disputes are. The lecture was very well received and have triggered critical practice-based discussions.

X. Mediation Breakfast September Seminar:



The Role of Mediator between determination and flexibility, 26 February 2014

116. The first 2014 Mediation Breakfast Seminar was delivered by Fatma Ibrahim, Operations Officer, International Finance Corporation (Middle East and North Africa).

117. The seminar focused on the role of mediator, as opposed to arbitrators and judges, in assisting parties in dispute reach amicable settlement, rather than imposing a decision on them. The lecturer expounded on the flexible nature of the mediation process, where the mediator focuses on all sides of the dispute (commercial, emotional, and legal), in contrast to adjudicative systems that focus solely on the legal side of the dispute. Ms. Ibrahim also demonstrated how the mediator explores with the parties the issues in dispute, restores communication between the parties, and assists them explore different and creative solutions to their dispute.

118. Participants represented an interesting diversity of professions. Beside lawyers and arbitrators, there were representatives of many business sectors such as real state, construction, investment, management of projects and information technology sectors. Federation of agricultural engineers, state lawsuit authority and centres for economic studies.

The Role of Lawyers in Mediation, 31 March 2014

119. The March Breakfast Seminar of the year, "The Role of Lawyers in Mediation", was delivered by Dr. Mohamed S. Abdel Wahab, Founding Partner and Head of the International Arbitration and Project Finance Groups, Zulficar & Partners; CEDR Accredited Mediator; and Professor of Private International Law and Dispute Resolution, Faculty of Law - Cairo University. The lecture was divided in four phases starting by presenting the facts and priorities in mediation then analyzing lawyers' receptivity of mediation which develops from a state of reluctance ("medio-phobic lawyers") to a state of acceptance in the international level.

120. The Speaker explained the role of the lawyer throughout the mediation process, which does not only cover the mediation phase, but also the preparation for mediation and the review/drafting of the settlement agreement. The Speaker demonstrated, by reference to international statistics, that mediation can indeed be a lucrative profession for lawyers, and invited lawyers, in conclusion, to embrace mediation as a constantly rising ADR technique and to accept it as a revolutionary legal change.

121. The majority of participants were in-house counsels of both public and private companies in different fields including steel industry, construction, petrochemicals industry,

telecommunications, mass media and petroleum. A number of private lawyers were also in attendance as well as representatives of the administrative prosecution.

The Stages of Mediation, 30 April 2014

122. In the April Mediation Breakfast Seminar titled "The Stages of Mediation", Dr. Maged Ackad, Founder of Ackad Law Office, CEDR Accredited Mediator and Mediation trainer, analyzed the smooth complementarity among the different phases of mediation. After explaining the different types of the mediation agreement, Dr. Ackad categorized the stages of the process into three basic ones; the preparation stage, the investigation stage and the negotiation stage. All three stages reveal a high level of interaction between the mediator and parties. At the end of the lecture, there was a guiding comparison between post-procedures process in two juxtaposed cases; the success and the failure of mediation. The seminar closed by a lively debate that revealed the increasing interest in mediation. Attendees represented holding companies, general authorities, schools of law, private law firms, Arab Investment companies and construction consultancy firms.

Mediation in Construction Disputes: Reality and Perspectives, 29 May 2014

123. Construction Disputes was the thematic focus of the May Breakfast Seminar. Dr. Ahmed Fathi Waly, Assistant Professor – Department of Construction and Architectural Engineering at the American University in Cairo, delivered a lecture on "Mediation in Construction Disputes: Reality and Perspectives". The speech highlighted the features and importance of mediation in construction disputes. The disputes settlement mechanism in FIDIC Contracts was tackled with particular focus on mediation. Moreover, the presentation handled the role of mediators in construction disputes, as well as the difference between mediation and negotiation. Following discussion of case studies, Dr. Waly suggested two recommendations; the first to raise the awareness of all construction stakeholders, owners, consultants and contractors alike, as to the privileges of mediation and the second to consider adding a mediation provision in construction contracts. The presentation triggered an interesting questions and answers session. Attendees were representatives of private law firms, construction companies, schools of law and public sector general authorities directly involved in the construction industry.

Confidentiality Guarantees in Mediation, 26 June 2014

124. The Mediation Breakfast Seminar of June was delivered by Dr. Eman Mansour, Director of the Investors' Dispute Settlement Centre of the General Authority for Investment and Free Zones (GAFI), under the title "Confidentiality Guarantees in Mediation". At the outset, Dr. Mansour highlighted the privileges of mediation and responded to possible fears and concerns as

based on the comparative law and practice of mediation. The Seminar displayed the various guarantees of confidentiality in mediation under different jurisdictions. Legislative guarantees in different national laws as well as regulatory securities in institutional rules and practices were tackled. The lecture also highlighted the legal penalties for the breach of confidentiality in a number of national legislations including the Draft Egyptian Mediation Law. The presentation was followed by constructive discussions and noticeable interaction from the audience who represented investment companies, ministries, schools of law, holding companies, tourism companies and general authorities and law firms.

Financial Benefits of using Mediation, 30 September 2014

125. Ms. Fatma Ibrahim (World Bank Group) lectured a group of lawyers, engineers and accountants on the financial benefits of using mediation to resolve commercial disputes. The Lecturer explained the "toolbox" of dispute resolution, provided the audience with practical tools to determine the practicality of resorting to mediation or other forms of dispute resolution, as well as worked with the audience on a practical case that identified a number of financial elements that counsels should take into account when advising the parties of the most suitable form of dispute resolution.

Why and When to be Mediate, 30 October 2014

126. On 30 October 2014, the Mediation Breakfast Seminar titled "Why and when to Mediate" was delivered by Hazim A. Rizkana, Partner, Helmy, Hamza & Partners, a member of Baker & McKenzie International. The speech unveiled the core motivation fostering the decision to resort to mediation and provided interesting guidelines as to how to estimate the convenience of this flexible dispute settlement mechanism to a dispute.

Emotions in Mediation: The Key to Making Smart Choices, 24 November 2014

127. In CRCICA's monthly mediation breakfast seminar, Dr. Alexander shed the light on emotions in mediation as a fundamental factor in making decisions. It was emphasized that the recognition of one's and others' emotions in mediation is fundamental to manage and best deal with them and, hence, make smart decisions.

128. Attendees, drawn from the legal and engineering field, recognized the need to give appropriate attention and deal properly with emotions in mediation as a tool to reaching successful settlement.

XI. Mediation Update

129. Flourishing as it is, mediation had been the focus of various 2014 CRCICA events in cooperation with the International Finance Corporation (IFCI). A brief up follows:

CRCICA/IFCI Mediation Seminars, 2-5 January 2014

130. On 2-5 January 2014, four consecutive mediation seminars delivered by Prof. Najda Alexander, Professor and Director of the International Institute of Conflict Engagement and Resolution (IICER), Hong Kong at Shue Yan University.

131. The themes of each seminar, however, were different; one focused on Effective Dispute Management for In-House Counsels. The Seminar explored the needs and expectations of in house counsels, as varying as their businesses are, in an attempt to place better mediation approaches respectively.

132. Entitled Opening Mediation Windows in the Arbitration House, the second seminar handled the reciprocity between mediation and arbitration in some cases. In an interactive format, Dr. Alexander discussed the different variables of med-arb and explored with the participants the future of med-arb in Egypt.

133. The third Seminar titled Mediation for Resolving Construction Disputes discussed the different options for dispute management systems that involve mediation for the construction industry in Egypt.

134. The fourth and last Seminar was delivered especially for CRCICA CEDR-accredited pool of mediation trainers under the title Training Techniques Seminar. The seminar was well received by trainers for having provided "a thorough and insightful display and assessment of Mediation models and accreditation schemes and standards".

The Establishment of Construction Mediation Working Group

135. Construction sector has been identified as one of the main sectors that are amenable to the use of mediation. The International Finance Corporation (IFC) in collaboration with CRCICA launched a construction mediation project to promote the use of mediation in construction disputes through system design, workshops, capacity building and training. Within this context, CRCICA calls upon a group of experts in the construction industry to establish a Construction Mediation Working Group (CMWG) to drive forward the effective implementation of mediation in the Egyptian Construction Sector. Ms. Aisha Nadar, an international construction

consultant, provides technical assistance to help the Group and the supporting Institutions achieve the goals of the Project THE CMWG started its work by tailoring the objectives of the Project to Egyptian Construction Industry, identifying construction mediation opportunities and diagnosing possible training needs. It is noteworthy that construction mediation trainings will be held soon.

Mediation Training for University Students

136. On 22 & 29 November 2014, CRCICA hosted a mediation training for undergraduates conducted by Prof. Dr. Alexander for thirty students from the School of Law, Ain Shams University on the basics of mediation. Students reported high satisfaction and some reported they wanted to start their career in mediation.

Course Management Training

137. On 23 November 2014, Dr. Alexander also delivered a course to CRCICA mediation-trainers as well as CRCICA Staff on managing mediation training courses, thereby re-affirming CRCICA leading role in mediation-training provision.

138. The training covered all administrative and logistical issues regarding training provision such as sending invitations to attendees, pricing the training, the shape of the training room, etc.

Transformative Mediation Training and Power Balance

139. Held on 26-27 November 2014, this two-day training introduced the transformative mediation concept being a unique approach to dispute resolution that works on the level of values, and seeks to empower parties in mediation. The training provided a close overview to the conflict, from the standpoint of how people feel/ behave in conflict situations. The training offered different techniques to approach the dispute such as scaling questions; solution-focused questions; specific language used by mediators in order to support the parties make their own decisions without giving any advice even subtly.

Mediation Advocacy Training

140. It is incumbent upon professional representatives, also called mediation advocates, to negotiate within the mediation framework to the highest level of skill and technique. Held on 9-10 December 2014, this unique course redefined mediation from the perspective of the mediation advocate and outlined duties of mediation advocates and specific duties held by mediation advocates who are also practicing lawyers. Most interestingly, it offered participants a negotiation protocol specifically geared to anticipating and meeting the challenges of mediation.

141. Attendees were a variety of lawyers, in-house counsel, university professors, and engineers on the art of representing parties during mediation.

Writers' Workshop

142. IFC in collaboration with its local partners plans to sponsor a major mediation book project envisioned to be "the definitive leading text on mediation in Egypt and in the region". On 8 December 2014, CRCICA hosted a workshop to explore the potential of drafting the book. Re-assessment will take place early May.

Arb/Med/Arb Roundtable

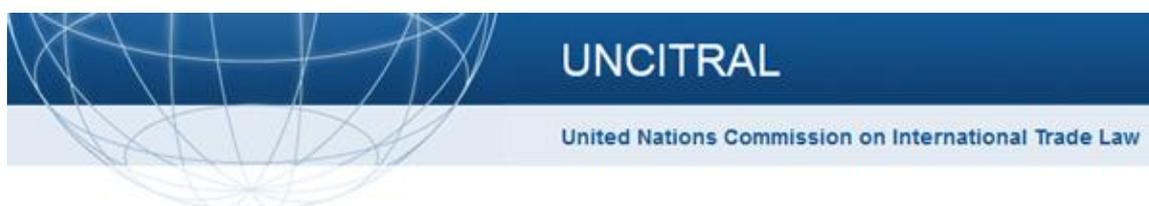
143. Given the increasing interest in multi-tiered dispute resolution (MDR) processes, on 11 December 2014, CRCICA hosted a roundtable discussion that involved eminent arbitration practitioners in Egypt to explore the option of institutionalizing Arb-Med-Arb in CRCICA. "Arb-Med-Arb" is a process where a dispute is referred to arbitration before mediation is attempted. If the parties are able to settle their dispute through mediation, their mediated settlement may be recorded as a consent award. If the parties are unable to settle their dispute through mediation, they may continue with the arbitration proceedings.

144. Discussions were based on the case study of the Singapore International Mediation Centre (SIMC) which recently initiated Arb-Med-Arb.

145. The feedback from the attendees was very positive, in view of the benefits that the combination of this process can offer.

XII. CRCICA's Role in the Development of International Arbitration

Revision of the UNCITRAL Notes on Organizing Arbitral Proceedings



146. Upon UNCITRAL's invitation, CRCICA submitted its proposals on possible revisions of the UNCITRAL Notes on Organizing Arbitral Proceedings which were adopted in 1996. At its forty-seventh session, in 2014, the United Nations Commission on International Trade Law (UNCITRAL) agreed that Working Group II (Arbitration and Conciliation) should consider at its sixty-first session the revision of the UNCITRAL Notes on Organizing Arbitral Proceedings (1996).

147. The said Session was held in Vienna, Austria on 15-19 September, 2014. Ms. Rabab Yasseen attended in representation of the Centre. Ms. Yasseen is Partner, Mentha & Partners, Deputy Judge, Geneva Civil Court and Member of CRCICA's Advisory Committee.

148. The Session was chaired by one of the eminent members of CRCICA Board of Trustees, Mr. Michael Schneider, who is an international arbitrator and founding partner of LALIVE.

149. During the sessions, the Notes were thoroughly discussed and deliberated. The Secretariat was requested to prepare a draft of revised UNCITRAL notes on organizing arbitral proceedings, based on the deliberations and decisions of the Working Group and to identify specific issues for discussion at the next session of the Working Group. Delegations were invited to contribute proposals and comments to the Secretariat in view of the preparation of a revised draft version of the Notes. The draft Report is available through the following link:

http://www.uncitral.org/pdf/english/workinggroups/wg_arb/acn9-826-draft_website.pdf

150. It is notable that CRCICA contributed to various UNCITRAL works such as the UNCITRAL Digest of Case Law on the Model Law on International Commercial Arbitration, the UNCITRAL Recommendations to assist arbitral institutions and other interested bodies with regard to arbitration under the UNCITRAL Rules as well as the UNCITRAL Rules on Transparency in Treaty-based Investor-State Arbitration.

ISPRAMED Report on Independence and Impartiality of Arbitrators



151. In May 2014, the Institute for the Promotion of Arbitration and Mediation in the Mediterranean (ISPRAMED) released its first Report resulting from the comparative work of practices and rules on arbitration among the members of the Network of the Mediterranean Arbitration Centres, namely:

- Arbitration Court of Morocco (Morocco)

- Cairo Regional Centre for International Arbitration (Egypt)
- Centre for Arbitration, Mediation and Conciliation of Algiers (Algeria)
- Chamber of Arbitration of Milan (Italy)
- Lebanese Arbitration Centre (Lebanon)
- Legal Department of the Istanbul Chamber of Commerce (Turkey)
- Tunis Mediation and Arbitration Centre (Tunisia)

152. The Report focuses on Independence and Impartiality of Arbitrators in the light of the practical experiences of member-centres. This involves five basic principles and a set of common practices representing the standard procedural stance of member-centres in relevant cases.

153. According to the Report, the common institutional practices among the seven centres are based on five cases being; Arbitrator's relationship with the Institution; Arbitrator's relationship with the parties; Arbitrator's relationship with parties' counsels; Arbitrator's relationship with another arbitrator and finally Arbitrator's relationship with the subject matter of the dispute.

154. Within this context, CRCICA practice profile shows that the most frequent cause for challenging arbitrators is related to the arbitrators' current or previous relationship with the parties or parties' counsels. Challenges based on such causes are upheld by the Tripartite Ad hoc Committees composed from amongst the members of CRCICA Advisory Committee to rule on such challenges.

155. The Report provides guidance in the decision-making process of institutions dealing with cases which raise doubts as to the arbitrators' independence and impartiality. It also offers guidance to international arbitration users, to know beforehand the positions of the centres on critical issues of arbitration. While being consistent with the international arbitration practice, the principles and practices highlighted in the report are able to accommodate the legal cultural differences in the Mediterranean area.

156. By and large, this important work, which is a product of intensive collaborative devotion, is meant to be a useful tool in the hands of different stakeholders working in the Mediterranean Area, as it illustrates the high quality standards followed by the institutions operating in the Area. The full Report available through the following link: <http://www.ispramed.it/root/wp-content/uploads/2014/05/Report-on-Independence.pdf>.

157. On 13 October 2014, CRCICA Director attended the Institute's fifth meeting of the Network of Arbitration Centres in the Mediterranean held in Casablanca, Morocco. The meeting tackled inter alia, the publication of the Report

The Foundation of the International Federation of Arbitration Centres in the Islamic World



158. Under the auspices of his Highness Prince Dr. Bandar Salman M. Al-Saud, President of the Saudi Arbitration Group, the First Forum for Arbitration in the Islamic World was held at Um Al Qura University in Mecca, Saudi Arabia from 9 to 10 March 2014. CRCICA Director delivered a speech addressing the past, present and future of CRCICA, its activities and contributions to the theory and practice of arbitration in its region.

159. On the occasion of the Forum, the International Federation for Arbitral Institutions in the Islamic World was established composing ten arbitration centers including CRCICA. The Federation is intended to foster cooperation among member-institutions. On 28 September 2014, CRCICA hosted the meeting of the Drafting Committee of the Federation's Draft Bylaws, which will be soon finalized.

XIII. CRCICA Participation in Regional and International Events

Colloquium on Arbitration in Egypt, Milan Chamber of Arbitration, Italy, 18 February 2014



160. On 18 February 2014, the Milan Chamber of Arbitration (CAM) organized a Colloquium, with CRCICA Director as keynote speaker, on Arbitration in Egypt within the context of the Colloquia on international arbitration held periodically by the Milan Chamber of Arbitration and addressed to professionals and in-house counsels who are already familiar with the subject of international arbitration.

161. The Colloquia aim at exchanging views with arbitration experts from different jurisdictions and providing the participants with practical tips on how to use arbitration at different latitudes. They are held in an informal round-table setting in order to encourage the participants to share their experiences with a view to professional development and networking.

162. The Colloquium on Egypt was moderated by CAM's Secretary-General, Mr. Stefano Azzali, and was attended by 21 Italian lawyers and in-house counsels from 12 law firms in addition to other companies and entities.

163. CRCICA Director made a presentation titled "Overview of arbitration in Egypt with special emphasis on institutional arbitration under the auspices of CRCICA" addressing *inter alia* the salient features of the Egyptian Law on Arbitration and Institutional arbitration under the auspices of CRCICA.

Commercial Mediation, an effective tool for dispute resolution, Cairo, Egypt, 25 March 2014



164. On 25 March 2014, the Legal Committee of the French Chamber of Commerce in Egypt (CCFE) organized its second Mediation Seminar for the CCFE on: «Commercial Mediation, an Effective Tool for Dispute Resolution». The half-day event took place at the Aida Ballroom, Marriott Hotel, Cairo, Egypt and was attended by more than 60 persons from different backgrounds. The Seminar was intended to discuss new developments in alternative dispute resolution, analyze and share experiences while focusing on the most important practical issues in mediation, based on what is happening right now in the field.

165. The Seminar offered to companies an opportunity to discuss mediation which is a rapidly evolving and widely used method for dispute resolution that have proved successful in many jurisdictions. The Seminar was also the forum where companies and their in-house counsels shared best practices and lessons learned in order to stay in control of their claims and disputes. CRCICA Director was invited to explain the salient features of the new CRCICA Mediation Rules in force since January 2013. He also shared his recent experience as mediator in two mediation cases that were successfully concluded.

166. Other speakers included Judge Wadie Hana Nashed, the Secretary General of the Committee drafting the mediation law at the Egyptian Ministry of Justice, who tackled the future of mediation in Egypt, while focusing on the salient features of the draft mediation law. A second panel moderated by Dr. Maged Ackad, Managing Partner of Ackad Law Office and CEDR Accredited Mediator, included Dr. Eman Mansour, Director of the Centre for the Settlement of Investment Disputes at the General Authority for Investment and Free Zones (GAFI), who explained the practical experience of her Centre in the settlement of disputes by mediation. Finally, Ms. Fatma Ibrahim, Operations Officer, IFC Advisory Services, Middle East and North

Africa-Commercial Justice Program, addressed the role of IFC in the development of mediation in Egypt.

IFCAI's Council and General Assembly Meetings, Miami, USA, 6-7 April 2014



167. In his capacity as Vice-President of the International Federation of Commercial Arbitration Institutions (IFCAI), CRCICA Director attended both the IFCAI Council and the 20th IFCAI General Assembly meetings held in Miami on 6 and 7 April 2014, respectively.

168. During such meetings, the revision of IFCAI's Constitution was discussed based on a draft amendment submitted by the Nominating Committee composed of Bill Slate, Adrian Winstanley and Jens Bredow as well as the discussions that took place during the last Council meeting held in Paris on 5 December 2013.

169. The next IFCAI Council meeting is scheduled to take place in November 2015 in Sharm El Sheikh, Egypt on the occasion of the Sharm El-Sheikh V Conference on the role of state courts in arbitration, while the 13th IFCAI Biennial Conference shall take place in Manama, Bahrain on 23 March 2015. The tentative theme of the Conference is legitimacy of international arbitration from an institutional perspective.

ICCA Miami Congress: Legitimacy: Myths, Realities, Challenges, Miami, USA, 6-9 April 2014,



170. The International Council for Commercial Arbitration (ICCA)'s Congress was held in Miami from April 6 to 9, 2014. The program of the Miami Congress focused on legitimacy issues with special emphasis on the myths, realities and challenges.

171. On 7 April 2014, a panel involving representatives of nine arbitral institutions including CRCICA addressed the following question: Arbitral Institutions Can Do More to Further Legitimacy. True or False?

172. Based on the answers provided by the panelists to a questionnaire prepared before the Congress, the panel discussed whether arbitral institutions have been steady stewards of legitimacy in arbitration, or, as more say, are they stagnant and protective of the status quo? In particular, can arbitration be legitimate if the arbitrator selection process is opaque, the quality of awards is variable, and the arbitral process lacks foreseeability? Particularly as the growth in regional institutions continues, are there consistent practices to be encouraged, and others to be eschewed, to promote and preserve legitimacy?

173. The session was intended to challenge whether institutions are doing enough to ensure the availability of diverse, well-trained arbitrators and to ensure first-rate, timely performance of their duties.

174. CRCICA Director headed one of the three sub-panels and delivered a speech discussing whether arbitral institutions are enabling a "mafia" and are indifferent to delays and costs. Based on the answers collected from all nine arbitral institutions, he concluded his presentation by stating that the alleged existence of a "mafia" that is enabled by arbitral institutions is clearly a

myth and should not be perceived as an institutional issue. He added that, from the perspective of arbitral institutions, the community of arbitrators is rather viewed as an exclusive club, access to which is not really hindered for newcomers. This is demonstrated by relevant efforts exerted by organizations like the ICCA, the IFCAI and the IBA, whose Arbitration Section is becoming its largest one. Drove of highly able younger practitioners are flooding into the field. More women are becoming prominent. Every region has people of fine expertise and growing acceptability in the field. Accordingly, arbitration institutions are not solely responsible for the shortcomings in the system. These problems should not deter them, however, from pursuing every effort to expand the pool of qualified arbitrators and to take the lead in this mission in order to maintain not only the trust of their users, but most importantly the legitimacy of institutional arbitration.

ICCA New York Convention Roadshow, Manama, Bahrain, 3-5 May 2014,



175. The International Council for Commercial Arbitration (ICCA) held the New York Convention Roadshow from 3 to 5 May, 2014 in Manama, Bahrain. The Roadshow was the first of a series of planned dialogues on the 1958 convention in Bahrain and the Arab World and accompanied the publication of an ICCA guide to its interpretation and application, in Arabic. ICCA has already held similar dialogues in Mauritius, bringing together judges from 13 African countries.

176. The Roadshow was organised by Mrs. Marike Paulsson, a member of ICCA's judiciary committee, and Prof. Nassib Ziadé, CEO of the BCDR-AAA. Discussions were led by Prof. Nassib Ziadé along with Dr. Hamza Haddad Director of the Law and Arbitration Centre in Amman and Dr. Mohammed Abdel Raouf, CRCICA Director in his capacity as member of ICCA's governing board and judiciary committee. Bahrain's Judge Yousif Al-Akyabi also steered discussions.

177. The Roadshow was launched on the evening of 3 May, with speeches from Ziadé, Jan Paulsson, Bahrain's minister of justice and foreign affairs Shaik Khalid Bin Ali Al-Khalifa, and

His Highness Prince Dr Bandar Bin Salman Al-Saud, a member of the Saudi royal family who leads the Saudi Arbitration Centre in Riyadh. The launch was attended by the Bahraini minister of culture, Shaikha Mai Bint Mohammed Al-Khalifa and Arab ambassadors in Bahrain.

178. Supported by the Kingdom of Bahrain's Supreme Judicial Council, the BCDR-AAA and the Arab League, the Manama Roadshow brought together judges from the appeal and cassation courts of 13 Arab countries and came up with recommendations to improve the recognition and enforcement of arbitral awards in the Arab World.

179. A total of 51 judges attended from Bahrain, Djibouti, Egypt, Jordan, Kuwait, Libya, Lebanon, Mauritania, Morocco, Oman, Palestine, Saudi Arabia and Yemen. Their recommendations included that ICCA and the Bahrain Chamber for Dispute Resolution (BCDR-AAA) should collaborate to launch a website of judgments rendered in Arab countries regarding the recognition and enforcement of foreign arbitral awards; that Arab judges should work towards a unified judicial approach in this area; that legislative bodies in Arab countries should coordinate to remove contradictions in their relevant legal regimes; and that Arab countries that have yet to accede to the convention should do so.

180. There were also calls for Arabic to be accredited as an official language for international treaties and agreements related to international commerce and international arbitration.

181. Finally, the delegates pledged to highlight to the international arbitral community the flexible nature of Islamic shariah law and its easy integration into commercial contracts and arbitration rules. The complete list of recommendations is available through this link: http://www.arbitration-icca.org/NY_Convention_Roadshow.html.

182. Those wishing to assist with the ICCA and BCDR-AAA website for Arab judgments relating to the recognition and enforcement of arbitral awards should email bureau@arbitration-icca.org.

First Mediation Conference CCFE-Alexandria, 18 May 2014



183. On 18 May 2014, the Alexandria Branch of the French Chamber of Commerce in Egypt (CCFE), organized its first conference on Mediation in Alexandria on: «Commercial Mediation, an Effective Tool for Dispute Resolution». The half-day event was hosted by the French Consulate in Alexandria, Egypt and was attended by more than 30 persons from different backgrounds. The Seminar was intended to discuss new developments in alternative dispute resolution, analyze and share experiences while focusing on the most important practical issues in mediation, based on what is happening right now in the field.

184. CRCICA Director was invited to explain the salient features of the new CRCICA Mediation Rules in force since January 2013 as well as the lessons learned from his personal experience as mediator.

185. Other speakers included Judge Wadie Hana Nashed, the Secretary General of the Committee drafting the mediation law at the Egyptian Ministry of Justice, who tackled the future of mediation in Egypt, while focusing on the salient features of the draft mediation law.

186. After a very lively Q&A session, a second panel also moderated by Dr. Maged Ackad, Managing Partner of Ackad Law Office and CEDR Accredited Mediator, included Dr. Eman Mansour, Director of the Centre for the Settlement of Investment Disputes at the General Authority for Investment and Free Zones (GAFI), who explained the practical experience of her Centre in the settlement of disputes by mediation. Finally, Ms. Fatma Ibrahim, Operations Officer, IFC Advisory Services, Middle East and North Africa-Commercial Justice Program, addressed the role of IFC in the development of mediation in Egypt while focusing on how mediation could create value out of the dispute.

Conference on legal risks and countermeasures of international investment and trade from the perspective of China-Africa cooperation, Beijing, China, 17-18 September 2014



187. CRCICA Director participated among other 15 African experts from 10 African nations in the Conference on legal risks and countermeasures of international investment and trade from the perspective of China-Africa cooperation that took place on 17-18 September 2014 in Beijing, China. The Conference was organised by the China Law Society in cooperation with other China-Africa institutions. In a session dedicated to tackling disputes settlement mechanisms of international investment and trade, CRCICA Director delivered a speech on "Institutional Arbitration as a Means of Setting Sino-African Economic Disputes: The Experience of Egypt". In which he overviewed the salient features of arbitration in Egypt with special emphasis on institutional arbitration under the auspices of CRCICA. Other topics included ADR in South Africa, Kenya and China.

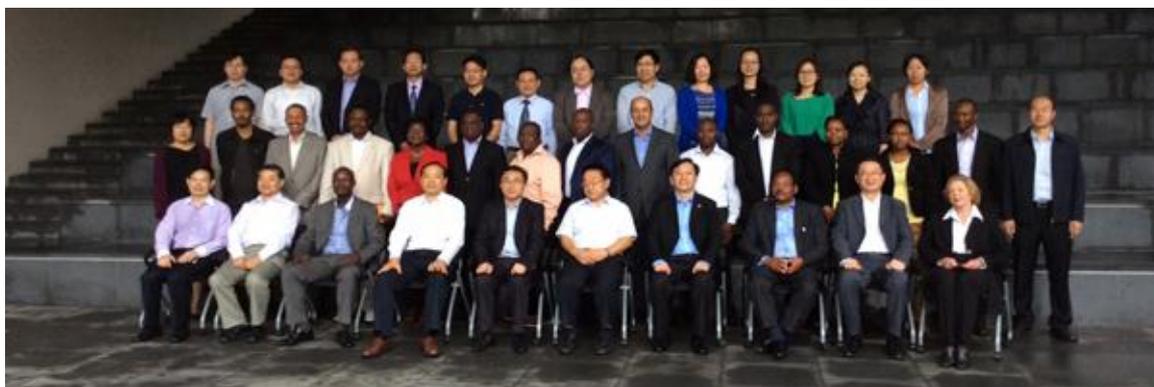
188. The conference was attended by 100 persons including businessmen, lawyers, professors and judges.

Public-Private Dialogue on Public-Private Partnerships in Egypt's River Transport Sector, Cairo, Egypt, 18 September, 2014



189. On 18 September 2014, a conference titled "Public-Private Dialogue on Public-Private Partnerships in Egypt's River Transport Sector" was held in Cairo. The conference was the final day of a 3-day workshop related to public-private partnerships in the river transport sector. The event was organized by the River Transport Authority, the Investment Security in the Mediterranean (ISMED) Support Programme and the OECD. It aimed at exploring the means to develop river transportation in Egypt, the various challenges that it face and whether PPPs (public private partnerships) could be a proper mechanism to serve this purpose. The conference presented the legislative and political framework of PPPs in Egypt and discussed the draft report prepared by ISMED regarding River transportation in Egypt. A final report that includes the comments expressed by the attendees in this workshop will be presented at the ISMED Working Group Conference which will be held at the OECD Headquarters in Paris in December 2014. CRCICA was represented in the conference by Dr. Dalia Hussein, legal advisor at the Centre.

China-Africa Conference on International Investment and Legal Risks, Shanghai, China, 23 September, 2014



190. CRCICA Director participated among other 15 African experts from 10 African nations in the China-Africa Conference on international investment and legal risks that took place on 23 September 2014 in Shanghai, China. The Conference was organised by the China Law Society and the Shanghai Jiao Tong University in association with other academic and arbitration institutions. In a session dedicated to tackling China-Africa Trade and International Commercial Arbitration, CRCICA Director delivered a speech covering the option of referring Sino-African commercial and investment disputes to arbitration under the auspices of CRCICA, in which he overviewed the salient features of arbitration in Egypt as well as the relevant provisions of the CRCICA Arbitration Rules. Other topics included the salient features of arbitration in Seychelles as well as under the auspices of the Shanghai International Arbitration Centre (SHIAC). The

conference was attended by officials from local authorities in Shanghai in addition to professors, businessmen, lawyers and judges.

ISPRAMED Conference on the Selection of Arbitrators: The Key to Efficient Arbitral Proceedings, Casablanca, Morocco, 14 October, 2014



191. On 14 October 2014, the Institute for the Promotion of Arbitration and Mediation in the Mediterranean (ISPRAMED) organized a conference with the Arbitration Court of Morocco on the "Selection of arbitrators: the key to efficient arbitral proceedings", in Casablanca, Morocco. The Conference was attended by persons of different backgrounds and tackled the selection of arbitrators by the parties, the required background and qualifications, the independence and trust of arbitrators and the case of beauty parades, the appointment of arbitrators in multiparty arbitrations and the importance of the selection in guaranteeing streamlined proceedings. CRCICA Director participated in a roundtable moderated by Prof. Mohamed El Mernissi regarding the role of arbitral institutions in managing the selection process, in which he explained the role of CRCICA in the selection of arbitrators in its capacity as appointing authority. Among the other institutions participating in the said roundtable was the Milan Chamber of Arbitration, the Centre of Conciliation, Mediation and Arbitration of the Algerian Chamber of Commerce and Industry, the Tunis Mediation and Arbitration Centre, the Istanbul Arbitration Centre of the Istanbul Chamber of Commerce, the Lebanese Arbitration Centre of the Chamber of Commerce and Industry and Agriculture of Beirut and Mount Lebanon and the Arbitration Court of Morocco. Prof. Charles Jarrosson, University Panthéon Assas Paris II and ISPRAMED's Network Coordinator, made the conclusions at the end of the Conference.

Construction Contract Development, Challenges and Dispute Resolution Conference, AUC, Cairo, Egypt, 22 October 2014



192. On 22 October 2014, the American University in Cairo (AUC) in conjunction with the Society of Construction Law (SCL-UK) held a conference at the AUC Campus in New Cairo, Cairo Egypt on "Construction Contract Development, Challenges and Dispute Resolution" where the contractual and legal challenges in construction contracts were tackled with special emphasis on the modern alternative dispute resolution mechanisms available for the settlement of such disputes. CRCICA Director made a presentation on the settlement of construction disputes by arbitration under the auspices of CRCICA. The conference was very well attended mainly by engineers and lawyers from Egypt and the Middle East.

IFCAI Council Meeting, Sharm El Sheikh, Egypt, 17 November 2014



193. The IFCAI Council held a meeting on 17 November 2014 on the occasion of the Sharm El-Sheikh V Conference on the Role of State Courts in International Arbitration. The meeting was attended by Diana Droulers, IFCAI President, Stefano Azzali (Secretary-Treasurer), Annette Magnusson and Mohamed Abdel Raouf (Vice Presidents) as well as Nassib Ziadé (Councillor). The following arbitral institutions were therefore represented in the meeting: Arbitration Centre of the Chamber of Commerce of Caracas, the Chamber of Arbitration of Milan, the Arbitration

Institute of the Stockholm Chamber of Commerce (SCC), the Cairo Regional Centre for International Commercial Arbitration (CRCICA) and the Bahrain Chamber for Dispute Resolution (BCDR-AAA). Among the matters on the meeting's agenda was the preparation of the forthcoming IFCAI Biennial Conference scheduled to take place in Bahrain on 23 March 2014 as well as the launch of the new IFCAI website.

For a Euro-Mediterranean Community of International Arbitration, Marseille, France, 8 December 2014



194. On 8 December 2014, the United Nations Commission on International Trade Law (UNCITRAL), the Organisation for Economic Co-operation and Development (OECD) and the French Inter-ministerial Delegation for the Mediterranean organized an international conference on "For a Euro-Mediterranean Community of International Arbitration" in the impressive Villa Méditerranée in Marseille, France.

195. After an inaugural session in which the current work of the UNCITRAL in the field of International Commercial Arbitration was explained by Renaud SORIEUL, UNCITRAL's Secretary, Philippe Leboulanger, Vice-Chairman of CRCICA Advisory Committee and member of CRCICA Board of Trustees, tackled the development of Euro-Mediterranean relations in the field of international commercial arbitration and investment. The new UNCITRAL Guide on the New York Convention of 1958 was also explained.

196. CRCICA Director addressed the "Issues and Challenges of Investment Arbitration: An Arab Perspective", where he explained the salient differences between commercial and investment arbitrations, investment arbitration in the Arab World with special emphasis on the Egyptian Experience as well as the CRCICA caseload, the impact of using the UNCITRAL Rules on the settlement of investment disputes, in addition to the salient jurisdictional and substantive issues and challenges of Arab ISDS.

197. At the same panel, Mr. Rinaldo Sali, Vice Secretary General of the Milan Chamber of Arbitration, explained the activities of ISPRAMED, while Ms. Rabab Yasseen, Member of CRCICA Advisory Committee, tackled the issues and challenges of investment arbitration from a practitioner's perspective.

Investment Integration and Policy Reforms in the MENA Region, Cairo, Egypt, 9-11 December 2014



198. CRCICA participated in the Regional conference on Fostering Regional Integration on Investment, held on 9-10 December 2014 at the premises of the League of Arab States in Cairo, Egypt. The conference was organized by the League of Arab States in partnership with the Swedish International Development Cooperation Agency (SIDA) and the OECD. In a session dedicated to the "State of Play of Existing Tools to Promote Investment in the Region", CRCICA representatives, Dr. Dalia Hussein, legal advisor and Ms. Heba Salem, case manager and legal researcher, delivered a speech on CRCICA's vision to enhance investment arbitration in the region. The speech also presented CRCICA's experience in investment arbitration and assessed the latest amendment to the Unified Agreement for the Investment of Arab Capital in the Arab States.

The Limitus Test: Challenges to Awards and Enforcement of Awards in Africa, Mauritius, 15-16 December 2014



199. On 15 and 16 December 2014, the third biennial Mauritius International Arbitration Conference (MIAC) was held in Mauritius with the following title: "The Litmus Test: Challenges to Awards and Enforcement of Awards in Africa".

200. MIAC 2014 featured panels formed of international and regional leaders in the field who explored from practical perspectives challenges to awards and enforcement of awards in general with special emphasis on Africa.

201. Over two days, a very interesting combination of panels and workshops was made as follows: Two panels of experts presenting papers, one focusing upon challenges to awards and the other upon enforcement of awards. Two practical workshops involving advocates and judges relied on mock cases to demonstrate how in practice advocates can argue challenges to awards and enforcement of awards and how a tribunal might go about adjudicating on these matters. Two Panel-led discussion sessions allowing all delegates attending the conference to raise questions and points for discussion arising from earlier panels.

202. CRCICA Director led the discussions on the recognition and enforcement of awards in a panel-led discussion session moderated by Mr. Hugo Siblesz, Secretary General of the Permanent Court of Arbitration (PCA) and involving Prof. Philippe Leboulanger, Leboulanger et Associes, Paris and Vice Chairman of CRCICA Advisory Committee, as another discussion leader.

XIV. CRCICA Publications

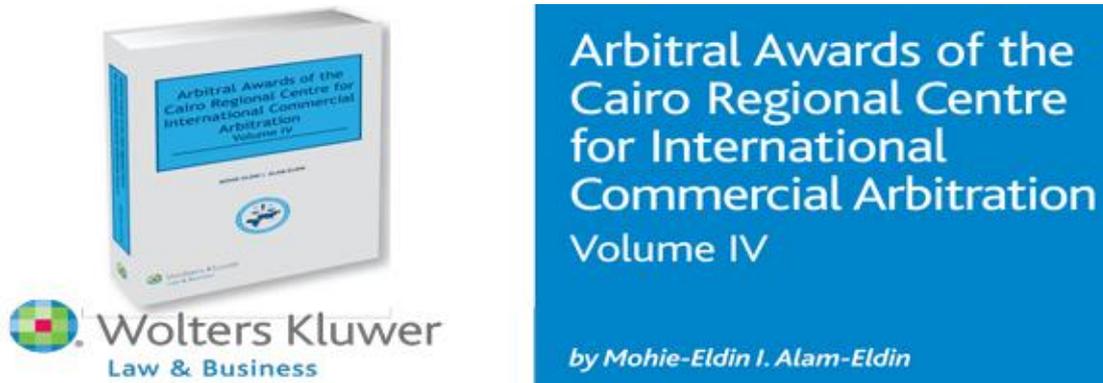
Journal of Arab Arbitration: 22nd & 23rd Volumes- Volume 1 (3rd Edition)



203. In 2014, CRCICA issued volumes 22 and 23, and reproduced Volume 1 in its 3rd edition, of the Journal of Arab Arbitration. The Journal is a semi-annual CRCICA-sponsored publication of the Arab Union of International Arbitration (AUIA). Each volume of the Journal includes a

number of articles, judicial awards and arbitral precedents. The table of contents available through the following link: <http://cricica.org.eg/publication/JournalOfArabArbitration/v22.pdf>.

English Volume IV of CRCICA Arbitral Awards



204. Kluwer Law International published the fourth English volume of CRCICA Arbitral Awards which is authored by Dr. Mohi-Eldin Ismail Alam-Eldin, the Senior Legal Adviser of the Centre. Volume IV includes seven complex construction cases. Each award is squeezed into around 100 pages originally out of 300/500 pages. To order the Book, interested scholars are invited to contact: <http://www.kluwerlaw.com>.

XV. Contribution to International Publications

Contribution to Getting the Deal Through - Arbitration 2014



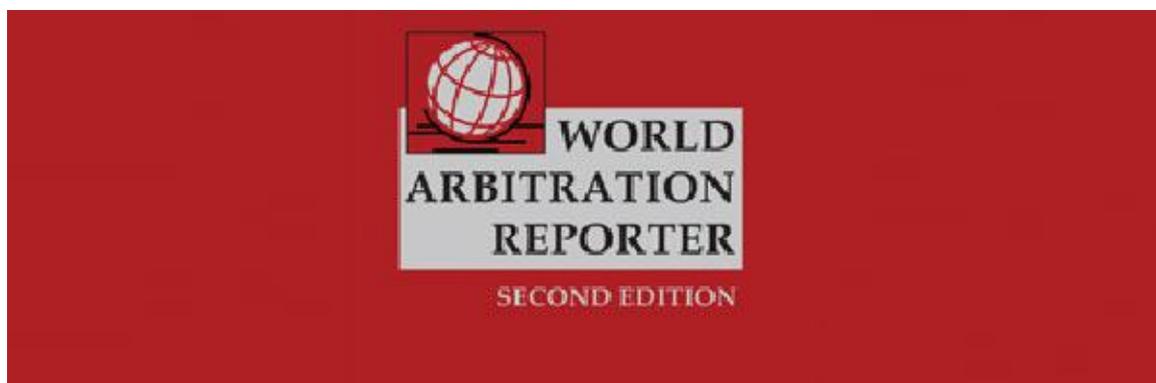
205. A Chapter on CRCICA has been published in the ninth edition of Getting the Deal Through - Arbitration 2014, which provides international analysis in key areas of law and policy for corporate counsel, cross-border legal practitioners and business people. The scope of coverage of the publication is expanding annually. In the 2014 edition, there are 52 jurisdictions and 13 arbitral institution chapters. The full Chapter is available through this link: <http://www.cricica.org.eg/newsletters/nl012014/A2014CRCICA.pdf>.

Interim Measures in International Arbitration, Juris Publishing Inc., June 2014



206. CRCICA contributed with a chapter on Egypt in the Juris Publishing first edition of Interim Measures in International Arbitration edited by Mr. Lawrence W. Newman and Dr. Colin Ong. Contributors gathered from 43 different countries all over the world, to inform the reader about the essential elements of the different interim measures which are available as part of the arbitral process, each in his/her respective jurisdiction. According to the published editorial note, this book combines the best elements of a focused legal textbook with the essential practicalities of a practitioners' procedural handbook. It is notable that Egypt and the United Arab Emirates are the only representatives of the Arab world in this important Publication.

World Arbitration Reporter (WAR) - 2nd Edition, July 2014, Updated Chapters on Egypt and CRCICA



207. CRCICA contributed two chapters in the World Arbitration Reporter - 2nd Edition, one on Egypt and the other on the works and activities of the Centre.

208. Extensively revised and updated by leading authorities in the field, the World Arbitration Reporter (WAR) is said to be the only integrated reference work containing detailed commentary and analysis on national legislation from more than 100 countries as well as information on the rules of procedure of more than 100 international and national arbitral institutions and the leading international arbitration treaties and agreements.

209. WAR - Second Edition is divided into four comprehensive volumes on: National Arbitration Country Reports; National Arbitration Institutions; International Arbitration Institutions and International Arbitration Treaties, Bilateral and Regional Agreements.

XVI. Cooperation Agreement:

CRCICA and CAM-CCBC (BRAZIL) sign a cooperation agreement, Cairo, 20 November 2014



210. On 20 November 2014 CRCICA and The Arbitration and Mediation Centre of The Chamber of Commerce Brazil-Canada (CAM-CCBC) entered into a cooperation agreement in order inter alia to foster their respective roles in the development of arbitration, mediation and other ADR, to exchange relevant information and publications, to recommend to each other suitable individuals to serve as arbitrator or mediator and, wherever possible, to provide technical assistance regarding conference room facilities, hotels, and translation, teleconference and transcription services. It is worth mentioning that both institutions were established in 1979 and are therefore celebrating 35 years of existence in 2014.

XVII. Study Visits and Internships:

A Visit by a Delegation of the Kingdom of Saudi Arabia, 23 March 2014



211. On 23 March 2014, a governmental Saudi delegation paid a study visit to the Cairo Regional Centre for International Commercial Arbitration. The visit was a part of a legal training on international law conducted by Volterra Fietta, an international law firm. The delegation was composed of 8 lawyers from the Royal Court, Ministry of Foreign Affairs and Ministry of Petroleum accompanied by trainers from Volterra Fietta.

212. As a part of an extensive training program, the visit was meant to provide the trainees with a practical insight into the functioning of international organizations and arbitral institutions and provide them with an opportunity to engage with individuals who work with international law on a daily basis.

213. Trainees listened to a detailed presentation on the works and functioning of the Centre followed by a questions and answers session.

A Visit by a Senior Representative of the GCC Commercial Arbitration Centre, 28 April 2014



214. On 28 April 2014, and in implementation of the cooperation agreement concluded between CRCICA and the GCC Commercial Arbitration Centre in 2009, Mrs. Eman Issa Abdulsalam, Communications and marketing Media Coordinator of the GCC Commercial Arbitration Centre visited CRCICA. The main target of the visit was to exchange knowledge and share experiences regarding the organization of conferences and regional events. Discussions tackled the organizational tools and methodologies of the Cairo Centre as well as the marketing needs and expectations of the Gulf Area. Future mutual cooperation between the two centres were also deliberated and the idea of holding an inter-Arab Arbitration Colloquium were raised enthusiastically.

XVIII. Internships

215. **June 2014:** CRCICA organized a two-week intensive internship program for two undergraduates; Youssef Rizkana, the School of Law, University of East Anglia (UEA), United Kingdom, and Ziad Loutfi, School of Law (English Section), Cairo University. Interns were given the chance to examine the Rules of the Centre and the Egyptian Arbitration Law no. 27/1994 and to attend three hearings and CRCICA-hosted events. To enrich their understanding of arbitration, they were involved in a comparative research about the complexity of the arbitration agreement and its consequences; the differences between ad hoc and institutional arbitrations; the difference between arbitration and litigation and the salient features of the rules of different arbitration institutions.

216. **July 2014:** Dr. Amira Mahmoud-SAAB, a French Lawyer, attended two-week training at CRCICA. The training was in agreement with the Paris Bar Association which requires fresh members to conduct a training in France or in an international organization abroad. CRCICA was recognized as one of the international organizations opening internship opportunities for locals and foreigners as well.

217. During the internship, Dr. Mahmoud-SAAB conducted a comparative study between the 2011 CRCICA Arbitration Rules and the 2010 UNCITRAL Arbitration Rules. She also drafted the French version of CRCICA Arbitration Rules (currently under final revision), discussed legal issues pertaining, inter alia, to the scope of the arbitration agreement in two CRCICA cases and attended few hearings

218. **November 2014:** Krishnan Shakkottai, a British National in the a 2nd Year of a LL.B programme at ILS Law College, Pune, a leading law school in India, joined CRCICA for a two-

week internship. Mr. Shakkottai had the chance to observe the international arbitration community in its various practices as he attended an important international hearing at the Centre and also participated at Sharm El Sheikh V: The Role of State Courts in International Arbitration.

XIX. Future Events:

219. The detailed calendar of CRCICA 2015 Events is under preparation, some of which follows:

220. **June 2015, Cairo-Egypt:** “Cairo Roadshow to promote the 2016 ICCA Congress”, in cooperation with the Mauritius International Arbitration Centre (MIAC).

221. **June 2015, Cairo-Egypt:**The fifth Round of “Comparative Commercial Arbitration, Theory and Practice”(CCATP), in cooperation with the Cairo Branch of the Chartered Institute of Arbitrators.

222. **October 2015, Cairo-Egypt:** Regional Conference on “The Settlement of Media and Entertainment Disputes”.

223. **November, 2015, Alexandria-Egypt:** International Conference on the “Euro-Mediterranean Community of International Arbitration” in cooperation with the United Nations Commission on International Trade Law (UNCITRAL) and the Organisation for Economic Co-operation and Development (OECD).

III. REPORT ON THE ACTIVITIES OF THE LAGOS REGIONAL CENTRE FOR INTERNATIONAL COMMERCIAL ARBITRATION (LAGOS, NIGERIA), 2014

224. As the Director of the Lagos Centre for international Arbitration, it is my pleasure to present to the 54th Annual Session of the Asian-African Legal Consultative Organization (AALCO) a brief report on the activities of the Regional Centre for International Commercial Arbitration – Lagos (“The Centre”) during the year 2014 – 2015.

225. I might also state that it has been 8 months since I joined the Centre and it has been such a great experience. During this period, the Centre has undergone some renovations/reorganization

in the offices and hearing rooms and has been in constant liaison with the host Government on the way forward to a review of the domestic law that established the Centre.

RCICAL: About the Centre

226. The Regional Centre for International Commercial Arbitration – Lagos (RCICAL) WAS established in 1989 under the auspices of the Asian-African Legal Consultative Organization (AALCO), an inter-governmental organization with 48 nations as members including Nigeria, which hosts RCICAL.

227. RCICAL is not for profit and is established primarily for the purpose of providing ALTERNATIVE DISPUTE RESOLUTION (ADR) methods to Litigation for the settlement of commercial disputes arising from International commercial transactions between parties engaged in trade, commerce and investments within and outside the African region. Such (ADR) methods include Arbitration, Mediation Conciliation etc.

228. The RCICAL is an autonomous International arbitral institution which has its seat in Lagos. The Headquarters Agreement in relation to RCICAL is a treaty signed in 1999 between the Asian African Legal Consultative Organization (AALCO) and the Federal Government of Nigeria, as a host country.

229. The RCICAL Arbitration Rules are based on the UNCITRAL Arbitration Rules with some modifications.

230. The Centre is conferred with Diplomatic Immunities and Privileges pursuant to the Headquarters Agreement which Guarantees its independent functioning.

Main functions of RCICAL

- To promote international commercial arbitration in the African region.
- To administer international commercial arbitration under the Arbitration Rules of RCICAL and other Arbitration Rules.
- To render assistance in the enforcement of arbitral awards
- To render advice and assistance to parties who may approach RCICAL, adhocly or by institutional reference.

Director of the Centre

231. The Director of the Centre Hon. Wilfred D. Ikatari is an Applied Economist, a Legal practitioner and administrator. He is a former Honourable Member/Judge of the Investment & Securities Tribunal of Nigeria.

232. Hon. Wilfred D. Ikatari was appointed as Director of the Centre in July 2014, succeeding Mrs. Eunice Oddiri who retired from the Ministry of Justice and as Director of the Centre in February 2014.

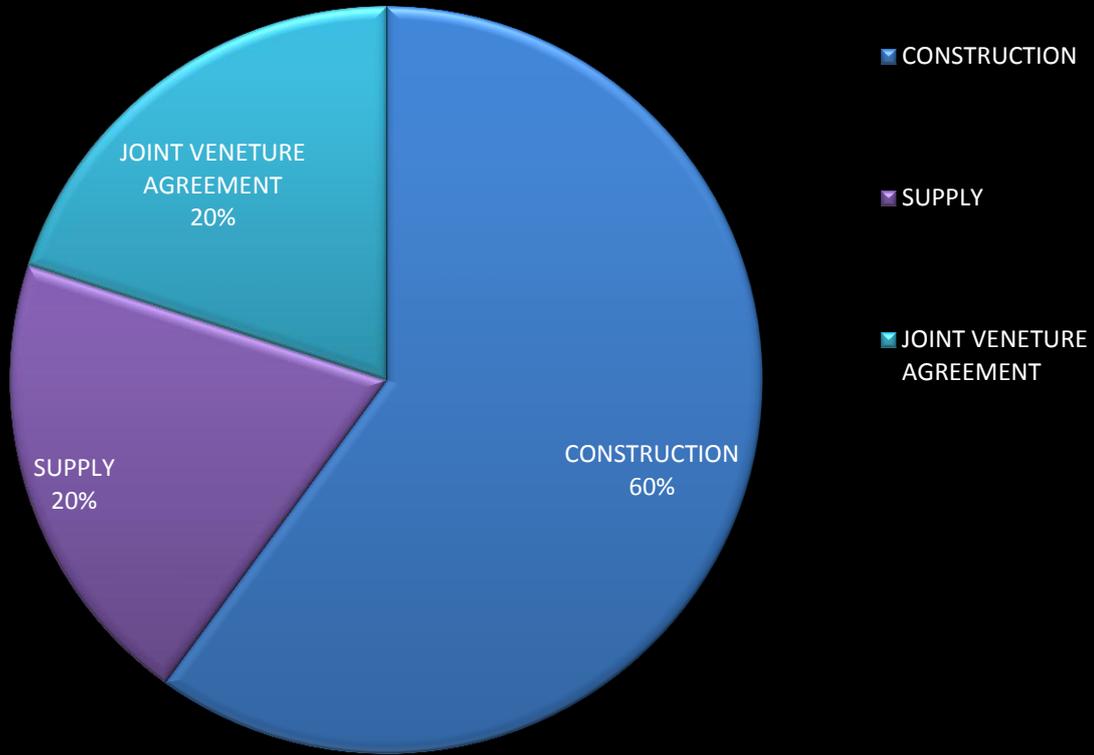
233. Hon. Wilfred D. Ikatari who was two months, two weeks on his appointment as the Director was a delegate at the Fifty-Third Annual Session of AALCO held in Tehran, Iran in September 2014.

Case load for the period July 2014 - February 2015:

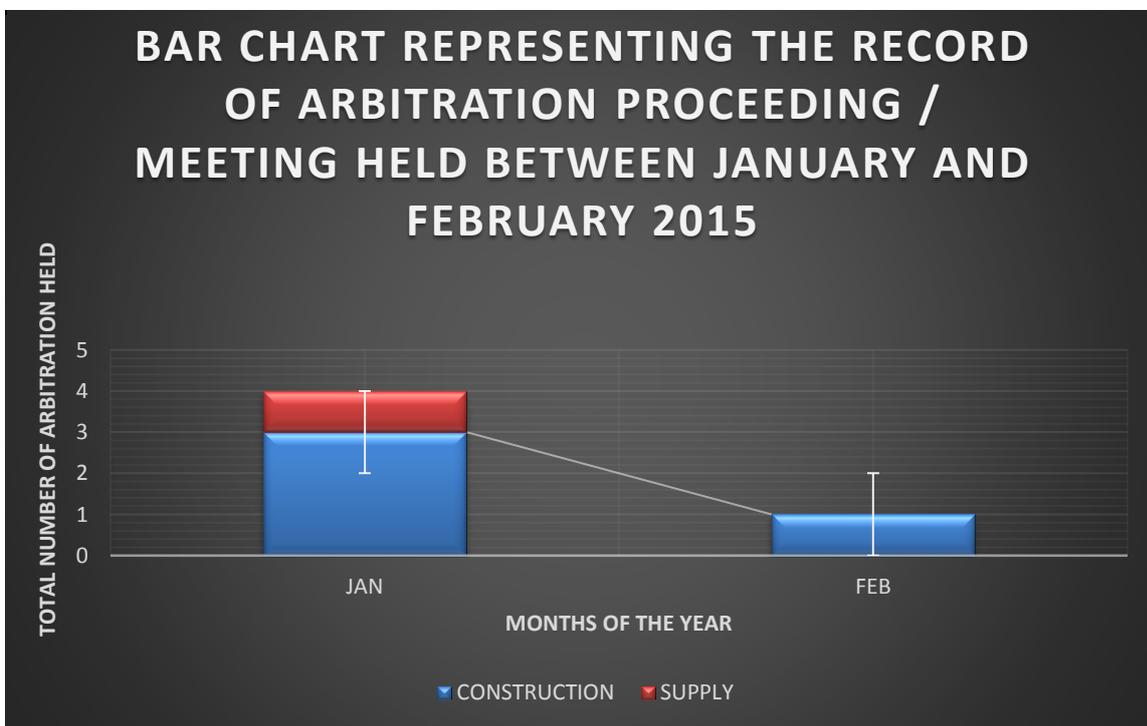
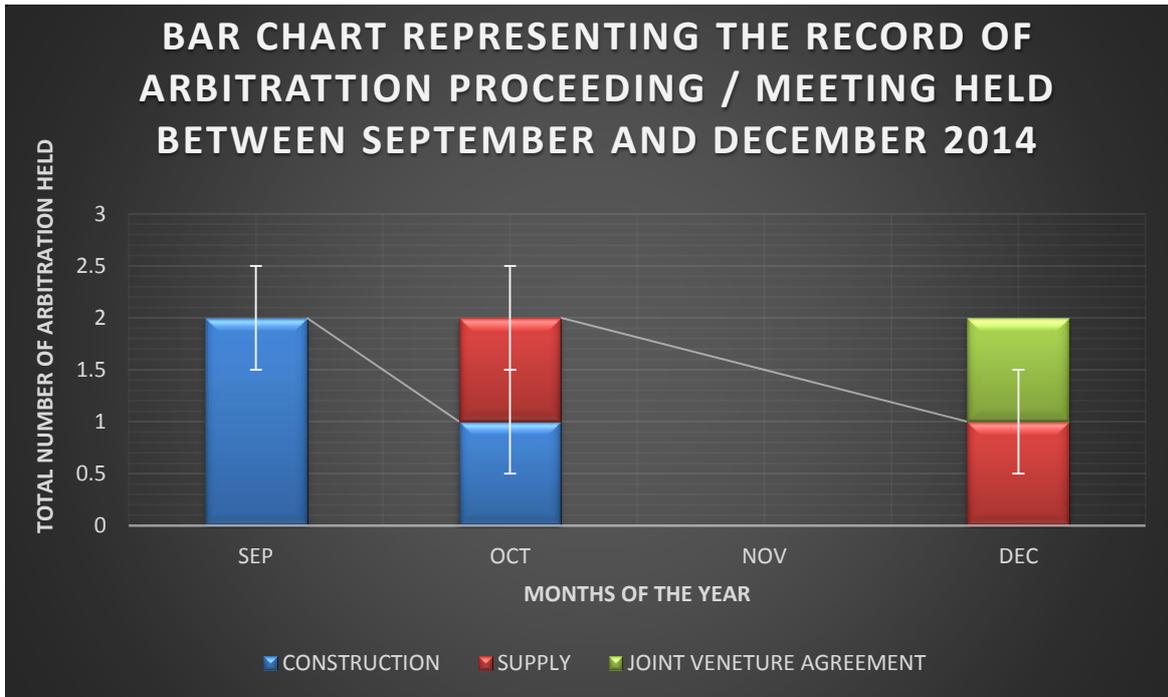
234. In the period under review, The Centre maintains the existing case load as reported last year with one additional case involving the Federal Government of Nigeria having to do with construction.

235. Below is a Pie Chart illustrating the Centre's case load arising from commercial transactions between July 2014 to February 2015.

July 2014 - February 2015 Case Load Represented in Pie Chart



236. The Bar Chart below illustrates the number of arbitral sittings held between September and December/January to February 2014.



Participation in Arbitral Events

Nigerian Bar Association 54th Annual General Conference (Owerri 2014)

237. The 2014 Annual General Conference of the Nigeria Bar Association was held in the Heartland city of Owerri, the capital of Imo State. The theme of the year’s conference is “Nigeria 100 Years After”.

238. The NBA Annual General Conference continues to be the premier and veritable opportunity for lawyers from the world to meet and hear first-hand about current trends and legal developments in various areas of practice.

239. The Centre participated in all the sessions, particularly the session on ADR and the rule of law.

China – Africa Legal Professionals Exchange Project; September 2014

240. The 1st course of the China – Africa Legal Professionals Exchange Project was held in Beijing, China in the month of September, 2014. The project was organized by the China Law Society in collaboration with the Beijing Foreign Studies University under the framework of FOCAC – Legal Forum with participants from well over 17 African countries including Nigeria, Senegal, Uganda, Kenya, Madagascar, Mauritius, Morocco, Seychelles, South Africa etc.

241. The friendly relations between China and Africa have a long history. The rapid development of China –Africa relations has provided rare opportunities and a broad stage for the legal exchange of China and Africa countries and has demanded for better performance as well. The Centre was represented alongside a colleague from the Ministry of Justice, Ekiti State as Nigerian representative.

242. Some of the salient topics canvassed during the lectures and seminars are: China – Africa Investment and Trade Law; International Commercial Arbitration and Foreign-Related Arbitration of China; Alternative Dispute Resolution Mechanism with Chinese-African Characteristics.

243. During one of the sessions at the seminar on ADR Mechanism with China-Africa Characteristics the Centre made a presentation to address the African/Chinese participants on Arbitration and ADR methods at the Centre. Also, at the end of the program the long standing friendship between the China Law Society and the Centre was further strengthened by the signing of an MOU for the purpose of affirming our mutual commitment to working cooperatively to foster dialogue and exchanges of knowledge and experience between the legal professions of both countries.

International Project Finance Association: West Africa: Lagos: Urban Infrastructure – PPP Lessons from the International Community for Nigeria and Africa; October 2014

244. The Director of the Centre Hon. Wilfred D. Ikatari on 30th October, 2014 was invited as moderator at a seminar themed “Urban Infrastructure – Public Private Partnership lessons from Asia for Nigeria and Africa”. The seminar was hosted by AELEX in conjunction with the International Project Finance Association (IPFA).

245. Public-Private-Partnership (PPP) has proved to be a veritable tool in the development of infrastructural facilities in most countries around the world. Nigeria and Africa in general, are now gradually embracing the opportunity presented by this economic model. The event addressed issues arising and means of overcoming the snags faced in the provision of urban infrastructural services via the PPP model, and valuable insights from legal, financial and regulatory experts in structuring PPP deals in Nigeria and Africa were discussed. During the session, the issue of dispute resolution arising out of the implementation of this economic model was also given attention and participants were drawn to the presence of the Centre and the role of the Centre in assisting parties to resolve such disputes.

Chartered Institute of Arbitrators (CI Arb) Nigeria Branch; 2014 Annual Conference

246. The CI Arb Annual Conference for 2014 was themed “Arbitration to the Rescue!”- How ADR Can Grow Our Economy. The event took place on the 6th – 7th November, 2014 at the Shell Hall, Muson Centre, Onikan, Lagos. The Conference was designed to examine the strong link between effective dispute resolution and economic growth and also to introduce non-legal practitioners and other professionals to the possibilities that exist for them in arbitration and ADR.

247. The Centre was well represented and participated fully in all the sessions and events.

International Chamber of Commerce Nigeria Launch Conference on ICC Mediation Rules

248. The Centre on the 31st day of October, 2014 attended the launch of the ICC Mediation Rules by the International Chamber of Commerce Nigeria (ICCN). The event took place at the Grand Ball Room of Eko Hotel & Suite, Victorial Island, Lagos.

249. The launch under the auspices of the ICC Nigeria Commission on Arbitration & ADR was facilitated by renowned international and indigenous experts on the new provisions in the ICC rules. It also provided opportunity for participants to acquire knowledge about ICC Mediation in general and current developments in the field

Esq International Arbitration School

250. Esq International Arbitration School is a 3-day course designed to update both corporate in-house counsel and external lawyers who advice and represent business enterprises to the theories and practice of international commercial and investment arbitration. It aims to provide delegates from African countries with a firm grounding in the legal aspects of international commercial and investment arbitration as well as offering practical skills on how to manage disputes, which are to be resolved by arbitration.

251. The General Counsel to the Centre, Mr. Emmanuel Dike, was a panellist at the session on Dispute and Risk Management in International Arbitration held October, 2014 at the Civic Centre, Victoria Island, Lagos where he discussed the importance of arbitration as a veritable tool in dispute resolution.

Collaboration

School of African and Oriental Studies (SAOS) – University of London

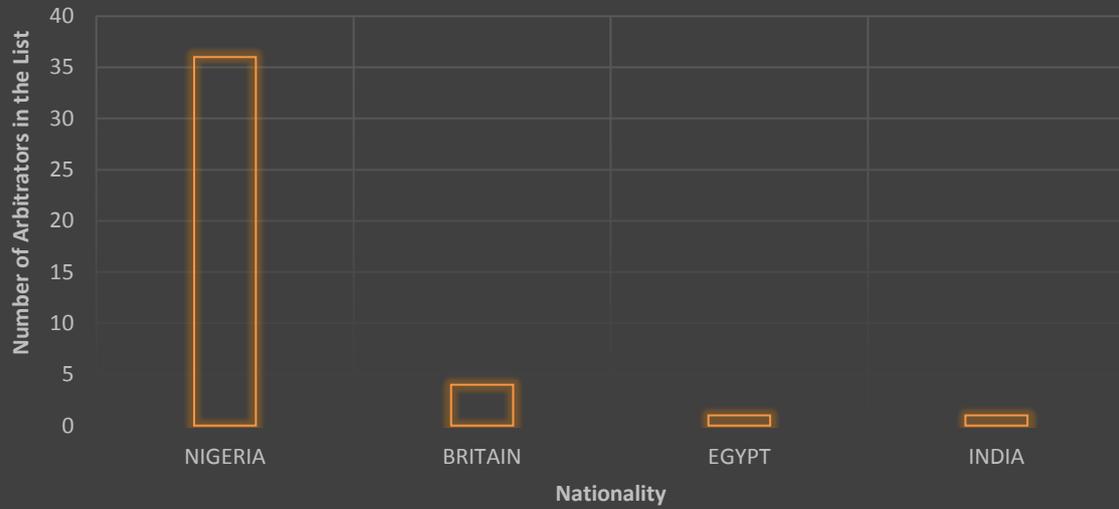
252. The School of African and Oriental Studies (SAOS) - University of London in conjunction with the Regional Centre for International Commercial Arbitration – Lagos will be having a roundtable discussion on Regional Arbitral Institutions in July 2015 at the Centre.

Panel of Arbitrators

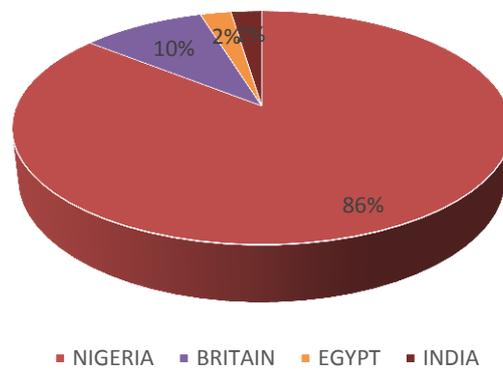
253. The Centre maintains a list of Arbitrators as represented below:

S/N	Country	No. of Arbitrator	%
1	NIGERIA	36	85.7143
2	BRITAIN	4	9.52381
3	EGYPT	1	2.38095
4	INDIA	1	2.38095
	TOTAL	42	100

BAR CHART REPRESENTATION OF THE LIST OF ARBITRATORS FOR THE LAGOS CENTRE



PIE CHART REPRESENTATION OF THE LIST OF ARBITRATORS FOR THE LAGOS CENTRE



Future Activities of the Centre

254. The under listed are events slated for the remaining segment of 2015 and beyond:

- Training session on Arbitration for Law officers
- Training session on ICSID and ICSID Arbitration
- IBA African Regional Forum Arbitration Conference

Conclusion

255. The Centre is aimed at providing continuous services and facilities for arbitration and other ADR methods in the sub Saharan region.

IV. REPORT ON THE ACTIVITIES OF THE TEHRAN REGIONAL ARBITRATION CENTRE (TRAC), 2014

A. Introduction

256. This Report, comprising of TRAC's 2014 Activities and 2015 Prospective, hereinafter the "Report", is respectfully submitted to the Fifty-Fourth Annual Session of the Asian-African Legal Consultative Organisation (AALCO), Beijing, People's Republic of China, 2015.

B. 2014 Activities

257. In 2014, TRAC actively continued to maintain its function and productivity. During 2014, TRAC has strongly demonstrated its significant role and effect on settlement of transnational commercial disputes in the context of arbitration. TRAC is proud that in the past year, it has played independently, professionally and efficiently under its mandate. As an established arbitration institution, it has gained a valuable recognition for the smooth and professional conduct and promotion of international arbitration in the Region.

258. TRAC's major activities during 2014 are summarized as follows:

1. The appointment of new Director

259. On November 2, 2014, Dr. Oveis Rezvanian was appointed as the new Director of TRAC. This appointment was made by Dr. Mohsen Mohebbi, Head of Centre for International

Legal Affairs (CILA) and after consultation with Prof. Dr. Rahmat Mohammad, Secretary-General of Asian-African Legal Consultative Organization (AALCO).

260. Dr. Oveis Rezvanian is an Assistant Professor of Arbitration Law in Iran and a Member of the Court of Arbitration at the Arbitration Centre of Iran Chamber of Commerce. He is also a member of Swiss Arbitration Association (ASA). He has a PhD in International Law from University of Geneva and an LLM in International Commercial Arbitration Law from Stockholm University. He is a member of the Iranian Bar Associations and has served in several domestic and international arbitrations, either as counsel or arbitrator.

2. New recruitments in TRAC

261. In November and December 2014, TRAC recruited a number of professional staffs with relevant experience and expertise in International Trade Law and International Arbitration, in order to promote and improve its function and productivity. These recruitments have taken place by TRAC to be on a roll among the other arbitration centres in the Region, as well as in Iran.

3. Reestablishment of contact with the Arbitration Board and other experts

262. Following the appointment of the new Director of TRAC, the members of the Arbitration Board were acknowledged about this appointment and Dr. Rezvanian presented and discussed the future plans and forthcoming activities of TRAC for promoting international commercial arbitration in the region.

263. The Arbitration Board of TRAC comprises of Dr. Mojtaba Kazazi, Professor James Crawford and Professor Jean-Jacques Arnaldez. The Arbitration Board provides TRAC with insights and also, offers significant assistance in the conduct of arbitration. The names and qualifications of the Members of the Board give an additional character to the works of TRAC and provide the parties with further comfort and confidence when referring their disputes to TRAC.

264. In addition, TRAC has organized a number of meetings with former director and collaborators of TRAC as well as experts in the field of International Arbitration and informed them about the upcoming activities and plans of TRAC.

4. Participation in drafting the new Arbitration ACT of Iran

265. During November and December 2014, TRAC's new Director actively participated in discussions and talks regarding International Arbitration in Iran in general, and newly proposed "Comprehensive Arbitration Act" of Iran in particular.

5. Arbitration cases

266. The administration of arbitration cases is one of the core functions of TRAC. In 2014, the emphasis has been on the level of service offered to the parties of cases.

267. TRAC is proud to report that it has achieved a noteworthy standing amongst the practitioners and companies in the Region and has gained their confidence to routinely include TRAC's arbitration clause in their contracts. During 2014, TRAC arbitration clause was inserted in various prestigious contracts at the national and global level.

6. Panel of Arbitrators

268. TRAC panel of arbitrators comprises various expertises from all around the world and it has expanded this list during last year. In 2014, TRAC was pleased to receive the applications of a number of outstanding arbitrators. A number of these applicants were added to the TRAC's list of arbitrators and some others are still under consideration. The updated list of arbitrators is available on TRAC's website (www.trac.ir) and accessible to users.

7. Collaborations

269. During 2014, a number of professionals visited TRAC and exchanged ideas and documents relating to the Centre and discussed the possibility of further cooperation between TRAC and their respected institutions.

- **Meeting with Ms. Corinne Montineri from UNCITRAL Working Group II**

270. In December 2014, Mrs. Montineri, - the Secretary of Working Group II (Arbitration and Conciliation) of the United Nations Commission on International Trade Law (UNCITRAL) - visited TRAC in Tehran and met with Dr. Oveis Rezvanian (TRAC's Director) and members of the TRAC Secretariat. During this useful meeting, a wide range of issues with respect to TRAC's rules were discussed; from adopting of "Recommendations to assist arbitral institutions and other interested bodies with regard to arbitration under the UNCITRAL Arbitration Rules" to acting as appointing authority and administrative services as well as administering arbitral proceedings under the UNCITRAL Arbitration Rules.

- **Meeting with Mr. Benjamin Siino from Shearman & Sterling**

271. Mr. Benjamin Siino, associate in Shearman & Sterling's International Arbitration and Public International Law Groups, visited TRAC office in Tehran in December 2014 to represent an online platform related to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (www.newyorkconvention1958.org). This website was created to host information on the implementation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, with a view of promoting its uniform and effective application throughout the world. In this meeting, Mr. Siino and Dr. Rezvanian discussed about the possibility of cooperation between TRAC and this platform, as well as providing some information regarding the enforcement of arbitral awards in Iran for presenting in the platform.

8. Supporting Iranian Students in the Annual Willem C. Vis Arbitration Moot

272. For the first time, in 2015, a group of Iranian students will participate in the Annual Willem C. Vis Arbitration Moot in Vienna-Austria. TRAC supported and helped Iranian team in their preparation by providing useful information and recommendation as well as organizing a pre-moot in the Centre. TRAC is intended to continue this support.

C. 2015 Prospective

273. TRAC aims to offering high services among other arbitration centres in the Region and promoting its name as a truly independent, international arbitration centre. In order to do so, in the forthcoming year, TRAC intends to organise an extensive moot court, plus a number of workshops, seminars and other activities as follow:

1. Moot Competition

274. TRAC is happy to report that, in 2015, it will organize the first Iranian Moot Court Competition jointly with Arbitration Centre of Iran Chamber. The goal of this Moot Court is to foster the study of international commercial law and arbitration for resolution of international business disputes through its application to a concrete problem of a client and to train professional lawyers in international level in Iran.

2. Workshops and seminars on International Arbitration

275. TRAC intends to organise further seminars and workshops to promote international commercial arbitration and other ADR techniques at both the national and regional levels, with

participation of International and Iranian professionals. These sessions will focus on new issues in the field of international arbitration in the format of a case study or roundtable between experts.

3. Redesigning and updating the website

276. In 2015, TRAC will redesign and update its website. The new design of website will provide the users with more updated information in a very user-friendly manner. In addition, TRAC intends to run some new sections in its website, such as News, Careers, etc. In particular, in its NEWS section, visitors are provided with latest information regarding arbitration in Iran and region.

277. In addition, in the second phase of redesigning and updating the website, TRAC's website will be accessible in three more languages (Farsi, French and Arabic). This will allow more users to benefit from TRAC's website.

4. Opening for internship

278. TRAC is pleased to announce an opening for Internship Programs in 2015. Center will offer internships to highly motivated young professionals with good academic qualifications who are in the early stages of their careers. The Internship is a practical educational experience whereby Interns principally assist the staff. Under supervision, Interns are assigned projects and tasks that are relevant to International Arbitration and provide them with the opportunity to put into practice and further development their theoretical knowledge.

5. Online bulletin of TRAC

279. As another new initiative, in 2015, TRAC will publish an online newsletter. This newsletter will contain TRAC's activities and news, summaries of new cases and awards in the field of International Arbitration, and any other relevant news related to international arbitration in Iran and elsewhere.

6. TRAC's 10th anniversary celebration

280. In 2015, TRAC will celebrate its 10th anniversary. TRAC will take this opportunity not only to celebrate its past achievements, but also to present its future plans and contributions for promoting the International Arbitration in the Region.

281. As part of its 10th anniversary celebration, TRAC is planning to organize a conference and bring together eminent experts and practitioners in the field of international arbitration. This

event aims to provide a platform for Iranian and international arbitrators and jurists for exchanging their ideas and experiences.

7. Other Significant Initiatives

282. As an initiative to a growing business relationship, TRAC aims to elaborate its collaboration with other arbitration centers and reputable law firms specialized in the field of international arbitration all over the world.

283. For this purpose, TRAC has already communicated with different practitioners in the field of international arbitration and some meetings have been organized in 2015. Further meetings will be held for exchanging the ideas and envisaging possible collaboration with other arbitration centers.

D. Conclusion

284. TRAC aims to continue offering high services and facilities for administration of arbitration cases in the Region. It intends to collaborate closely with other arbitration centers in the region as well as other AALCO's arbitration centers. TRAC believes that cooperation with other regional arbitration centers under the auspice of the AALCO would be instrumental for striking higher and harmonious standards in arbitration conduct and also would create awareness about the existence of a transnational safe environment extended throughout the region for settlement of international commercial disputes. In this regard, TRAC is hopeful to commence regular cooperation with other regional Arbitration Centers as well as international Arbitration Centers in association with other arbitration centers in the Region.

285. In another hand, TRAC will organize seminars and workshops in the field of international arbitration to further promote the culture of arbitration in Iran.

286. TRAC also endeavors to maintain its financial independence, like previous years, to provide parties with undoubted assurance on its principles of independence and impartiality and play a significant and substantial role in settlement of international commercial disputes.

V. REPORT ON THE ACTIVITIES OF THE KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION (KLRCA, KUALA LUMPUR), 2013

1. ABOUT KUALA LUMPUR REGIONAL CENTRE FOR ARBITRATION (KLRCA)

287. The Kuala Lumpur Regional Centre for Arbitration (KLRCA) was established in 1978 under the auspices of the Asian-African Legal Consultative Organisation (AALCO).



288. KLRCA was the first regional centre established by AALCO in Asia to provide institutional support in a neutral and independent venue for the conduct of domestic and international arbitration proceedings in Asia.



289. The Centre was established after the Government of Malaysia and AALCO signed a host country agreement, whereby the Malaysian Government agreed to support the establishment of a regional centre for commercial arbitration in Kuala Lumpur and to provide the facilities for the establishment and functioning of such a centre.



290. KLRCA is a non-profit, non-governmental arbitral institution and is led by a Director under the supervision of the Secretary-General of AALCO. The Government of Malaysia has accorded KLRCA independence and certain privileges and immunities for the purposes of executing its functions as an international institution.

2. ANNUAL REPORT FOR PERIOD ENDED 2014

291. KLRCA's relentless drive towards progress intertwined with greater commitment, avant-garde products and services has moved into uncharted grounds, surging it closer to its aim of becoming the region's preferred arbitration centre. Enhancing its global stature through the successful organising of world class talks and conferences, and the ground breaking launch of its newest state of the art facility - were hallmarks of a significant barrier pushing 2014.

292. Building on the Centre's successful and award winning year of 2013, one that saw KLRCA catapult itself back onto the global arbitration scene; 2014 was about expanding horizons, raising the Centre's standards, stature and global presence, whilst firmly exclaiming its resolution and intent to become the region's preferred arbitration centre.

293. KLRCA started the year on the front foot by organising a large ADNDRC (Asian Domain Name Dispute Resolution Centre) Workshop and Conference consecutively that attracted the world's leading domain name and intellectual property experts.

294. Following up on the impending implementation of the Construction and Industry Payment and Adjudication Act (CIPAA) 2012, which was eventually enforced on 15 April 2014 by the Government of Malaysia, KLRCA organised its first of two mammoth CIPAA conferences for the year 2014 in February titled, 'Getting Paid: CIPAA Updates'. A capacity crowd of one thousand participants comprising of key stakeholders and keen observers of the Malaysian construction industry turned up for this event. The second conference titled, 'CIPAA In Practice' held in June was equally a success as another encouraging crowd of one thousand participants turned up to enhance their knowledge of the functions and implications of CIPAA being implemented.

295. With the naming of the KLRCA as the adjudication authority by virtue of Part V of CIPAA 2012, the centre has a key role to play in its capacity as the default appointing and administrative authority. Rightly so - the centre organised four courses throughout the year made up of two basic one-day courses, 'Practical Drafting & Defending of Adjudication Claims', and two comprehensive five-day courses, 'Adjudication Training Programme'.

296. Taking centre stage in the month of June was KLRCA's successful inaugural Kuching International Arbitration Conference 2014 that saw over two hundred eminent and aspiring practitioners of the arbitration industry from around the globe, congregating in the exotic island

of Borneo to partake in an extensive three day symposium of deliberating the foundations of arbitration, scrutinizing the current state of the practice and forming roadmaps for the future.

297. The primary hype of 2014, was the growing anticipation surrounding KLRCA's big move into its new state of the art premises – Bangunan Sulaiman. After thirty-two years operating out of its previous premises, 12 Jalan Conlay; the Centre made the shift in August. This was followed by a soft launch in September that was officiated by the Chief Justice of Malaysia, Tun Arifin Zakaria. Coinciding with the soft launch was the welcoming of United Kingdom's Thirty Nine Essex Street Chambers into Bangunan Sulaiman, making them the first foreign chambers to set up an office in Malaysia. To commemorate the occasion, KLRCA teamed up Thirty Nine Essex Street Chambers to host a 'Law & Infrastructure Seminar'.

298. KLRCA's apotheosis for the year 2014 came in the form of the official unveiling of its newest premises, Bangunan Sulaiman by the Prime Minister of Malaysia, The Right Honourable Dato' Sri Mohd. Najib Tun Razak. It was a premier affair as the guest list included Ministers, Ambassadors, International dignitaries, eminent members of the Malaysia Judiciary and various local and international media representatives.

299. To cap off the year, KLRCA teamed up with Washington based 'International Centre for Settlement of Investment Disputes (ICSID)' and the French headquartered 'International Chamber of Commerce (ICC)' to organize full day seminars that attracted capacity crowds. As the month of December drew to a close, the Centre held its twenty third evening talk for the year 2014. These free evening talks marketed to the arbitral community and the public, have since become a permanent and popular fixture on KLRCA's monthly calendars.

300. The extensive coverage in local and international media throughout 2014 also helped to publicize KLRCA's initiatives and activities as well as demonstrated acknowledgement of its work.

3. ANNUAL REPORT FOR JANUARY TO DECEMBER 2014

301. The Kuala Lumpur Regional Centre for Arbitration is pleased to present the Annual Report for January to December 2014.

1. DIRECTOR'S PROFILE

302. Datuk Professor Sundra Rajoo is currently the Director of the Kuala Lumpur Regional Centre for Arbitration (KLRCA). He is also the present Deputy President of the Chartered Institute of Arbitrators (CI Arb), the world-wide leader in training, accreditation and practice of alternative dispute resolution, and will assume the Presidency post of CI Arb in 2016. Sundra's roll of honour also includes being the Past President of the Asia Pacific Regional Arbitration Grouping (APRAG), which is a federation of nearly 40 arbitral institutions in the Asia Pacific region.



303. Sundra is a Past Chairman of the Chartered Institute of Arbitrators Malaysia Branch (2000-2002), Founding President of the Society of Construction Law, Malaysia, and past Deputy-President of the Malaysian Institute of Arbitrators. He was also a Council Member of the Malaysian Institute of Architects for the years 1990-1992 and 1993-2001.

304. Sundra is a Chartered Arbitrator and an Advocate & Solicitor of the High Court of Malaya (non-practising). He is also a Professional Architect and Registered Town Planner.

305. Sundra's extensive arbitration experience includes over 180 appointments as either Chairman, Co-arbitrator and Sole arbitrator under the VIAC, SIAC, ACIC, HKIAC, KCAB, WIPO, CIETAC, CRCICA, ICA, UNCITRAL and other International Rules. He sits regularly as arbitrator in Malaysia in addition to many other regional and international jurisdictions.

306. He is an approved Tutor and Examiner for Entry Course for Associate and Assessor and Examiner for Accelerated Member and Fellow grade programmes with the Chartered Institute of Arbitrators United Kingdom and has taught in the Institute's Diploma in International Commercial Arbitration course and International Entry Level Course in Jakarta. In recent years, he has taken the lead as Course Director in Entry Level Courses and the Fast Track Programme to Fellowship organised by the Chartered Institute of Arbitrators in Malaysia.

307. Further to being a Fellow of the Royal Institution of Chartered Surveyors (RCIS) and a Fellow of the Chartered Association of Building Engineers (CABE); Sundra is also a visiting professor at the National University of Malaysia (UKM) and the University of Technology

Malaysia (UTM). He is a member of the Monetary Penalty Review Committee of the Central Bank of Malaysia set up under Financial Services Act 2013 and a member of the University of Malaya's Research Advisory Committee (UMRAC) for the years 2014 – 2016.

308. Sundra has authored and co-authored several books on arbitration and construction law, including, "Law, Practice and Procedure of Arbitration" (2003); "The Malaysian Standard Form of Building Contract (The PAM 1998 Form)" (1999); the Arbitration title for Halsbury's Laws of Malaysia (2002); "Arbitration Act 2005 – UNCITRAL Model Law as Applied in Malaysia" (2007); "The PAM 2006 Form" (2010); "Construction Law in Malaysia" (2012); and "The Malaysia Arbitration Act 2005 (Amended 2011): An Annotation" (2013).

309. Sundra was conferred the Panglima Jasa Negara which carries the title "Datuk" by his Majesty the Malaysian King on the occasion of his Majesty's birthday on June 2nd 2012, for distinguished services and contribution to the state and nation.

1.1 KLRCA Advisory Board

310. The Advisory Board of KLRCA was appointed by the Minister in the Prime Minister's Department of Malaysia, Datuk Seri Mohamed Nazri Aziz, effected 15th of August 2011. Chaired by the Attorney-General of Malaysia, Tan Sri Abdul Gani Patail, the Board advises KLRCA on its strategic direction in its aim to be the preferred arbitration centre in the Asia Pacific region as well as in positioning Malaysia as an arbitration-friendly destination.

311. Aside from Tan Sri Gani, the Board consists of renowned and respected Malaysian and international arbitrators. They are:

1. YBhg Tan Sri Dato' Cecil Abraham, Senior Partner, Messrs Zul Rafique & Partners;
2. Mr Vinayak P Pradhan, Consultant, Skrine, and Former President of the Chartered Institute of Arbitrators, UK;
3. Professor Philip Yang, Honorary Chairman of the Hong Kong International Arbitration Centre;
4. Professor Robert Volterra, Messrs Volterra Fietta, UK; and
5. Mr Sumeet Kachwaha, Partner, Messrs Kachwaha & Partners, India.

2. STAFFING

312. Staff numbers as at end of 2014 was 29. The Centre attained the ideal number of staff to commensurate the roles and responsibilities needed for an efficient workforce. Given KLRCA's move to its new premises and the implementation of CIPAA, we are looking to add to the number of staff members in the immediate future.

3. STAFF POLICY GUIDELINES

313. Following the setting up of staff policy guidelines in 2010, the following guidelines were issued in 2014:

NO.	CIRCULAR NUMBER	HEADING	CONTENTS
1.	01/2014 (Policy Circular)	Revision of Leave Entitlement	Updated outline on; emergency leave, medical leave, declaration of centre's half day closure [day before a public holiday] and annual leave
2.	02/2014 (Policy Circular)	Revision of Medical Coverage - Hospitalization and Outpatient Treatment	Hospitalization and outpatient medical expenses will be on a reimbursement basis
3.	03/2014 (Policy Circular)	Working Hours During Bulan Ramadhan	Flexible working hours for Muslim staff during the month of Ramadhan
4.	04/2014 (Policy Circular)	Revision of Staff Medical Benefits	Updated outline on; Outpatient Expenses, Dental Expenses, Prolonged Illness, Insurance Protection & Hospitalization Scheme
5.	05/2014 (Policy Circular)	Revision of Extra Work Allowance	Updated overtime rates for Clerical Staff
6.	06/2014 (Policy Circular)	Annual Wage Supplement (AWS)	All confirmed employees are eligible for the payment of 13th month salary as part of employee's benefit on yearly practise

4. ADMINISTRATION OF ARBITRATION CASES

314. The administration of arbitration cases is one of the core functions of KLRCA. The emphasis has been on the level of service offered as evidenced by our targeted 48 hours turnaround time to appoint the arbitral tribunal.

The statics of KLRCA's file load as at 31st December 2014 is as follows:

FILES, STATUS & APPLICABLE RULES AS OF 31 DECEMBER 2014

TYPES OF FILES	NO. OF REFERRED FILES	RULES/POLICIES
Domestic and International Arbitration & Fast Track	99	GOVERNING LAW: KLRCA Arbitration Rules 2013, KLRCA Arbitration Rules 2012, KLRCA Fast Track Rules 2012 & Arbitration Act 2005 (Revised 2011)
Domain Name Dispute Resolution	2	MYNIC'S DNDR Policy
Asian Domain Name Dispute Resolution	10	ICANN's Uniform DNDR Policy
Mediation	1	KLRCA Rules for Mediation / Conciliation 2011
Total No. of files	112	

BREAKDOWN OF TYPES OF DISPUTES AS OF 31 DECEMBER 2014

NO	AREAs	TOTAL NO. OF CASES
1.	Agency/ Dealerships/ Distributions/ Franchising	0
2.	Aviations & Airports	0
3.	Banking/ Financial Instruments (Conventional/Islamic)	0
4.	Company (Share & Equities/ Joint Venture/ Partnership/ M&A	7
5.	Concession Agreement	4
6.	Construction/ Engineering/ Infrastructure/ Architecture & Design/ Quantity Surveying	43
7.	Employment/ Industrial Relations	0
8.	Energy/ Mining/ Oil & Gas/ Power/ Natural Resources	0
9.	Information Technology/ Telecommunications	0
10.	Intellectual Property/ Trademarks/ Copyright/ Patent	12
11.	Insurances/ Re-Insurances	4
12.	Investment/ Commodities/ Treaty	0
13.	Maritime (Admiralty/ Shipping/ Charter Party/ Vessels/ Bill of Lading/ Shipbuilding	7
14.	Media & Broadcast/ Advertisement/ Art/ Entertainments	0
15.	Real Estate (Land/ Properties/ Tenancy/ Conveyancing	0
16.	Services/ Supply of Goods/ Sales & Purchases/ Trading & Marketing	35
17.	Sports	0
18.	Others	0
	TOTAL	112

ADJUDICATION UNDER CIPAA 2012 AS OF 31 DECEMBER 2014

TYPES OF FILES	NO. OF REFERRED FILES	RULES/POLICIES
Domestic Adjudication	29	KLRCA Adjudication Rules under Construction Industry Payment and Adjudication Act 2012 (CIPAA 2012)
		[Revised 2014]

4.1 PANEL OF KLRCA ARBITRATORS

315. KLRCA Panel of Arbitrators (“Panel”) comprises various experts from all around the world with the number reaching 888 of both local (178 panels) and international (710 panels) arbitrators. The updated Panel list is available on KLRCA’s website and accessible to users.

5. NEW KLRCA PRODUCTS & SERVICES IN 2014

5.1 State of the Art Facilities at Bangunan Sulaiman

316. The new facilities at Bangunan Sulaiman have allowed KLRCA to offer a wide variety of new services. This includes training and education services through seminars and courses, hosting of conferences and the further development of collaborations with other institutions and professional bodies. In addition, the state of the art hearing and breakout rooms allow users to take advantage of top of the range hardware as well as recording and transcription services.

Full breakdown

- Extra Large Hearing Room with Court Recording & Transcription System (CRT)
- 19 World-Class Hearing Rooms
- 3 Large Hearing Rooms (Seating capacity : 22 pax) (1 large hearing room with CRT)
- 10 Medium Hearing Rooms (Seating capacity : 14 pax) (1 medium room with CRT)
- 6 Small Hearing Rooms (Seating capacity : 10 pax)
- 15 Breakout Rooms
- 2 Consultation Rooms
- Auditorium (Seating capacity : 182 pax)
- Seminar Room (Classroom seating : 50 pax; Theatre seating : 80 pax)
- Garden Pavilion

- One Stop Business Centre
- Arbitrators' Lounge
- Private Dining Room
- Outdoor Dining Area
- Ample Covered Car Park Spaces
- Specialised Alternative Dispute Resolution (ADR) and Construction Law Library (Open to the public)
- Ultra-modern Video Conferencing Equipment

5.2 Statutory Adjudication and Introduction of the KLRCA Adjudication Rules & Procedure

317. With the naming of the KLRCA as the adjudication authority by virtue of Part V of the Construction Industry Payment & Adjudication Act 2012 ("CIPAA"), the centre has a key role to play in its capacity as the default appointing and administrative authority.

318. In line with the coming into force of CIPAA on 15th April 2014, the KLRCA has come up with the KLRCA Adjudication Rules & Procedure to supplement the CIPAA and to enable the centre to provide administrative support for the efficient conduct of adjudication. The KLRCA Adjudication Rules & Procedure will also assist both adjudicators and parties in the adjudication process.

319. Pursuant to the provisions of CIPAA and the KLRCA Adjudication Rules & Procedure, the KLRCA carries out the following responsibilities, inter alia:

- Set the competency standard and criteria of an adjudicator. This is done by providing the relevant training courses to parties who are interested to become certified adjudicators.
- Certifying qualified adjudicators and listing them on KLRCA's panel of adjudicators.

- Determine the standard default terms of appointment of an adjudicator and fees for his services. The KLRCA Adjudication Rules & Procedure provides a standard term of appointment and Recommended Fee Schedule, which can be adopted by parties during the negotiation of terms with the appointed Adjudicator.
- Provide administrative support for the conduct of adjudication under CIPAA. The KLRCA will administer all adjudication cases according to the KLRCA Adjudication Rules and Procedures.
- Undertake any other duties and functions as may be required for the efficient conduct of adjudication under this Act.
- Make recommendations to the Minister on any application for exemptions. The application for exemption must comply with the procedure set out in Part B of the KLRCA Adjudication Rules & Procedure.
- KLRCA will maintain a copy of each and every adjudication decision undertaken under CIPAA delivered to it pursuant to Section 12 of CIPAA and Rule 10 of the KLRCA Adjudication Rules & Procedure.
- KLRCA will also act as a stakeholder for the deposit of fees and expenses for the adjudication, and for any adjudicated amount ordered by the court to be deposited with KLRCA by any party in an application for a “stay” under Section 16 of CIPAA.

6. CAPACITY BUILDING AND KNOWLEDGE TRANSFER

320. In an effort to build capacity and educate the legal fraternity and the public on ADR, KLRCA organises arbitration and mediation courses and forums.

6.1 Construction Industry Payment and Adjudication Act (CIPAA) 2012

321. KLRCA continued with its efforts to raise awareness on CIPAA as well as to train future adjudicators to be part of the KLRCA Panel of Adjudicators through the Adjudication Training Programmes. CIPAA 2012 was officially enforced on 15 April 2014. Four training programmes were held during the year; two basic one day courses and two comprehensive five day courses:

Practical Drafting & Defending Of Adjudication Claims

- Kuala Lumpur, 5 July 2014
- Kuala Lumpur, 7 October 2014

Adjudication Training Programme

- Penang, 10-14 April 2014
- Kuala Lumpur, 9-13 August 2014

322. The first half of the year also saw the Centre successfully organize two CIPAA conferences that saw participation figures reach the one thousand mark for each occasion

- Getting Paid: CIPAA Updates (Kuala Lumpur, 25 February 2014)
- CIPAA In Practice (Kuala Lumpur, 5 June 2014)

6.2 Diploma in International Commercial Arbitration

323. KLRCA, the University of New South Wales and the Chartered Institute of Arbitrators (CIArb) Australia Ltd jointly organised the Diploma in International Commercial Arbitration 2014 course. The course held from 19 –27 April was attended by more than 25 participants from many parts of the world with a lecturer panel made up of distinguished and renowned international arbitrators.

6.3 KLRCA Talk Series

324. The KLRCA Talk Series is a sequence of monthly talks held at the Centre. It is a free forum that is meant to be informative to all those who are interested in arbitration and the scope of alternative dispute resolution (ADR). Each talk will feature an ADR specialist who will focus on a specific topic. KLRCA held the following talks during the year:

- Simplifying Construction Claims for Adjudication (Mr John Wong), 16 January 2014
- International & Domestic Mediation – The 2013 KLRCA Mediation Rules (Mr Campbell Bridge & Ms Shanti Abraham), 23 January 2014
- Maritime Dispute Resolution in Malaysia – Riding The Waves (Mr Jeremy Joseph & Ms Sitpah Selvaratnam), 24 January 2014
- Hot Topics in Arbitration (Mr Paul Emerson), 29 January 2014
- The Growth of International Arbitration in Asia [Law Society/39 Essex London] (Ms Rashda Rana, Datuk Prof Sundra Rajoo, Mr Chris Leong & Mr Philip Koh), 11 February 2014
- Two Centres: One Approach (Mr Yang Ing Loong & Mr Lim Chee Wee), 19 February 2014
- Alternative Dispute Resolution [MCCA] (Mr Kuhendran Thanapalasingam & Ms Lai Jen Li), 3 April 2014

- Interesting & Important Differences between National Arbitration Laws (Mr Paulo Fohlin), 7 April 2014
- New Frontiers in Sports Arbitration (Mr Paul Hayes), 24 April 2014
- Ethics in International Arbitration – Myth or the New Reality? (Mr Nigel Cooper QC & Datuk Prof Sundra Rajoo), 28 April 2014
- Five Proposals in How to Further Increase the Efficiency of International Arbitration Proceedings (Dr Andreas Respondek), 5 May 2014
- Enforcement and/or Challenge of Dispute Board Decisions in Arbitration (Claus Lenz), 19 May 2014
- Sports Arbitration in Malaysia – The Way Forward (Dato' Low Beng Choo, Mr. Ahmad Shapawi & Mr. Faris Shehabi), 22 May 2014
- How do Arbitral Tribunal's Decide: Looking Inside The Black Box (Mr David Caron), 14 June 2014
- Arbitration in Spain & LATAM (Mr Felix De Luis), 24 July 2014
- CIPAA Talk [On The Road – Penang] (Mr Harbans Singh & Mr Lam Wai Loon), 1 August 2014
- Hybrid Process: Love Them or Despise Them? (Mr Campbell Bridge), 19 August 2014
- Arbitration in Latin America – Challenges & Trends (Mr Julio Bueno), 22 September 2014
- Enforcement of Arbitral Awards in the Region (Mr David Bateson), 30 October 2014
- Arbitrability: The Limits of Arbitration (Mr Chan Leng Sun SC), 27 November 2014
- Has the Law Forced Doctors to Practice Defensive Medicine [KLRCA & Medico Legal Society of Malaysia] (Datuk Seri Gopal Sri Ram), 10 December 2014
- Soft Law in International Arbitration – A Tool to Fight or to Foster Guerilla Tactics? (Professor Rouven Bodenheimer), 11 December 2014
- Faith Based Arbitration – The UK Experience (Professor Mark Hill QC), 18 December 2014

6.4 Other events

325. KLRCA also organised and participated in the following seminars and forums:

- 2014 ADNDRC Workshop, January, Kuala Lumpur
- 2014 ADNDRC Conference, January, Kuala Lumpur
- Bar Council & KLRCA Maritime Seminar, January, Kuala Lumpur

- KLRCA-The Law Society of England and Wales Joint Seminar, February, London o
KLRCA –The Honourable Society of Gray’s Inn Joint Seminar, February, London o
17th Annual IBA Arbitration Day, February, Paris
- APRAG: 10th Anniversary Conference, March, Melbourne o KIAC Arbitration
Symposium 2014, March, Kigali
- KLRCA-MIARB Joint Seminar, April, Kuala Lumpur o ICCA International
Conference, April, Miami
- 2014 IAMA National Conference, May, Canberra o DRBF International Conference,
May, Singapore
- KIAC – Emergency Arbitration: Theory & Practice, May, Kigali o IFN Asia Forum
2014, May, Kuala Lumpur
- SSM National Conference, June, Kuala Lumpur
- KLRCA International Arbitration Conference 2014, June, Kuching
- Regional Arbitral Institutes Forum (RAIF) Conference, August, Singapore
- 9th LawAsia International Moot Competition 2014, August, Kuala Lumpur
- CIArb Malaysian Branch – Introduction to Arbitration Course, August, Kuala Lumpur
- Maritime Industry Awareness Training: KLRCA & Maritime Arbitration, August, Kuala
Lumpur
- Global Islamic Finance Forum (GIFF) 2014, September, Kuala Lumpur
- Asialaw Asia-Pacific Dispute Resolution Summit 2014, September, Hong Kong
- 53rd AALCO Annual Session, September, Tehran
- KLRCA-39 Essex Street Chambers Law & Infrastructure Seminar 2014, September,
Kuala Lumpur
- KLRCA New Premises Soft Launch & Welcoming of 39 Essex Street Chambers to
Bangunan Sulaiman, September, Kuala Lumpur
- Malaysian International Law Conference: Emergency Arbitration, September, Kuala
Lumpur International Arbitration Workshop, September, Mumbai
- Law Asia Moot Competition (International Rounds), October, Bangkok
- IBA Conference 2014, October, Tokyo
- KLRCA-Malaysia Bar-Lincoln’s Inn Alumni Malaysia – Seminar and Book Launch,
October, Kuala Lumpur
- KLRCA New Premises ‘Bangunan Sulaiman’ Official Launch, November, Kuala
Lumpur
- KLRCA-ICC Seminar Talk, November, Kuala Lumpur
- ICSID 101 Seminar, November, Kuala Lumpur
- CIArb Congress, November, Dubai

- Casablanca Arbitration Week – The Treatment of Islamic Finance Awards in Non-Islamic Countries, November, Morocco

7. STRATEGIC PARTNERSHIP AND COMMUNITY ENGAGEMENT

326. Throughout the year, KLRCA received visits from colleges and universities as well as from dignitaries and those from the arbitration community within and outside of Malaysia. Below are some of those who visited the Centre: -

- Board members from Chartered Institute of Arbitrators (CIArb Malaysia) in January
- Delegates from Ministry of Justice Saudi Arabia in January
- Taiwan Bar Association in February
- Interns from Jeff Leong, Poon & Wong: Advocates & Solicitors in March
- Students from Universiti Sultan Zainal Abidin Terengganu in March
- Students from Universiti Teknologi Malaysia in March
- Delegates from American Intellectual Property Law Association (AIPLA) & KASS International in April
- Students from INTI College Nilai in September
- Thailand Ambassador to Malaysia and Thailand Arbitration Centre (THAC) in September
- International Interns from Jeff Leong, Poon & Wong: Advocates & Solicitors in October
- Delegates from Kigali International Arbitration Centre (KIAC) in October
- Nanning Lawyers in October
- Minister Visit, YB Puan Hajah Nancy Shukri in October
- Delegates from Charles Taylor Singapore (Offshore London Unlimited) in November
- Students from United Kingdom & Eire Malaysian Law Students (KPUM) in November
- Delegates from Industrial Court Malaysia in November

8. OTHER SIGNIFICANT INITIATIVES

327. KLRCA undertook several initiatives as follows:

8.1 Domain Name Dispute Resolution

328. The KLRCA is tenaciously working towards the continued development of domain name dispute resolution regionally and globally, providing for an alternative hearing avenue to the World Intellectual Property Organisation (WIPO).

329. The KLRCA is currently the Kuala Lumpur Office of the Asian Domain Name Dispute Resolution Centre. Under that umbrella and as the exclusive service provider for .my disputes, it is developing a handbook aimed at simplifying the time efficient procedures of matters administered under both ADNDRC and MYNIC. This handbook will be distributed to law firms, legal practitioners, not limited to intellectual property practitioners, and lay persons to disseminate information about domain names and resolution of disputes over domain names by the KLRCA.

330. As part of the KLRCA's drive to expand its administrative practice in domain name dispute resolution, the KLRCA has ventured out in the Singapore market by identifying select law firms and other stakeholders to market our products and services to. A similar exercise is also being carried out with selected Malaysian law firms.

331. The KLRCA has also submitted an application to the Internet Corporation for Assigned Names and Numbers (ICANN) to be an independent dispute resolution service provider and is currently waiting for ICANN's feedback.

332. Recently, the KLRCA has accepted a request to be the exclusive domain name service provider for .bn. The signing ceremony is scheduled to be held in 2015.

8.2 Arbitration of Sporting Disputes

333. KLRCA has ramped up its effort to launch a platform for the resolution of sporting disputes by alternative dispute resolution, teaming up with the Olympic Council of Malaysia and other relevant stakeholders to draft the requisite legislative amendments enabling the creation of such a mechanism. The remaining framework, including procedural rules and training initiatives, has also been commenced with an eye to launching the new platform in mid 2015.

334. This platform will allow KLRCA to leverage its collaboration with the Court of Arbitration for Sport in developing its own expertise in sporting disputes, providing a much needed service to the Malaysian sporting community and in the process building a regional hub for the arbitration of sporting disputes both commercial and otherwise.

8.3 Co-operation Agreements

335. KLRCA also entered into co-operation agreements with the following institutions:

a. Thailand Arbitration Centre (THAC)

336. KLRCA signed an MoU with Thailand Arbitration Centre (THAC) which will see both parties jointly organising seminars, conferences, educational training and internship programmes on arbitration from time to time – with the main goal of enhancing each party's contribution to their respective nations and continent.

b. International Centre for Settlement of Investment Disputes (ICSID)

337. KLRCA signed an MoU with International Centre for Settlement of Investment Disputes (ICSID) which will see both parties share the view that wider use of arbitration, conciliation, and alternative methods of dispute resolution through fair and expeditious proceedings lends confidence and stability to international investment and trade. Both parties are to also consider using either Centre as an alternative venue and place of arbitration for both Parties' administered proceedings.

c. Shanghai International Economic and Trade Arbitration Commission (SHIAC)

338. KLRCA signed an MoU with Shanghai International Economic and Trade Arbitration Commission (SHIAC) which will see both parties promoting further communication and cooperation. Both parties shall jointly organise seminars, conferences, educational training and internship programmes on arbitration from time to time. Both parties are to also consider using either Centre as an alternative venue and place of arbitration for both Parties' administered proceedings.

d. Kigali International Arbitration Centre (KIAC)

339. KLRCA signed an MoU with Kigali International Arbitration Centre (KIAC) which will see KLRCA conducting adjudication training in Rwanda. KLRCA are to produce the syllabus and provide three trainers and one coordinator for the successful implementation of the course.

*Having finalised the course's framework in December 2014, KLRCA is set to spearhead the adjudication training in Kigali, Rwanda on 21st – 25th March 2015.

8.4 Maritime Law Society

340. KLRCA is in the process of registering a national society for the maritime legal industry in Malaysia. The maritime law society is being formed to address a perceived need within Malaysia for a body and forum able to promote the maritime legal industry. Malaysia lacks a legal infrastructure that matches and is able to support its burgeoning maritime industry, capitalising on substantial geographic and resource based potential.

341. This society is to be created as a platform is needed to bring together the various stakeholders within Malaysia and the region, and the society will be open to all sectors of the maritime industry including lawyers, in-house counsels, corporate representatives and arbitration practitioners. This society upon completion of registration formalities is to hold periodic activities that include a conference and regular lectures.

342. The Pro-tem committee meeting was conducted on 18th December 2014. The proposed constitution, logo and activities to be carried out by the Society was decided and analysed. The pro tem committee also elected its Council members for the year 2015. The society is being processed for registration and will undertake all activities upon completion of the registration process.

8.5 Collaboration with the Companies Commission, Malaysia

343. The KLRCA is in talks with the Companies Commission of Malaysia to create a dispute resolution system for Intra-Companies Dispute. The KLRCA is also in the process of creating and conducting a training program in association with the Companies Commission for Directors and other officials on the theme of “Corporate Dispute Resolution Policy for Companies.” This training program is to be conducted in 2015.

8.6 Development and promotion of investor-state arbitration in the region

344. With the advent of the ASEAN Economic Community (AEC) forthcoming and Malaysia taking the ASEAN Chair in 2015, KLRCA has taken the initiative in promoting the arbitration of disputes involving state players within the ASEAN region. Although arbitration provisions naming the KLRCA are already present within the ASEAN Comprehensive Investment Agreement 2012 (ACIA), education about the availability of this dispute resolution mechanism is needed to promote its use further. KLRCA is well placed given its expertise and standing within the ASEAN community to be a regional leader in the resolution of disputes involving states by arbitration.

8.7 Continued development of adjudication training and certification courses

345. Pursuant to the KLRCA's role as the adjudication authority as prescribed under Part V of CIPAA, the KLRCA continues to develop and conduct training and certification courses for interested parties to become adjudicators. These programme, together with introductory talks, road shows and workshops are aimed at not only to improve the practical drafting abilities amongst adjudication practitioners, but also serves the wider purpose of educating and raising awareness amongst the general public on CIPAA and their rights afforded under the Act. Accordingly, with these training and certification regimes in place, it is expected that the construction industry will be fully equipped in embracing and adapting to the new adjudication process under CIPAA.

9. MEDIA REPORTING & RECOGNITION

346. The accomplishments and efforts in promoting KLRCA have been recognised in both domestic and international arena. Listed below are the publications that featured KLRCA in regards to its contribution and development in the arbitral fraternity:

JANUARY 2014

- Global Arbitration Review – Guide to Regional Arbitration 2014
- The Star, 11 January – Construction Law Reforms

FEBRUARY 2014

- The Star, 7 February – Delay In Implementation Of Construction Industry Act Irks Private Sectors
- New Straits Times – Govt Seeks Waiver For Penalty On Construction Jobs Worth 20 Million And Below

APRIL 2014

- The Sun Daily, 15 April – CIPAA 2014 To Exempt Two Categories Of Government Construction Contracts

JUNE 2014

- The Star, 21 June – Chief Justice: Courts Fast-tracking Arbitration Related Cases For Early Disposal

- New Straits Times, 21 June – Nation Aims To Position KL As International Arbitration Venue
- The Star, 26 June – Making Malaysia Alternate Centre For Arbitration

JULY 2014

- Asian Legal Business, July Edition – Arbitration In Asia: KLRCA

SEPTEMBER 2014

- Infoniaga, September Edition – Jelajahi Manfaat Timbang Tara: Menerajui Masa Depan (KLRCA)

OCTOBER 2014

- The Star, 13 October – Arbitral Tribunal Dismisses AV Asia’s RM300m Counter Claim Against Astro Unit
- New Strait Times, 29 October – Arbitration Centre Moves House
- Asian-Mena Counsel, October Edition – Special Feature: Director of the KLRCA, shares his insight into arbitration and demonstrates why he sees Malaysia becoming a key arbitration hub in Asia.

NOVEMBER 2014

- Bernama, 4 November – PM: Malaysia Can Become Choice Centre for Arbitration in Asia GAR
- News, 4 November – KLRCA Marks Move to New Home
- Malay Mail Online, 4 November – PM: Malaysia In Position To Become Choice Centre For Arbitration In Asia
- New Straits Times Online, 4 November - PM: Malaysia Can Become Choice Centre for Arbitration in Asia
- The Rakyat Post, 4 November – Government Has Prepared Right Environment For Arbitration To Grow, Says PM
- Malaysia Digest, 5 November – PM: Malaysia Can Become Choice Centre for Arbitration in Asia
- Sin Chew, 5 November – Najib: Government Happy To See Shaping Of Arbitration Centre
- Utusan Online, 5 November – KLRCA Bukti Kerajaan Hormati Institusi Perundangan

- The Times Of India, 10 November – Malaysia New Arbitration Hub For Indian Rows
- New York Law Journal, 17 November – Alternative Dispute Resolution Edition: The Rise of Arbitration in Asia (KLRCA)
- GAR News, 25 November – KLRCA Director elected as CIArb President 2016 “Rajoo and Comair-Obeid in line as CIArb presidents”

DECEMBER 2014

- The Star, 16 December – Regulate Global Investment Disputes Inonomy (Datuk Professor Sundra, KLRCA Director)
- International Business Review, December Edition – Cover Story: KLRCA

10. CONCLUSION

347. KLRCA continues its pursuit to become the preferred arbitration hub in the Asia-Pacific region and is grateful for the full support of AALCO, the Malaysian Government and other stakeholders, such as the Judiciary and the Malaysian Bar as well as the local arbitral institutions.

DRAFT RESOLUTION ON THE AGENDA ITEM

SECRETARIAT'S DRAFT
AALCO/RES/DFT/54/ORG 3
17 APRIL 2015

REPORT ON AALCO'S REGIONAL CENTRES FOR ARBITRATION

The Asian-African Legal Consultative Organization at its Fifty-Fourth Session,

Considering the Report on AALCO's Regional Centres for Arbitration contained in Document No. AALCO/54/BEIJING/2015/ORG 3,

Noting with appreciation the introductory remarks of the Deputy Secretary-General and the report of the Directors of the Regional Arbitration Centres,

Reaffirming the commitment by the Governments of Member States towards enhancing the role of the Regional Arbitration Centres,

Recalling decision relating to the Integrated Scheme for the Settlement of Disputes in Economic and Commercial Transactions adopted at its Doha Session in 1978,

Expressing satisfaction over the increasing use of the facilities and the opportunities offered for both domestic and international arbitrations under the auspices of its Regional Arbitration Centres,

Appreciating the efforts and contributions of the Governments of the Malaysia, Arab Republic of Egypt, Federal Republic of Nigeria, the Islamic Republic of Iran, and the Republic of Kenya for hosting the respective Regional Arbitration Centres,

Further appreciating the promotional activities undertaken by the Directors of the Centres, including organization of seminars and training programmes, to promote international commercial arbitration in the Asian and African regions,

Reiterating the earlier decision of the AALCO on the necessity for the Governments of Member States to promote and support the use of the Regional Arbitration Centres,

Further reiterating its proposal that after consultation with the Directors of the respective Regional Arbitration Centres, for the holding of International Arbitration Conference biennially, by rotation in each of the Centres, with the support of Member States,

1. **Requests** that, based on the above mentioned commitments for promoting and supporting the use of Regional Arbitration Centres, the Member States urge their esteemed Governments and private sector to use the AALCO's Regional Arbitration Centres for their disputes and in particular to consider in their

contracts, the inclusion of the Arbitration Clause of AALCO's Regional Arbitration Centres;

2. **Urges** the Regional Arbitration Centres to consider, among themselves, the formation of a common system both administratively and financially between the Centres and common standards for the qualification of arbitrators;
3. **Directs** the Arbitration Centres to meet at every AALCO Annual Sessions to enable an exchange of ideas and to report the outcome to the Organization;
4. **Requests** the Secretary-General to take initiative to promote the Arbitration Centres among Member States and to work toward establishing another Arbitration Centre in the South Asian region;
5. **Decides** to place this item on the provisional agenda of the Fifty-Fifth Annual Session.