

AALCO/59/HONG KONG/2021/ORG 3

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ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



REPORT ON THE AALCO'S REGIONAL ARBITRATION CENTRES

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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

¹ The Secretariat's 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 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 the scheme could initially work with two Centres and other Centres could be established in the light of experience and volume of work.

network of Regional Centres for Arbitration functioning under the auspices of AALCO in different parts of Asia and Africa so that the flow of arbitration cases to arbitral institutions outside the 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. 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.

6. 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. The other Centre established was in Tehran (the Islamic Republic of Iran), in furtherance of which an Agreement was concluded between AALCO and the Government of the Islamic Republic of Iran in 1997 and subsequently ratified by the President of the Islamic Republic of Iran and brought into force on 10 June 2003.

7. A Memorandum of Understanding (MoU) between AALCO and the Government of the 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, the Republic of South Africa from 2 to 6 July 2007. On 25 January 2013, the Nairobi Centre for International Arbitration Act came into force. The systems and structures of the Centre were established in 2014-2015 by the inaugural Board of Directors and the Centre's Arbitration and Mediation Rules were published in December 2015. On 5 December 2016, The Nairobi Centre for International Arbitration' (NCIA) was inaugurated. The NCIA is the fifth regional arbitration Centre functioning under the auspices of AALCO and third in Africa after Cairo and Lagos centres.

(i) Asian International Arbitration Centre (AIAC), 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 (RCAKL) 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 RCAKL, with effect from 1 January 1992, an Agreement between AALCO and the Government of Malaysia relating to the Kuala Lumpur Regional Centre for Arbitration as it was then called 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 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.

13. Recently, in order to best reflect the status of the Centre in accordance with its enlarged scope, the Centre was rebranded as the Asian International Arbitration Centre (AIAC) formalized by a supplementary agreement entered into between AALCO and Malaysia on 7 February 2018.

² This 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.

⁴ This agreement was by signed by H. E. Datuk Seri Utama Dr. Rais Yatim, Minister at the Prime Minister’s Department and Amb. Dr. Wafik Zaher Kamil, the then Secretary-General of AALCO.

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

14. The first Regional Arbitration Centre in the 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.

15. 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.

16. 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), the Federal Republic of Nigeria.

17. 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 own human resource and capital.

18. 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.

19. 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 AALCO and the Federal Government of Nigeria, as a host country.

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

20. 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 (the Republic of Korea), the Delegate of the Islamic Republic of Iran informed that the agreement has been adopted and that all the legal procedures applicable in the Islamic Republic of Iran for the ratification of the said Agreement were completed.

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

(v) Nairobi International Arbitration Centre (NIAC), the Republic of Kenya

22. It may be recalled that during the Arusha (the United Republic of Tanzania, 1986) and Bangkok (Thailand, 1987) Annual Sessions of AALCO, the representative of the Republic of Kenya had requested 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.

23. During the Thirty-Second Annual Session in Kampala (Uganda 1993), the Head 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.

24. Further 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, the Republic of Kenya.

25. 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, the Republic of South Africa from 2-6 July 2007.

26. On 25 January 2013, the Nairobi Centre for International Arbitration Act came into force. The systems and structures of the Centre were established in 2014-2015 by the inaugural Board of Directors and the Centre's Arbitration and Mediation Rules were published in December 2015.

27. The Nairobi Centre for International Arbitration was thereafter inaugurated on 5 December 2016. It is hoped that the AALCO's fifth Centre will effectively cater to 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 AALCO, in view of the 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.

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 also go a long way in supporting the work of AALCO's Regional Arbitration Centres.

32. In spite of the severe difficulties faced due to the emergency measures imposed by many States for controlling the spread of the COVID-19 epidemic, the arbitration centres have performed their functions to the extent possible. It is commendable that in spite of severe constraints all efforts were made by the Centres maintaining the continuity of work and the smooth functioning of the Centres. The following part of this Secretariat Report places for consideration the Report of the Directors of the Asian International Arbitration Centre (AIAC), Cairo Regional Centre for International Commercial Arbitration (CRCICA), Regional Centre for International Commercial Arbitration, Lagos (RCICAL), the Tehran Regional Arbitration Centre (TRAC), and the Nairobi International Arbitration Centre (NIAC), shedding light on the details of the activities of the Centres in the year 2020 and 2021.

II. Report on the activities of the Asian International Arbitration Centre 2019-2020

About the AIAC

The Asian International Arbitration Centre (“AIAC”), formerly known as the Kuala Lumpur Regional Centre for Arbitration, was established in 1978 pursuant to a Host Country Agreement between the Government of Malaysia and AALCO. The AIAC is a non-profit, non-governmental arbitral institution, recognized as an international organization under the domestic laws of Malaysia. By virtue of such recognition, the AIAC is also afforded immunities and privileges by the Government of Malaysia. Situated in one of Malaysia’s most iconic and heritage buildings, Bangunan Sulaiman, the AIAC is a trusted provider of alternative dispute resolution (“ADR”) services in the Asian region. The Centre was the first in the world to adopt the UNCITRAL Rules for Arbitration as revised in 2013 and has its own suite of AIAC Arbitration Rules covering varied forms of arbitrations including conventional, fast track and *Syariah*-based arbitrations.

The AIAC is also the sole administrative authority for domestic statutory adjudication proceedings under the Construction Industry Payment and Adjudication Act 2012 and it has also developed the AIAC Adjudication Rules & Procedure to assist in the administration of adjudication proceedings. The AIAC additionally, administers mediations under its very-own AIAC Mediation Rules. Further, the AIAC also provides domain name dispute resolution services as one of the four offices of the Asian Domain Name Dispute Resolution Centre (ADNDRC) to resolve generic top-level domains (gTLDs). The AIAC has also been appointed by the Malaysian Network Information Centre Berhad (MYNIC) and the Brunei Darussalam Network Information Center (BNNIC) to administer .my and .bn country code top-level domains (ccTLDs).

Apart from the provision of institutional support for domestic and international arbitration and other ADR proceedings, the AIAC offers hearing facilities and ancillary administrative services to tribunals operating ad hoc or under the auspices of another institution. The AIAC also publishes guides and circulars to facilitate the use and understanding of its rules. Additionally, the AIAC is also an official Court of Arbitration for Sports (CAS) and Permanent Court of Arbitration (PCA) alternative hearing centre.

In its continuous efforts in capacity building and disseminating information on ADR, the AIAC organises various courses and forums on the different avenues of ADR. A key platform for the AIAC's capacity building initiatives is the AIAC's Young Practitioners' Group ("AIAC YPG") which brings together dispute resolution practitioners below the age of 40 and students interested in building their careers in the fast-growing and dynamic field of ADR. Members of the AIAC YPG are offered a variety of exclusive events in multiple languages, such as seminars, training days and workshops, visits to ports, interviews with distinguished practitioners and many more.

Appointment of the Director of the AIAC

Tan Sri Datuk Suriyadi bin Halim Omar was appointed as the Director of the AIAC by the Government of Malaysia, following its consultation with AALCO on 1st December 2020. His appointment as Director of the AIAC, as announced by The Honourable Dato' Takiyuddin bin Hj. Hassan, Minister in the Prime Minister's Department (Parliament and Law), is for a two-year term from 2020 to 2022. Tan Sri Datuk Suriyadi's experience includes serving as a judge in the Federal Court (Malaysia's apex court) and the Attorney-General's Chambers. During his time in the judiciary, Tan Sri Datuk Suriyadi sat in a number of cases regarding issues related to arbitration, adjudication, as well as the construction industry as a whole. Such issues related to "limitation periods in arbitration, the incorporation of arbitration clauses by reference, the interpretation of co-existing and conflicting jurisdiction and arbitration clauses, the interplay between statutory winding-up proceedings and arbitration, stay of court proceedings commenced in breach of an arbitration agreement, the challenge of awards premised on the minority opinions in the arbitration, and the limitation period for enforcing awards as a judgment of the court".

Events organised by the AIAC in 2020

The planning and execution of events organised by the AIAC in 2020 was largely affected due to the restrictions of the COVID-19 pandemic, and the implementations of the different stages of lockdowns by the Government of Malaysia. Nevertheless, the AIAC continued to provide and host a range of events centered on capacity building and disseminating information on ADR through its virtual platforms as well as scaled down in-person events, in compliance with the regulations issued by the Government of Malaysia. The key events in 2020 are highlighted and summarised below:

(i) Evening Talk: Business and Human Rights Arbitration: A New Frontier

On 21st January 2020, the AIAC and AIAC YPG held its first Evening Talk titled, “Business and Human Rights Arbitration: A New Frontier”. The topic was selected to continue the discussion and as a follow up to the launch of the Hague Rules on Business and Human Rights on 12th December 2019.

(ii) Public Forum on the Reforms to the CIPAA 2012

On 26th February 2020, the AIAC and the Malaysian Bar Council jointly hosted a Public Forum on the Reforms to the CIPAA 2012 (“Public Forum”). The goal of the Public Forum was to bring the construction community together to develop a joint discussion and gather collective thoughts on the necessary amendments to the CIPAA 2012. Hosted at the AIAC’s Bangunan Sulaiman, the Public Forum saw the registration of over 340 people with a mixture of attendance from various construction stakeholders including engineers, quantity surveyors, architect, lawyers, academicians, etc.

(iii) 4th AIAC Pre-Moot 2020

Between 13th - 15th March 2020, the AIAC successfully conducted the 4th AIAC Pre-Moot. In light of the escalating situation posed by the COVID-19 pandemic, the AIAC cooperated with *Immediation* and hosted the event on its platform. The event was aimed at uplifting the spirit of the teams and to honour their hard work in preparing for the highly anticipated 27th Willem C. Vis International Commercial Arbitration Moot in Vienna and the 17th Vis (East) Moot in Hong Kong, which was subsequently postponed due to the pandemic.

(iv) DR Online: An AIAC Webinar Series

The AIAC was one of the first ADR institutions in the region to react and produce a series of ADR-related webinars and launched its ADR Online: An AIAC Webinar Series in March 2020. This initiative provided the AIAC with considerable exposure and commendation by various stakeholders from the ADR community in the region. Between March 2020 to December 2020, the AIAC has held more than 70 webinars under the series, drawing in a

total participation of approximately 10,000 participants on its Zoom platform and approximately 37,000 live and rebroadcast views on its Facebook page.

(v) Cross- Institutional Training

On 22nd – 23rd June 2020, the AIAC in partnership with the U.S. Department of Commerce’s Commercial Law Development Program (CLDP), organised a cross-institutional training for the Afghanistan Center for Dispute Resolution (ACDR), the Maldives International Arbitration Centre (MIAC), and Sri Lanka’s CCC - ICLP ADR Centre. This 2-day virtual session on WebEx encouraged knowledge sharing and best practices on administering ADR cases, as well as business and operations aspects in overseeing an international ADR Centre.

(vi) International Chambers of Commerce and Business Council Training

The AIAC has also conducted exclusive online training and knowledge sharing sessions for international chambers of commerce and business councils in 2020. These closed sessions were tailor made for each institution and was exclusively delivered to their members. On 21st July 2020, the AIAC hosted the Malaysian-German Chamber of Commerce and Industry's (MGCC) “Tuesday Club Talk” in a session titled, "International Trade: How do Companies Prepare and Manage Cross Border Disputes?". On 15th October 2020, the AIAC held a session for the American Malaysian Chamber of Commerce (AMCHAM) titled, “Evolving Landscapes: Updates to International Arbitration”. Similarly, on 16th December 2020, in collaboration with the Malaysian Dutch Business Council (MDBC) and the Dutch Arbitration Association (DAA), a session titled “Commercial Conundrums: To Arbitrate Now or Never?” was conducted.

(vii) Diversity in Arbitration Week

The AIAC also launched the “ADR Online: An AIAC Webinar Special Series – Diversity in Arbitration Week” from 14th – 17th July 2020. During that week, webinars were held each day on selected topics relating to diversity in arbitration, specifically; gender, age, professional and racial and ethnic diversity. The program was a success with insightful discussions on where we are, where we need to go and what needs to be done to enhance the facets of diversity in arbitration.

(viii) DREx Talk – Kuala Lumpur 2020

For the first time in Southeast Asia, the AIAC partnered with Dispute Resolution Expert (DREx) in planning and organizing the “DREx Talk – Kuala Lumpur”, which went-live on the AIAC’s YouTube platform on 21st August 2020. The session featured Dr. Michael Hwang S.C. (Barrister & Arbitrator at Michael Hwang Chambers LLC) as the DREx Speaker who delivered a lecture on the setting aside of awards under Article 34 of the UNCITRAL Model Law, with a comparative overview across 8 jurisdictions.

(ix) AIAC YPG Careers 2.0: Find Your Niche Webinar Series

The AIAC YPG also launched its unique webinar series “Careers 2.0: Find Your Niche”. The initiative is aimed at providing a platform for interested individuals to connect with experienced practitioners from all over the world who can share their success stories and give tips on building careers in specialised areas of ADR. The first webinar under this series titled, “To Infinity and Beyond: A Career in Air and Space Law” was conducted on 28th August 2020. Its subsequent session titled, “Contours of a Legal Career in Islamic Finance was carried out on 25th September 2020. The third webinar as part of the Careers 2.0 series was titled, “Game Player ADR: The Interplay of Arbitration and Technology” and was held on 23rd October 2020.

(x) AIAC Virtual Workshop for Law Students

Additionally, the AIAC hosted two virtual workshops on arbitration to Indonesian law students to give them a better understanding of the workings of the industry. The first was in collaboration with the Faculty of Law, Universitas Gadjah Mada, Indonesia on 27th November 2020 and this was followed with a session with the Faculty of Law, Universitas Indonesia on 28th November 2020. Similarly, the AIAC and the University of Malaya, Malaysia conducted a webinar titled “Arbitration in the Asia Pacific Region: An Overview and Recent Developments” on Wednesday, 18th November 2020. Further, the AIAC and SEGi College Sarawak, Malaysia conducted an online short course series, titled “Essentials of Arbitration in Malaysia”. The series commenced on 18th November 2020 for a duration of 4 weeks via Zoom and included interesting topics such as the appointment procedure of

arbitrators, the rights and obligations of arbitrators, and best practices in granting an arbitral award.

(xi) IAC Certificate in Adjudication 2020

From 19th – 23rd September, the AIAC conducted this certification course for approximately 70 participants. In Malaysia, this certification course is recognised by the CIPAA Regulations as a necessary qualification to be a CIPAA Adjudicator under the Construction Industry Payment and Adjudication Act (CIPAA) 2012. A total of 68 participants participated in this program.

(xii) ADR Online - September Sports Month Webinar Series

Due to the COVID-19 pandemic and its travel restrictions thereof, the AIAC replaced its annual International Sports Law Conference with a special September Sports Month Webinar Series. As part of the series, 5 sports themed webinars were conducted every Tuesday in September 2020, where participants were provided with discussions on sports dispute resolution by leading international ADR sports practitioners.

(xiii) AIAC Sports Month Workshop Series

Further, as part of the AIAC September Sports Month 2020, the AIAC conducted 3 workshops at its Bangunan Sulaiman. The first session titled, “Introduction to Sports Dispute Resolution” was held on 4th September 2020. Focusing on the rapidly growing esports market, the second session of the Workshop Series was held on 11th September 2020. Subsequently, on 18th September 2020, the AIAC concluded the final fixture of its Workshop Series for the year, with its workshop titled “Negotiating Sports Contracts and Agreements: What to Expect”.

(xiv) RICS - AIAC Mediation Training Programme

In 2020, the Royal Institution of Chartered Surveyors (RICS) and the AIAC have conducted two online Mediation Training Programme on 5th – 15th October 2020 and 16th – 26th November 2020, respectively. This practical and intensive course is designed to

prepare participants to mediate complex disputes. The programme is recognised by the Civil Mediation Council and the International Mediation Institute (IMI), and participants who successfully complete this programme may apply for the IMI certification. Successful completion of both Modules during this programme is also recognised by the Chartered Institute of Arbitrators (CI Arb) and successful candidates may, as a result, apply to become CI Arb Member.

(xv) Around the World in 30 Days Initiative

During the month of November 2020, the AIAC embarked on a tour of the world through its virtual aeroplane, where 30 arbitration practitioners, from 30 different countries, presented a glimpse of their country whilst speaking about arbitration and their experiences. This initiative was carried out on the AIAC's social media platforms. The purpose of this initiative was to highlight various arbitrators and practitioners as well as arbitral seats around the world, in an effort to promote and enhance diversity in arbitration. In this endeavour, the AIAC "virtually toured" Afghanistan, Argentina, Australia, Bangladesh, Brazil, Canada, Chile, China, Egypt, France, India, Indonesia, Japan, Mauritius, Mexico, Morocco, the Netherlands, New Zealand, Nigeria, Pakistan, Qatar, Russia, Singapore, South Africa, South Korea, Switzerland, the United Arab Emirates, the United Kingdom, the United States of America, and Malaysia.

Conclusion

The AIAC remains committed to build upon the trust placed in us by the domestic and international ADR community. The AIAC looks forward to 2021 under its new leadership and will continue to soar and strive to provide the best possible ADR services and solutions to the ADR community. Through it all, and from the lessons learned from the COVID-19 pandemic, the AIAC will remain cognizant of the demands for innovation and adoption that is required for the year ahead.

III. Report on the activities of the Cairo Regional Centre for International Commercial Arbitration (CRCICA)

The challenging circumstances 2020 carried, granted CRCICA a richer understanding of—and deeper commitment to—business sustainability. It has come to the focus to refine views of what it means to be dynamic in order to stay afloat. Accordingly, CRCICA responded very early to the crisis by publishing, in cooperation with other institutions, a joint statement on arbitration and the pandemic.

See: <https://cricica.org/news/2020/04/16/arbitration-and-covid-19-joint-statement/>

CRCICA also succeeded to contribute to stability and foreseeability in a highly unstable atmosphere and participated both physically and virtually in numerous events not only around Egypt but also in several continents, Africa: Cameroon and Nigeria, Asia: China, Jordan, Saudi Arabia, the United Arab Emirates, Europe: France , Russia, North America, and the United States of America.

The ambition to see cases continue and pursue a workable environment, required us to pedal fast enough to focus on finding concrete tools using digital solutions to serve the business, which helped the Caseload to remain strong where the total number of cases reached 1452 cases, with 67 new cases filed in 2020. The cases related to various sectors, including Construction, Corporate Restructuring, Tourism & Hospitality, Real Estate Development, Media & Entertainment, Oil & Gas, Mining, International Sale of Goods and Telecommunications. Parties involved in these cases came from Bahrain, Belgium, Cyprus, Greece, Iraq, Italy, Jordan, Kuwait, Lebanon, Malta, Norway, Pakistan, Saudi Arabia, the United Arab Emirates, the United Kingdom and Yemen; while appointed arbitrators came from Australia, Canada, France, Ireland, Italy, Lebanon, Nigeria, Tanzania, Tunisia, the United Arab Emirates, the United Kingdom and the United States of America. It is worth saying that CRCICA excellent technological capacities' allowed to conduct a large number of virtual remote hearings (in full or partial), in cases brought under the CRCICA's Rules, ad hoc cases administered by CRCICA and in cases under other institutional rules.

Alongside to the caseload, CRCICA organized and co-organized more than 25 different Events -13 conducted virtually- with notable Organizations like the UNCITRAL, The Riyadh Chamber of Commerce & Industry, Canada Egypt Business Council, the Egyptian Business

Council and the CIARB. In addition, we were pleased to host distinguished figures, among them the Head of the Delegation of the European Union, Delegate to the Arab Republic of Egypt, several Ambassadors from Europe; Ambassadors of Austria, the Netherlands and France.

In addition, CRCICA sponsored a live webinar series featuring discussions on international arbitration that lasted for two quarters (Third and Forth). Moreover, in November 2020, CRCICA was a media partner for two significant webinars, one of which organized by the African Subcommittee of the Arbitration Pledge aiming to support African Women.

Given the importance of our role in providing training programs and workshops on ADR methods, CRCICA co-organized trainings with several entities, such as the CIARB, Arbitrate.com, Alexandria University and the Arab Academy for Science Technology & Maritime Transport.

Shedding the light on mediation, Dr. Selim, spoke in the “Mediation Forum” held in Abu Dhabi, followed by two webinars that left a very positive impact on more than 4,000 viewers organized by CRCICA, other than conducting three consecutive rounds of basics to mediation training in both Alexandria and Cairo with almost 55 attendees of various backgrounds. Furthermore, supported in the development of a comprehensive study of Mediation under the “Africa Mediation Network”.

Since day one, we have strived to keep the work going and when the year-end approached, we found cause for celebration! We were able to renew our RCP license (Recognized Course Provider) and held our first course under the license in December 2020. We have been recognized for the work we do several times and we are honored with such. Some of the significant recognitions: The Equal Representation in Arbitration Pledge recognized CRCICA and its Director for being an active member for the Pledge’s recently constituted Africa subcommittee and for the continued efforts on diversity. The Global Arbitration Review (GAR) recognized CRCICA for the measures taken to support its users in response to the Covid19 pandemic. The Association of Young Arbitrators (AYA) recognized CRCICA as one of the 30 Arbitration Power list, finally yet importantly CRCICA was the winner of the 2020 African Arbitration Association (AFAA) Awards in the categories of Diversity Champions, Innovation in Arbitration, and African Institution of the Year.

IV. Report on the activities of the Regional Centre for International Commercial Arbitration- Lagos (RCICAL) 2020-2021

THE CHARTERED INSTITUTE OF ARBITRATORS (UK), NIGERIA BRANCH ANNUAL GENERAL CONFERENCE 7TH & 8TH NOVEMBER 2019

The Regional Centre for International Commercial Arbitration, Lagos (RCICAL) participated in the 2019 Annual Conference of the Chartered Institute of Arbitrators UK, Nigeria Branch which held on 7th & 8th of November, 2019 in Lagos with the main theme: Positioning Africa: The Changing Landscape of Alternative Dispute Resolution. Over 600 delegates from 12 countries and 5 continents attended the two-day event with about 25 speakers drawn from 7 different countries.

The Director of Centre, Hon. Wilfred Ikatari, was amongst this list of erudite ADR professionals and practitioners where he, as a presenter and discussant in the session chaired by Chief Gbola Akinola, C.Arb., shared practical experience under the sub theme- CULTURE CLASHES: ETHICS IN ADR and the African Perspective on the Boundaries of the Intersect between Culture and Professionalism.

He disclosed that, dispute resolution had been practiced in Africa, howbeit traditionally, yet with meaningful success before the “professional approach using international best practices and standards” was introduced giving it a more global outlook, more so as it seemed to address nagging issues such as lack of access to justice caused by case backlog, lengthy processes, cost of litigation and lack of human and financial resources and such like.

He also highlighted the need for look beyond intellectual requirement in appointing Neutrals who must, whilst inspiring Parties’ trust, capacity to manage proceedings, must also uphold the integrity and fairness of the process while deploying good ethical impact and professionalism of ADR to offer a more dynamic process tailored to the parties especially in cross-cultural disputes.

He decried the attitude of some practitioners who approach ADR with a mind-set of hegemony and suppressive tendencies, advising against such because it has limited the awareness as well as entry opportunities of mainly the enthusiastic younger generation and female practitioners.

**THE NIGERIA INSTITUTE OF CHARTERED ARBITRATORS 40th
ANNIVERSARY, ANNUAL CONFERENCE- 14TH & 15TH NOVEMBER 2019**

The Nigeria Institute of Chartered Arbitrators 40th Anniversary, Annual Conference was held at the Eko Hotels, Victoria Island, Lagos on 14th & 15th November 2019, with the main theme: *BUILDING A CULTURE OF ARBITRATION AND FOR SUSTAINABLE INSTITUTIONS IN WEST AFRICA.*

The Regional Centre for International Commercial Arbitration, Lagos (RCICAL), represented by its Director and Chief Executive Officer, Hon. Wilfred D. Ikatari and Legal Counsel, McHarry Mordi, Esq., had an impactful participation in the said conference which had in attendance, very distinguished ADR users and practitioners in Africa.

In his presentation of the topic “Building an Arbitration (and ADR) Ecosystem for Sustainable Institutions in West Africa”, Hon. Wilfred Ikatari, Director of the Regional Centre for International Commercial Arbitration, mentioned some arbitration institutions in West Africa with modern arbitration rules (mostly modelled after the UNCITRAL Arbitration Rules), while acknowledging the impact of the Asian-African Regional Consultative Organisation (AALCO) in ADR development by setting up the regional arbitration centres, currently five in operation, including the one in Lagos for the region.

He also analysed the interface between people and institutions involved in ADR viz a vis State, Courts and Judges, Arbitration institutions, Arbitrators and Arbitration users, their roles, limitations and suggestions towards possible improvement for sustainable arbitral institution.

Hon. Ikatari decried the undermining of arbitrators of African origin in appointment to arbitral panels for effective utilization of their skills particularly in regional and international arbitrations involving multi-million and multi-billion dollar disputes even where one or more party is African (either State or company). Arbitrators can conquer this with improvement in their reputation, knowledge of relevant language/ applicable law (implying qualification and practice in more than two jurisdictions). Arbitration should also eschew hegemony and encourage participation of new entrants into the ADR circle such as the female folk and the younger generation.

71ST SESSION, NEW-YORK UNCITRAL WGII, ARBITRATION AND CONCILIATION/DISPUTE SETTLEMENT, 3-7 FEBRUARY, 2020.

The Director of the Centre led the delegation to the 71st Session which examined the settlement of commercial disputes where the draft provisions on expedited arbitration was considered.

The Director of the Centre made several professional/expert interventions on the draft provisions viz preserving due process and fairness, scope of application, notice of arbitration, number of arbitrators, appointment of arbitrators, case management conference and provisional timetable, timeframes and discretion of the arbitral tribunal, counter claims and additional claims, taking of evidence, hearing, making of the award and early dismissal and preliminary determination

CASELOAD 2020

The COVID19 pandemic affected significantly the activities of the centre as Nigeria was under total lockdown from later part of March 2020 to July 2020. During the pandemic lockdown no movement in the national and international boundaries was allowed.

The caseload for the year 2020 dropped to less than 10%. The cases filed within the year 2020 borders on Lease, Maritime, Service, Supply, Construction. Five arbitral matters were finally determined within the period and twenty-five other matters were filed and pending some of which parties and/or arbitrators are from South Africa, Canada, Egypt and Nigeria. Notably all the matters are institutional arbitration.

2020 CHARTERED INSTITUTE OF ARBITRATORS NIGERIA BRANCH ANNUAL CONFERENCE.

The Director of the Centre was a speaker and panellist at the 2020 CIARB annual conference which took place in Lagos, Nigeria. The annual conference has two days which was divided into three sessions per day.

The conference focused on several sub-themes, the first session which was on 26th of November, 2020 focused on: Making arbitration (and ADR) work for Africa; The new

frontier: the position of young arbitrators; The practice of arbitration- current reality of virtual hearing; Investment arbitration and role of ADR practitioners.

Then, the second session on the 27th of November 2020 focused on: Parties to a contract to arbitrate- the impact of neo-colonialism and shadow interests; The impact of one belt road initiative and dispute resolution in Africa; the culture of waste and under development- a challenge to a free trade regime in goods and services; Dispute resolution protocols in AfCFTA- reviewing existing protocols and rules.

Hon. Wilfred Ikatari, Director of the Centre made a presentation and also as a panellist on the role of existing arbitral institutions in African and their continued relevance to socio-economic development in Africa. He examined the role of government in national arbitration policy, the role of the judiciary in arbitration friendly pronouncements, the role of the legislature in enacting arbitration friendly framework, the role of arbitral institutions and arbitrators and parties.

INAUGURATION OF THE NATIONAL ARBITRATION POLICY COMMITTEE (NAPC)

The Federal Government of Nigeria inaugurated the NAPC. It is a nineteen member committee charged with the responsibility to review all existing laws relating or pertaining to arbitration, commercial and investments and to advise the federal government on the desirability to formulate a national policy on commercial and investment arbitration to ensure arbitration friendly legislative framework and also to examine various arbitration institutions and make recommendations on the suitability of such arbitral institutions undertaken arbitrations as it relates to all federal government contracts including investment contracts.

The committee developed five thematic areas namely: National arbitration policy and education, training and policy awareness; Small claims arbitration; Legislative review; Institutional framework for arbitration in Nigeria and; Arbitration enabling environment.

Hon. Wilfred Ikatari was the theme leader on the institutional framework for arbitration in Nigeria wherein that sub-committee examined the comparative study of institutional and structural framework including federal and state judiciary engagement framework and also look into the need to establish an international financial centre and to highlight the strategic

nature and importance of the Regional Centre for International Commercial Arbitration, Lagos, for the implementation of the national policy as it affects or involve federal government contracts. The work of the committee is ongoing.

V. Report on the activities of the Tehran Regional Arbitration Centre (TRAC) for the year 2019-2020

A. Introduction

This Report, comprising of TRAC's 2019 Activities and 2020 Prospective, hereinafter the "Report", is respectfully submitted to the Fifty-Ninth Annual Session of the Asian- African Legal Consultative Organization (AALCO).

B. 2019 Activities

In 2019, TRAC continued professionally and efficiently its domestic, regional and international contributions to the development of arbitration by managing domestic and international arbitration cases, organizing conferences, seminars and training courses, motivating young students and promoting arbitration in Iran and in the region. TRAC is now recognized in the region for its smooth and professional conduct.

TRAC's major activities during 2019 are summarized as follows:

1. Providing institutional services for administering arbitration cases;
2. Completing the process of independence and relocation of the Centre to new place;
3. Organizing conferences and seminars to promote arbitration in Iran;
4. Organizing the fourth Iranian Commercial Arbitration Moot Court (jointly with Arbitration Centre of Iran Chamber of Commerce);
5. Organizing the TRAC's Second Vis Pre-Moot
6. Supporting students and internships for graduate students;
7. Appointment of new Arbitrators;

And

8. Enlarging TRAC's network throughout the world.

1. Providing institutional services for administering arbitration cases

In 2019, by enlarging its networks, TRAC's arbitration clause has been inserted in various types of international and domestic contracts involving both public and private sectors. To elaborate more, TRAC, by contacting sectors which play a significant role in Iran's industrial and commercial system, introduced itself to Iranian companies.

These networking activities, along with TRAC's professional attitude in conduct of arbitration cases, eventually resulted in more popularity of TRAC's services and efficiencies among public and private companies. Many of these companies eventually inserted and are now inserting TRAC Arbitration Clause in their contracts.

Furthermore and in the meantime, TRAC administrated effectively its pending cases during the year of 2019.

2. Completing the process of independence and relocation of the Centre to new place

Since its establishment in 2005, TRAC has been located in the building of Iran Presidential Center for International Legal Affairs (CILA). This allocation has been in line with the obligations of the Iran government, as provided in "the Agreement between The Government of the Islamic Republic of Iran and the Asian-African Legal Consultative Committee on the Establishment of a Regional Centre for Arbitration in Tehran". Article V of the said Agreement provides that:

"Until such time that the Centre shall become financially independent, the Government shall make available premises and make an annual grant for the purposes of the functioning of the Centre..."

In the last years, it became one of the main goals of TRAC to reach a certain degree of financial independence so that be able to move to a new place without any affiliation to the government. This goal was only possible by means of effective financial management of the Centre on the one hand, and attracting more arbitration cases, on the other hand. In 2019, in line with the prospective mentioned in the previous year's report, TRAC took the ultimate

steps toward this huge goal and purchased its own place of business. In a timely manner, in August 2019, TRAC moved to a new office, which is located in the most central area of Tehran. This move was in line with the Centre's mission towards more independence and more efficient conduct of the arbitrations. TRAC's new office was purchased without any external funding, including governmental and non-governmental, but such a saving was achieved out of the activities of the Centre and as a result of an efficient and very strict financial management of the institution. The new office is spacious enough to have an equipped arbitration hearing room, a managerial space and different clerical areas.

3. Organizing conferences and seminars to promote arbitration in Iran

In 2019, the TRAC, in continuation of its marketing programs, decided to concentrate on business users. To this aim, TRAC held 2 series of conferences in which the top-level managers attended. Below are the details of the two conferences held by TRAC:

3.1. TRAC- APP in Association with Dentons Joint Seminar

On February 18, 2019, TRAC held a joint seminar together with APP in association with Dentons Europe on "International Commercial Arbitration: An Introduction for Business-Users". The event was aimed at non-legal directors and the panelist elaborated on the key issues in international commercial arbitration, including arbitration agreement, arbitration proceeding and enforcement of an arbitral award, from the business-user's perspective. The second panel started with the opening remarks of Mr. Director, Dr. Oveis Rezvanian, and was followed by an introduction to TRAC addressed by Dr. Mohammad Hossein Tavana. Mr. Kamyar S. Oladi gave a practical overview regarding the regular procedure in TRAC. The exceptional procedures, i.e. "Expedited Procedure" and "Emergency Arbitration Procedure", as the innovative features of the 2018 TRAC Rules were reviewed by Dr. Tavana. Finally, Dr. Rezvanian delivered the concluding speech on the critical issues of enforcement and annulment of an arbitral award from a practitioner's point of view.

3.2. TRAC-ACIC joint Conference on dispute resolution for non-legal managers

Tehran Regional Arbitration Centre (TRAC) in cooperation with Arbitration Center of Iran Chamber (ACIC), held the workshop titled "Arbitration and Dispute Resolution for Business

and Economic Managers" on Tuesday, 09 July, 2019. senior corporate executives, business executives, contract managers and business negotiators attended this workshop. Dr. Oveis Rezvanian, director of TRAC, and Dr. Mohsen Mohebi, Secretary General of ACIC, gave a comprehensive opening on arbitration as a requirement in modern business and expressed its characteristics along with the role and function of the arbitration organization, with the aim of acquainting business managers with the arbitration and its necessity in the business relationships.

4. Organizing the fourth Iranian Commercial Arbitration Moot Court

This competition has been organized by TRAC and the Arbitration Centre of Iran Chamber of Commerce (ACIC) in Tehran since 2014. The goal of this Moot Court as of the first of its kind in Iran was 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.

TRAC is proud to announce that, in 2019, the fourth Iranian Commercial Arbitration Moot Court has been jointly organized by TRAC and the Arbitration Centre of Iran Chamber of Commerce, Industries, Mines and Agriculture (ACIC) and successfully completed.

On October 2019, TRAC started the fifth Iranian Commercial Arbitration Moot Court. In the fifth year and thus far, 17 teams participated in this event, who will continue the competition until March 2020.

5. TRAC's second Vis Pre-Moot:

On March 2, 2019, TRAC hosted its 2nd Annual Vis Pre-Moot among four Iranian teams competed in four rounds. In this competition, College of Farabi UT Vis Moot Team was ranked as the first team. ATU Vis Moot Alumni Association, SBU Vis Moot team, and IAU Vis Central Tehran respectively stood in second, third and fourth places.

In the morning panels, Ms. Adineh Abghari was the president and Dr. Mehrdad NAZEMI and Dr. Mohammad Hossein Tavana acted as co-arbitrators. The afternoon panels were

chaired by Dr. Mohammad Hossein Tavana, and Mr. Meghdad Torabi and Dr. Ardeshir Atai were the other respective members of the tribunals.

Dr. Oveis Rezvanian, director of Tehran Regional Arbitration Centre (TRAC), delivered the concluding remarks and wished all Iranian teams the best of luck in the upcoming competitions in Vienna.

The organizing committee would like to sincerely thank the arbitrators for their valuable contribution, detailed evaluations, insightful remarks and educative feedbacks. The organizing committee would like to extend its gratitude to all team members and coaches for their participation.

6. Supporting students and internships for graduates

TRAC, in the recent years and in addition to its administrative tasks, has always had eye on the students and fresh graduates who were interested to learn more about arbitration. In line with its policies, TRAC initiated a Dissertation Prize Competition since 2018. The goal of prize is to encourage Iranian students to research on legal issues affecting commercial and investment arbitration and strengthen the links between teaching institutions and practitioners.

On October 2019, TRAC started the second year of TRAC Dissertation Prize. So far, 10 students have applied for TRAC dissertation prize. TRAC awards an annual Prize designed to support focused research in the fields of commercial and investment arbitration.

In addition, similar to previous years, in 2019, TRAC offered internship opportunities to freshly graduated students. The interns were assigned projects and tasks that are relevant to International Arbitration and they had the opportunity to put into practice and further development their theoretical knowledge under the supervision of legal counsels.

7. Appointment of new Arbitrators

TRAC panel of arbitrators comprises various experts from all around the world. In 2019, TRAC was pleased to receive the applications of many 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.

8. Enlarging TRAC's network

As previous years, TRAC aims to elaborate its collaboration with other arbitration centers, reputable arbitration publications and blogs and reputable law firms specialized in the field of international arbitration all over the world.

As an example for achieving this aim, on 16 August 2019, Kluwer Arbitration Blog, the leading source covering the news on international arbitration, conducted an interview with Dr. Oveis Rezvanian, director of Tehran Regional Arbitration Centre (TRAC), about the perspectives on arbitration in Iran.

After drawing a full image of TRAC's organization and its scholarly activities, such as the Vis Pre-Moot, during the interview Dr. Rezvanian introduced TRAC's new Rules of Arbitration with emphasis on the new features of the 2018 Arbitration Rules which are compatible with the most recent trends in international arbitration.

In addition to above example, TRAC, also attempted to expand its brand and name, through writing some articles about Iran's arbitration in different blogs and journals.

C. 2020 Prospective

TRAC aims to continue offering its institutional support as a neutral, independent and international organization for the conduct of domestic and international arbitration proceedings. In addition, TRAC looks forward to more independence by relocating to a new place. In pursuing this objective, 2020 prospective plan of TRAC is as follows:

1. Organizing training courses, workshops and seminars and cooperation with arbitral institutes and academic centers

In the accomplishment of its educational duty, TRAC envisages to organize different workshops, seminars, training forums in the field of international arbitration and conclusion of Memorandum of Understanding with different organizations and universities to create awareness about arbitration and motivate young practitioners to advise their clients to benefit of a transnational safe environment for settlement of international commercial disputes.

2. Exploring new areas; including mediation rules

Revision of TRAC Rules of Arbitration and adding new features illustrated in previous report and publication of TRAC's first collection of arbitral awards as indicated in the present report, will have a pervasive influence on the arbitration community and eventually will lead to better recognition of TRAC as an active arbitration institution in Iran.

Achieving this amount of recognition gives enthusiasm to TRAC's administration team to explore new areas of activities. One of these areas is Mediation Rules of TRAC. To this aim, TRAC will compose a committee concentrating on draft of the Mediation Rules in the next year.

3. Utilization of the new hearing room

As an international organization and in order to meet the growing needs of case administration, TRAC is to initiate using the hearing room facilities in the next years. This can help TRAC to manage its cases in an efficient way.

4. A series of in-depth arbitration related issues for professional practitioner

After all these years that TRAC was doing its best to expand arbitration in Iran, now it is time to discuss and elaborate the new and critical issues in Iran arbitration. To this end, TRAC, in consultation with professionals, judiciary system and academics, plans to hold seminars on the current arbitration issues in 2020.

D. Concluding words

This is a brief rundown of TRAC activities in 2019. TRAC has gained a valuable recognition in the field of international arbitration in the region. TRAC looks forward to enlarge its activities in 2020 and is grateful to the support of AALCO and Iranian government for achieving its goals.

VI. Report on the activities of the Nairobi Centre for International Arbitration (NCIA) for the year 2019-2020

Administration of Disputes

1. The case value by December 2020 had risen to Kenya Shillings twelve point nine billion (Kes. 12,900,000,000.00) equivalent to USD 129,000,000. The largest single claim recorded is equivalent to USD 50million.
2. From its first case in 2016, the Centre has hit now the Fifty (50) Case mark for disputes referred under the NCIA Arbitration Rules, representing an upward trend in referral of disputes in the four years since inception of the Rules.

Arbitration and Alternative Dispute Resolution Conferences & Events

3. On the national front and in keeping with the mandate of NCIA to promote the practice of international commercial arbitration and other forms of dispute resolution, the Centre hosted its second international arbitration Conference as well as five international webinars on divergent thematic areas.
4. The Centre participated in the SOAS Sixth Arbitration in Africa Conference held in Douala and co-hosted by CMAG. The Conference was themed “Legal Culture and Arbitration/ADR in Africa.”
5. In the region, the Centre participated in the 8th East Africa International Arbitration Conference held on 27th- 28th August 2020 and themed “Disruption in African Arbitration.
6. The Centre also participated in the 4th International Conference on how Africa is evolving and strengthening its practice of ADR hosted by the Chartered Institute of Arbitrators -Kenya on 18th – 20th November 2020.

Training

7. The Centre launched its Training Calendar 2020 and leveraged on technology to expand the reach for skills development to grow a talent hub that is quintessential in supporting the arbitration ecosystem. The Training programme entails courses in

Arbitration and Mediation running from introduction, Module 1, 2 and 3, with an emphasis on quality of content and excellence in delivery.

Development of a National Alternative Dispute Resolution (ADR) Policy

8. The Centre continued to collaborate with the National Steering Committee for the formulation of the National Alternative Dispute Resolution Policy in Kenya. This collaboration culminated in the development of an expert proposed Alternative Dispute Resolution policy which forms the serve as a unified framework for implementation on ADR in Kenya and is anchored in the Constitution of Kenya 2010 (CoK).

The 2020 Arbitration in Africa Survey Report

9. The 2020 Arbitration in Africa Survey Report of top African arbitral Centres and seats ranked the NCIA among the top five best arbitral Centres in Africa regarding the quality of support facilities and administrative staff. The NCIA ranked 8th among the top ten arbitral Centres in Africa based on the number of arbitration cases administered and Memorandums of Understanding (MoUs) concluded with other arbitration Centres. The report also ranked NCIA among the top five arbitral Centres in Africa that users indicated they would recommend.

VII. Report on the activities of the Asian International Arbitration Centre 2020-2021

About the AIAC

The Asian International Arbitration Centre (“AIAC”), formerly known as the Kuala Lumpur Regional Centre for Arbitration, was established in 1978 pursuant to a Host Country Agreement between the Government of Malaysia and the Asian-African Legal Consultative Organization (“AALCO”). The AIAC is led by its Director, Tan Sri Datuk Suriyadi bin Halim Omar.

The AIAC is a not for profit, non-governmental arbitral institution, recognized as an international organization under the domestic laws of Malaysia. By virtue of such

recognition, the AIAC is also afforded immunities and privileges by the Government of Malaysia. Situated in one of Malaysia's most iconic and heritage buildings, Bangunan Sulaiman, the AIAC is a trusted provider of alternative dispute resolution (“ADR”) services in the Asian region. The Centre was the first in the world to adopt the UNCITRAL Rules for Arbitration as revised in 2013 and has its own suite of AIAC Arbitration Rules covering varied forms of arbitrations including conventional, fast track and Syariah-based arbitrations. The AIAC is also the sole administrative authority for domestic statutory adjudication proceedings under the Construction Industry Payment and Adjudication Act 2012 and it has also developed the AIAC Adjudication Rules & Procedure to assist in the administration of adjudication proceedings. The AIAC additionally, administers mediations under its very-own AIAC Mediation Rules. Further, the AIAC also provides domain name dispute resolution services as one of the four offices of the Asian Domain Name Dispute Resolution Centre (ADNDRC) to resolve generic top-level domains (gTLDs). The AIAC has also been appointed by the Malaysian Network Information Centre Berhad (MYNIC) and the Brunei Darussalam Network Information Center (BNNIC) to administer .my and .bn country code top-level domains (ccTLDs).

Apart from the provision of institutional support for domestic and international arbitration and other ADR proceedings, the AIAC offers hearing facilities and ancillary administrative services to tribunals operating ad hoc or under the auspices of another institution. The AIAC also publishes guides and circulars to facilitate the use and understanding of its rules. Additionally, the AIAC is also an official Court of Arbitration for Sports (CAS) and Permanent Court of Arbitration (PCA) alternative hearing centre.

In its continuous efforts in capacity building and disseminating information on ADR, the AIAC organises various courses and forums on the different avenues of ADR. A key platform for the AIAC's capacity building initiatives is the AIAC's Young Practitioners' Group (“AIAC YPG”) which brings together dispute resolution practitioners below the age of 40 and students interested in building their careers in the fast-growing and dynamic field of ADR.

Activities organized by the AAIC in 2021

The planning and execution of activities organised by the AIAC in 2021 was affected due to the ongoing restrictions of the COVID-19 pandemic, and the implementations of the different

stages of lockdowns by the Government of Malaysia. Nevertheless, the AIAC continued to provide and host a range of events on capacity building and collaborations through its virtual platforms as well as scaled down in-person or hybrid events, in compliance with the regulations issued by the Government of Malaysia. The key events and activities in 2021 are highlighted and summarised below:

Updates and revision on the AIAC's Products and Services

1. Launch of AIAC Arbitration Rules 2021

On 1st August 2021, the AIAC was pleased to launch its all-new and improved AIAC Arbitration Rules 2021. This launch marks another milestone in the AIAC's continuous growth and vision, delivering on its commitment to serve the global arbitration community innovatively through its products and services.

With no changes made to the fee structure and a wider range of sophisticated and tailored provisions to govern the efficient conduct of arbitration proceedings in the offering, the AIAC Arbitration Rules 2021 stands markedly as a comparable and competitive product reflecting contemporary international standards and practices on the global stage.

2. Revision of the AIAC i-Arbitration Rules

The AIAC i-Arbitration Rules is a set of procedural rules covering all aspects of the arbitration process that are Syariah compliant and suitable for the arbitration of disputes arising from commercial transactions premised on Islamic principles. The Rules are currently being revised and the AIAC hopes to launch the i-Arbitration Rules 2021 on 1st December 2021.

3. AIAC signs Cooperation Agreement with the ADGMAC

On 3rd February 2021, the AIAC and the Abu Dhabi Global Market Arbitration Centre (ADGMAC) signed a Cooperation Agreement, to capture the opportunities ahead for the benefit of arbitration users across Southeast Asia and the Middle East.

The virtual Signing Ceremony was officiated by Tan Sri Datuk Suriyadi bin Halim Omar, the Director of the AIAC and Ms. Linda Fitz-Alan, the Registrar and Chief Executive of ADGMAC. This cooperation with the ADGMAC serves to highlight the AIAC's products and service for potential users from the Middle East region, and also benefit Southeast Asian Parties who may be engaged in disputes in the Middle East.

4. AIAC signs MoU with JIDRC

On 23rd August 2021, the AIAC signed an MoU with the Japan International Dispute Resolution Center (JIDRC) which was officiated by Tan Sri Datuk Suriyadi bin Halim Omar, Director of the AIAC and Mr. Yoshimitsu Aoyama, President of the JIDRC.

The AIAC looks forward to working with the JIDRC to promote the use of international commercial arbitration, mediation, as well as to facilitate joint educational efforts between both institutions.

5. AIAC signs MoU with SCCA

On 22nd September the AIAC signed an MoU with the Saudi Center for Commercial Arbitration (SCCA) in an effort to promote the use of ADR for users in Southeast Asia and the Middle East.

With the signing of this MoU, the AIAC look forward to working with the SCCA to facilitate the use of ADR products, services and expertise that both institutions offer to business sectors, as well as the promotion of its respective facilities in Kuala Lumpur and Riyadh. This is also a positive step for the AIAC in promoting and administering the use of ADR that are applicable to Syariah principles and Islamic finance, through its i-Arbitration Rules, which is currently under further revision.

6. ADR Online - An AIAC Webinar Series

The AIAC was one of the first ADR institutions in the region to react and produce a series of ADR-related webinars during the initial lockdown last year, and we have continued with the initiative in 2021. This initiative provided the AIAC with considerable exposure and commendation by various stakeholders from the ADR community in the region. Between

January 2021 to September 2021, the AIAC has held 7 ADR Online Webinar Series, drawing in a total of participation of approximately 700 participants on its Zoom platform, FB live and rebroadcast views on its Facebook page.

- a) Formulating a Successful COVID-19 Claim under Middle East & South Asia Construction and Engineering Contracts (26th January 2021)
- b) To Be or Not To Be – Stare Decisis v. Public Policy (9th February 2021)
- c) Another Proactive Step - The AIAC Pro Bono Mediation Initiative (16th March 2021)
- d) To Disclose or Not to Disclose, that is the Question – A Dialogue on Halliburton v Chubb (20th April 2021)
- e) A Tale of Synergies – Uncovering Islamic Finance and Arbitration (10th June 2021)
- f) Space Jam: The Commercialisation of Space & Related Disputes (29th June 2021)
- g) RCEP Investor-State Dispute Settlement Mechanism: A Calculated Risk or a Pure Gamble? (28th July 2021)

7. AIAC Adjudicators Continuing Competency Development (CCD) Workshop Series

To continue to soar and strive to provide the best possible ADR services and solutions to the ADR community, the AIAC introduced an initiative titled, “Adjudicators Continuing Competency Development (CCD) Workshop Series”. With a total of ten (10) monthly workshops from January to October 2021, this series aims to discuss as well as provide exposure to empanelled adjudicators and interested parties on specific and technical topics related to adjudication. Held on every last Saturday of each month, these workshops were conducted live via Zoom. These workshops are open to both legally and non-legally trained individuals who regularly participate in the CIPAA adjudication proceedings. As of September 2021, a total of nine (9) workshops have been conducted and a total 1,460 participants have benefited from this initiative.

- a) Adjudication Case Law Update (30th January 2021)
- b) Understanding Financial and Payment Documentation in Adjudications (27th February 2021)
- c) Effective Adjudication Decision Writing Skills (27th March 2021)

- d) Practical Tips on Handling Particular Procedural Issues in Adjudication (24th April 2021)
- e) Dealing with Loss and Expense Claims in Adjudication (29th May 2021)
- f) Addressing Completion, Handing Over and Defective Issues (26th June 2021)
- g) Handling Jurisdictional and Natural Justice Challenges/Issues (31st July 2021)
- h) Addressing Set-off Claims for LAD, Non-Completion, EOT, Etc in Adjudications (28th August 2021)
- i) Dealing with Claims Involving Insurances, Performance Bonds, Retention Sums, Third Party Works, Design Issues, Etc (25th September 2021)
- j) AIAC's Administrative Procedures, Circulars, Regulations, etc. (30th October 2021)

8. Arbitration-In-Practice (AIP) Workshop Series

The AIAC and the Chartered Institute of Arbitrators (Malaysia Branch) launched the “Arbitration-In-Practice (AIP) Workshop Series” this year. With a total of seven (7) monthly workshops conducted from June 2021 to December 2021, the series is aimed at providing continuous practical and professional development training to credited arbitrators. These workshops are also designed to include an interactive tutorial session led by experienced speakers and tutors and are conducted live via Zoom. As of September 2021, four workshops have been conducted involving a total of 234 participants from various career backgrounds.

- a) Basic Principles & Obligations as Arbitrator (12th June 2021)
- b) Due Diligence Prior To and Post First Preliminary Meeting (10th July 2021)
- c) Determination of Jurisdictional Issues/Challenges and Pre-Hearing Considerations (14th August 2021)
- d) Hearing and Witness Examination (11th September 2021)
- e) Joinders, Consolidation and Interim Measures & Emergency Arbitrator (9th October 2021)
- f) Awards (13th November 2021)
- g) Case Law Update (11th December 2021)

9. AIAC YPG Careers 2.0: Find Your Niche x KPUM #StayAtHome Series -

Under this AIAC YPG webinar series and in collaboration with the KPUM's #StayAtHome Series, a webinar titled, "Career Pathways in Arbitration" was conducted on 30th January 2021. The webinar provided an insight on how to kickstart your career in arbitration from the perspective of an academic, a legal practitioner, an independent arbitrator, and an arbitral institution case counsel.

10. AIAC Mooting Workshop

In the lead up to the AIAC Pre- Moot, the AIAC and the AIAC YPG conducted three Mooting Workshops in 2021. The first titled, "On a Mission – Exploring Joinder and Remote Hearings" was held on 15th February 2021. The second session titled, "Deciphering the CISG: Applicability and Contractual Obligations" was held on 19th February 2021 and the third session titled, "Mooting In The 21st Century: Conquering Oral Advocacy", was conducted on 26th February 2021.

11. The 5th AIAC [Virtual] Pre-Moot for Willem C. Vis International Commercial Arbitration Moot

The AIAC hosted more than 95 teams from 46 countries for the 5th AIAC [Virtual] Pre-Moot ("AIAC Pre-Moot") from 5th - 7th March 2021, thus making it one of the largest virtual pre-moot competitions. In keeping with tradition, the curtain-raiser for the AIAC Pre-Moot was the AIAC Young Practitioners Group (YPG) Conference, titled "Exploring the New Frontier: The Modern Landscape of International Arbitration" on 3rd March 2021.

12. Tips & Tricks from the Winners of the 5th AIAC [Virtual] Pre-Moot

On 18th March 2021, the AIAC and the Moot Alumni Association (MAA) conducted a special webinar titled, "Tips & Tricks from the Winners of the 5th AIAC [Virtual] Pre-Moot". The Champions of the AIAC Pre-Moot and the Winners of the Malaysian Final were featured as special guests and they provided some tips, tricks and best practices for participants of the upcoming Vienna Vis.

13. AIAC, MABC & MNZCC Webinar: What’s Inside the Treaty Spaghetti Bowl? A Perspective of International Commercial Arbitration

The AIAC, the Malaysia Australia Business Council (“MABC”) and the Malaysia New Zealand Chamber of Commerce (“MNZCC”) presented a joint webinar titled, “What’s Inside the Treaty Spaghetti Bowl? A Perspective of International Commercial Arbitration” on 30th March 2021.

The webinar served to guide attendees from the respective Business Councils through the Asia-Pacific free trade agreements, with a focus on its effect and applicability in Malaysia, Australia and New Zealand. The use of arbitration, as a necessary avenue for businesses to resolve their issues amicably was also assessed.

14. A Roundtable Discussion on International Arbitration and Alternative Dispute Resolution in Malaysia

The AIAC, in collaboration with the Malaysia External Trade Development Corporation (MATRADE) and the Malaysian Bar Council's Arbitration Committee held a joint-webinar titled, “Roundtable on International Arbitration and Alternative Dispute Resolution in Malaysia”, on 6th April 2021.

This roundtable was specifically tailored for the business community, where the speakers discussed the benefits of resolving disputes through international arbitration and ADR in Malaysia and the region. This session, which include two interesting panel sessions, considered the expertise of Asian arbitrators in handling trade disputes and the AIAC, the efficiency of ADR during the pandemic, as well as the AIAC as a preferred arbitral institution for efficient and effective resolution of disputes.

15. ADGMAC & AIAC MESEA Webinar Series 2021

Following its Cooperation Agreement, the AIAC and the Abu Dhabi Global Market Arbitration Centre (ADGMAC) jointly launch the Middle East and Southeast Asia (MESEA) Webinar Series 2021. This initiative includes 5 events throughout the year. The AIAC sees this collaboration with the ADGMAC as a key initiative in providing

arbitration users across Southeast Asia and the Middle East with the right platform to discuss and expand the use of Syariah based arbitration as well as conventional arbitration.

- a) i-Arbitration Rules in MESEA (19th May 2021)
- b) Third Party Funding: A First for Malaysia, But a Leap for Islamic Investors in MESEA! (16th June 2021)
- c) Construction & Infrastructure Dispute Resolution in MESEA (14th July 2021)
- d) Renewable and Non-renewable Energy Dispute Resolution in MESEA (27th October 2021)
- e) Dispute in Fintech and Complex Technology Sector in MESEA (22nd November 2021)

16. CIPAA Simplified: A Practical Guide to Construction Adjudication

The AIAC, in collaboration with the Young Society of Construction Law (“YSCL”) Malaysia, presented the “CIPAA Simplified: A Practical Guide to Construction Adjudication” webinar as part of the YSCL Classroom Series on 17th June 2021. The panellists provided a step-by-step guide to the CIPAA process from the perspective of the Claimant, Respondent, Adjudicator and Case Counsel.

17. Diversity in Arbitration Week

The AIAC also launched the “ADR Online: An AIAC Webinar Special Series – Diversity in Arbitration Week” from 5th – 9th July 2021. This second edition of the series showcased 3-4 interviews daily, focusing on the personal journeys of featured arbitration practitioners in embracing diversity and overcoming any adversity to reach the height they have in international arbitration. During that week, webinars were held each day on selected topics relating to diversity in arbitration, specifically; gender, age, professional and racial and ethnic diversity.

- a) Adventures of the Captain Marvels of International Arbitration (5th July 2021)
Session 1: Dr. Affef Ben Mansour (Affef Ben Mansour) was interviewed by Ms. Tope Adeyemi (33 Bedford Row) and Ms. Michelle Sunita Kummar (AIAC)
Session 2: Ms. Sitpah Selvaratnam (Tommy Thomas) was interviewed by Ms. Cherine Foty (Jones Day) and Mr. Anran Zhang (AIAC)

Session 3: Ms. Jelita Pandjaitan (Linklaters Singapore Pte. Ltd) was interviewed by Dr. Annabelle Möckesch (Schellenberg Wittmer Ltd) and Ms. Nivvy Venkratraman (AIAC)

b) The World is Your Oyster – A Reflection on Professional Diversity (6th July 2021)

Session 1: Dr. Christopher To (Gilt Chambers) was interviewed by Ms. Shanti Abraham (Shanti Abraham & Associates) and Mr. Ahmad Haniffitri (AIAC)

Session 2: Mr. Michael Peer (PwC Singapore) was interviewed by Ms. Crystal Wong Wai Chin (Lee Hishammuddin Allen & Gledhill) and Mr. Shazrin Shafiqi Shahizan (AIAC)

Session 3: Capt. Milind J. Karkhanis (KVH) was interviewed by Mr. Choon Hon Leng (Raja, Darryl & Loh) and Ms. Sharifah Shazuwin (AIAC)

Session 4: Ms. Suzanne Rattray (Rankin Engineering Consultants) was interviewed by Ar. David Cheah Ming Yew (DCDA Architect) and Ms. Chelsea Pollard (AIAC)

c) The Rise of the Young Arbitrator – A Tale of Trials and Triumphs (7th July 2021)

Session 1: Ms. Céline Greenberg (Mayer Greenberg) was interviewed by Mr. Alexander Leventhal (Quinn Emanuel Urquhart & Sullivan LLP) and Mr. Abinash Barik (AIAC)

Session 2: Mr. James Ding Tse Wen (C.H. Tay & Partners) was interviewed by Mr. Baptiste Rigau (LALIVE) and Ms. Nur Nadhirah Syahmi (AIAC)

Session 3: Dr. Ana Carolina Weber (Eizirik Advogados) was interviewed by Mr. Orlando Cabrera (Hogan Lovells) and Ms. Prissilla John (AIAC)

Session 4: Mr. Seguí mundo Navarro Jiménez (inARB) was interviewed by Ms. Rocío Digon (White & Case LLP) and Ms. Tharshini Sivadas (AIAC)

d) Are We Still #ChartingTheWay? - A Live Debate (8th July 2021)

Moderated by Ms. Louise Barrington. Ms. Jennifer Ivers (White & Case LLP) and Ms. Lilien Wong (Shearn Delamore & Co.) were presented for Affirmative Team and Negative Team were represented by Ms. Ashley Jones (Freshfields Bruckhaus Deringer LLP), and Mr. Daniel Chua (Herbert Smith Freehills LLP)

e) Tackling Intersectionality and Beyond - #LetsGetReal (9th July 2021)

Session 1: Mr. Christopher Campbell (Baker Hughes) was interviewed by Ms. Rekha Rangachari, Esq. (New York International Arbitration Center) and Ms. Diana Rahman (AIAC)

Session 2: Ms. Earl J. Rivera-Dolera (Frasers Law Company) was interviewed by Dr. Crina Baltag (Stockholm University) and Ms. Teoh Shu Ling (AIAC)

Session 3: Ms. Sara Koleilat-Aranjo (Al Tamimi & Company) was interviewed by Dr. Kabir Duggal (Arnold & Porter) and Ms. Irene Mira (AIAC)

18. Asia ADR Week 2021

In our effort to further promote ADR to the domestic and international ADR community, this year's edition of Asia ADR Week 2021 (19th – 21st August 2021) was designed to showcase how changes in contemporary ADR landscape are driven and motivated not just by commercial motives but also by socio-political and economic trends and movements which are often overlooked. This flagship event of the AIAC was for the first time conducted in a fully virtual setting, utilising enhanced virtual features including the Brella and Remo platforms, to stream the events and facilitate virtual networking.

In conjunction with the Asia ADR Week 2021, the AIAC held three Pre-Events leading up towards the main event, namely Contracts Day (16th August 2021), Diversity Day (17th August 2021) and AIAC Arbitration Rules 2021 Showcase Day (18th August 2021).

Further, in honour of and in appreciation of the participation of our speakers and moderators, the AIAC embarked on a project to gift a box of pantry items and groceries to families affected by the COVID-19 pandemic in Malaysia. Under this initiative, 120 boxes of food essentials were delivered to affected families in Kuala Lumpur and surrounding neighbourhoods.

19. RICS – AIAC Mediation Training Programme

The Royal Institution of Chartered Surveyors (RICS) and the AIAC have conducted two online Mediation Training Programme on 18th – 27th January 2021 and 31st May 2021 – 11th June 2021. This practical and intensive course is designed to prepare participants to

mediate complex disputes. The programme is recognised by the Civil Mediation Council and the International Mediation Institute (IMI), and participants who successfully complete this programme may apply for the IMI certification. Successful completion of both Modules during this programme is also recognised by the Chartered Institute of Arbitrators (CI Arb) and successful candidates may, as a result, apply to become CI Arb Member. The next instalment of this course is scheduled for November 2021.

20. ADR Online - September Sports Month Webinar Series

Due to the pandemic and its travel restrictions thereof, the AIAC replaced its annual International Sports Law Conference with a special September Sports Month Webinar Series. As part of the series, 5 sports themed webinars were conducted every Tuesday in September 2021, where participants were provided with discussions on sports dispute resolution by leading international ADR sports practitioners.

21. AIAC Sports Month Workshop Series

Further, as part of the AIAC September Sports Month 2021, the AIAC conducted 2 virtual workshops via Zoom. The first session titled, “Disputes to CAS: Understanding the Sports Arbitration Framework” was held on 9th September 2021. The second session titled, “Becoming a CAS Mediator: An Asian Perspective” was held on 23rd September 2021.

22. AIAC Sports Month 2021: AIAC Virtual Fitness Sessions

The AIAC September Sports Month 2021 also feature 4 free interactive and fun “Virtual Fitness Sessions”, which featured some familiar names in the ADR and sports industry. The AIAC Virtual Fitness Sessions were conducted every Sunday throughout the month of September. All the session was led by experienced individuals who are ADR practitioners and was suitable for everyone.

Conclusion

The AIAC remains committed to build upon the trust placed in us by the domestic and international ADR community. The AIAC looks forward to 2022 under the leadership of its

Director, Tan Sri Datuk Suriyadi bin Halim Omar and will continue to soar and strive to provide the best possible ADR services and solutions to the ADR community.

VIII. Report on the activities of the Regional Centre for International Commercial Arbitration- Lagos (RCICAL) 2020-2021

Director of the Centre

Wilfred Dan Ikatari holds an LLB degree from the Rivers State University of Science and Technology, Port Harcourt, Nigeria in 1992. He obtained his BL (Barrister at Law) Certificate of the Nigeria Law School, Victoria Island, Lagos and was called to the Bar and admitted to practice Law as Barrister and Solicitor of the Supreme Court of Nigeria in 1993.

He earlier obtained a Higher National Diploma (HND) in Agricultural Economics and Extension in 1983 of same Rivers State University of Science & Technology, Port Harcourt and served his National Youths Service Corps as Tutor of English Language and Geography, College of Agriculture and Animal Husbandry, Bauchi State in 1983/1984 service year. He later served as principal teaching staff of the Old Rivers State, Nigeria from 1984 to 1994.

Hon. Ikatari was the pioneer Managing Solicitor in the Law firm of Messrs Egele & Egele, Attorneys-at-Law, founded by Late Chief Francis F. Egele, SAN. His law practice focused on oil and gas, commercial, property, labour, capital market and criminal law in 1994 to 1998 and 2000 to 2007. He was appointed as a Special Member, Board of Governing Council, Rivers State Polytechnic, Bori, Rivers State, Nigeria in 1994 to 1998.

Hon. Ikatari was appointed as Honourable Commissioner, Local Government Service Commission, Bayelsa State, Nigeria in 1998 to 2000 and in 2007, he accepted appointment as a Senior Legislative Aid to the Senate of the National Assembly, Abuja in-charge of legislative drafting and administration.

Hon. Ikatari was appointed as honourable member & judge of the Investment and Securities Tribunal of Nigeria-Abuja in 2008 to 2014. He was a presiding chairman of panels of the tribunal seated in the cities of Lagos, Enugu, Kano and Abuja-Nigeria.

Hon. Ikatari is currently the Direct/Chief Executive, Regional Centre for International Commercial Arbitration –Lagos.

He had the Diploma Course Part 1 in International Commercial Arbitration (Practice and Procedures) organised by the Chartered Institute of Arbitrators, Jesus College, University of Oxford, UK, 2015. A holder of Certificate in International Investment Treaties & Investors-State Arbitration of the International Law Institute, Georgetown University, Washington DC, USA. He also holds a Certificate in International Capital Markets and Financial Derivatives of Goldman Sachs Executive University, UK., Certificate in Advanced Administrative Law and fair hearing of the National Judicial College (NJC), Reno, Nevada, USA.

Hon. Ikatari is a member: Chartered Institute Arbitrators (MICArb) UK, Institute of Directors ((MIoD), Nigeria Bar Association (NBA) International Bar Association (IBA). Nigeria Economic Summit Group (NESG), National Assembly Business Environment Round Table Services (NABERS).

He has attended and participated in several international professional trainings and conferences in United State, Europe and Asia.

Establishment and Legal Personality of RCICAL

The growing concern for the need on the part of developing countries to constitute an integrated dispute settlement mechanism emanated ever since the Havana Conference held between 1947-1948 at both international and regional levels, within and outside the United Nations which sought to provide a fair and adequate system for the settlement of dispute arising out of international commercial and foreign investments transactions.

The decision to establish the Regional Centre for International Commercial Arbitration Lagos (RICICAL) Nigeria was adopted by AALCO at its 19th Annual Session at Doha, Qatar on 23rd January, 1978, as part of AALCO's integrated dispute settlement scheme within the Asian and African region

The Secretary General of the AALCO, having consulted several governments in Africa, who signified interest in hosting the Centre, however, accorded the Federal Government of

Nigeria (FGN) the hosting rights and by exchange of letters between AALCO and FGN, the RCICAL was established in 1989. In consideration of hosting the RCICAL in Lagos – Nigeria, a headquarters agreement was executed between the AALCO and the FGN on the 26th April, 1999 as amended on 6th April 2015.

RCICAL is wholly established, owned and controlled by its parent body viz Asian-African Legal Consultative Organisation “AALCO”, a forty-seven member states intergovernmental organization that possess an international juridical personality recognized by public international law.

The Federal Government of Nigeria (FGN), as earlier stated, offered to be a hosting state to, and indeed hosted the RCICAL pursuant to the Headquarters Agreement between AALCO and FGN of April 1999 as amended in April 2015. This Agreement is a constitutive document legally recognized as a treaty under public international law which endowed RCICAL with international legal personality.

RCICAL international legal personality made it a unique arbitral institution in the global family of arbitration institutions, as it is a public, regional and non-profit oriented institution of international character and global recognition.

The same constitutive document clothed RCICAL with ability and capacity to function and act in the economic and commercial arbitration field as an international legal person distinct from its host state Nigeria and other member states, with attendant rights and obligations including the ability to maintain international claims, enforce and defend its rights under public international law.

Legal implications of the headquarters agreement:

The Headquarters Agreement made RCICAL a public international body that enjoys a distinct international juristic personality as an independent international institution having its own international status in the field of international commercial arbitration. See the preamble to, and Article II of the April 1999 Agreement as amended in April 2015, provides inter alia: RCICAL is an international, independent and neutral arbitral institution. RCICAL shall continue to

function under the auspices of AALCO only. Nigeria as a host state undertakes to respect the independent functioning of RCICAL.

AALCO requested FGN to be the Host Government to RCICAL on the basis of terms therein the headquarters agreement and FGN acceded to, and enacted the Regional Centre Act Cap R.5 LFN 2004 and RCICA (Immunities and privileges) Order 2001 to give domestic legislative force to the operations of RCICAL in Nigeria in accordance with and under customary international law. The FGN therefore declared; “that the enactment of the Regional Centre Act Cap R.5 LFN 2004, in no way makes RCICAL an agency of the FGN. Indeed, RCICAL is an international institution hosted by Nigeria. The enactment of the Act, therefore, is in compliance with section 12 of the 1999 constitution of Nigeria which provides that international agreements or treaties entered by the Government of Nigeria should be domesticated and incorporated into our laws before enforcement in the country..... that RCICAL is entitled to enjoy all privileges and immunities accruable to similar international bodies. The Government of Nigeria therefore, does not interfere and will not interfere with the activities of RCICAL. FGN involvement in RCICAL’S activities therefore is to enable the fulfillment of international obligation embodied in the Headquarters Agreement signed in April, 1999 between FGN and AALCO under whose auspices RCICAL operates”.

Immunities and Privileges

As said earlier, RCICAL possess a juridical personality and capacity to contract and to institute legal proceedings in its name vide Article III of 1999 Agreement as amended 2015

The requisite immunities and privileges accompanying the international legal personality for the Centre and its staff, accorded under the treaty are due to its functions and powers as an international arbitral institution.

The RCICAL order 2001 accorded diplomatic immunities and privileges to the Centre, the Director and staff are immune from legal process in respect of words spoken or written and acts performed by them in their official capacity.

RCICAL as an international legal personality is to enable it perform its functions and powers as a recognized independent international legal person in the host state’s domestic legal order, and

enjoy some immunities and privileges from, and in the jurisdiction of the host state for the independent fulfillment of its mission. This entails a juridical implication regarding the host government itself or its organs or agencies or persons that may be involved as disputants.

It is worthy of note that RCICAL has an objective international legal personality in the territories of all member states, same as its parent body AALCO. The separate legal personality from and in its host state with the privileges and immunities are necessary for the performance of its functions in exercise of its powers.

Functions and Powers of RCICAL

i. The constitutive instruments endowed RCICAL with the jurisdictional functions and powers to enable its functional necessity. Article 1 of its statute (1999 Headquarters Agreement) vested RCICAL with the following functions and powers:

- a) Promotion of international arbitration in the region
- b) Co-ordination of activities and assistance to existing arbitration institutions in the region.
- c) Assistance to ad-hoc arbitrations, especially in cases where they are taking place in accordance with UNCITRAL Rules.
- d) Assistance in enforcement of arbitral awards.
- e) Conducting arbitrations under auspices of RCICAL.
- f) Enforcement of arbitral awards.

ii. Section 4 of the Act Cap R.5 LFN 2004, vested additional power; To maintain registers of

- a) Expert witnesses, and
- b) Suitable qualified persons to act as arbitrators as and when required; and carry out such other activities and do such other things as are conducive or incidental to its other functions under this Act.

iii. The FGN declared: “The RCICAL is established to cater for the arbitration and other ADR needs of both private and public sectors of the economy as well as countries in sub-sahara Africa. The facilities for arbitration at the Centre are made available to all nationalities, irrespective of whether the parties to such international commercial disputes are national of

member-states of the AALCO or not. By this Act Cap R.5 LFN 2004, implementing the Headquarters Agreement of the RCICAL, Lagos has become an international Arbitration Centre”.

- (a) The legal implication of the above declaration in relation to RCICAL international juridical personality arising from the constitutive document and the Act is the express endowment with:
 - a. Jurisdiction in the administration of arbitration
 - b. Rendering assistance in ad-hoc arbitration
 - c. Assistance in enforcement of awards.
 - d. Conducting arbitration.
 - e. Enforcement of arbitral awards.

- (b) In the exercise of these powers, the jurisdiction *rationae personae* and *rationae materiae* of RCICAL is international and under the party autonomy. The choice of RCICAL is the prerogative of the parties.

- (c) Nigeria is the host state to RCICAL and a signatory to the New York Convention of 1958, and accordingly, arbitration agreements submitted to, administered by, and awards made at and under the Arbitration Rules of RCICAL are by necessary implication enforceable in states including non- state members of AALCO.

- (d) RCICAL as a legal person is recognised in Nigeria’s domestic legal order and internationally in relation to its functions and powers and therefore, the enforcement of arbitration agreements submitting to, or awards made under the Rules of RCICAL are recognised and enforceable internationally subject to any instrument of reciprocity declaration or any other relevant treaty or law for the recognition and enforcement of arbitration agreements or awards or parties to the New York Convention including non-member states of AALCO, and non-recognising state of AALCO’s legal personality or of the RCICAL.

RENOVATION / REMODELING OF CENTRES ADMINISTRATIVE HEADQUARTERS AND FACILITIES UPGRADING

The Centre continued with upgrade and remodelling of its structures and facilities in its administrative headquarters. Work is currently ongoing towards achieving and equipping more hearing rooms, retiring rooms, larger conference rooms, mediations rooms as well as boosting the Centre's security systems

COOPERATION, COLLABORATION AND PARTNERSHIP WITH OTHER SPECIALIZED ORGANISATIONS

The Centre maintains a very cordial working relationship with many other professional, Legal / Arbitral bodies in the course of its operations and core mandate.

Such organisations include The Nigerian Bar Association (NBA), The Nigerian Shippers Council (NSC), The Nigerian Export Promotions Council (NEPC), School Of African Studies (SOAS) University of London, World Intellectual Property Organisation (WIPO), United Nations Commission on International Trades Law (UNCITRAL), International Council for Commercial Arbitration (ICCA), International Centre for Settlement of Investment Disputes (ICSID), The China Law Society (CLS), Chartered Institute of Arbitrators UK, Nigerian Branch, International Dispute Resolution Institute (IDRI).

PARTICIPATION IN ARBITRAL EVENTS

54th UNCITRAL SESSION- The Director of Centre, Hon. Wilfred Ikatari, participated in the 54th UNCITRAL Session which held virtually from 28th June - 16th July, 2021.

The focus for the session was UNCITRAL Expedited Arbitration Rules where several sub-heads were exhaustively discussed such as Scope of Application, Statement of Claims and Defence, Designating and Appointing Authorities, Appointment / Number of Arbitrators, Consultation with Parties provision on expedited arbitration, Notice of Arbitration, response thereto, Time frame and the Tribunal Discretion, Model Arbitration Clause for Expedited Arbitration, the Expedited and Transparency Rules and so on.

By virtue of his personal experience as a key player in Arbitration and Alternative Dispute Resolution Mechanisms, Hon. Ikatari made significant contributions in the subject of

Expedited Arbitration which essentially gears towards a simplified, cost-effective and expedited procedure of arriving at a final resolution of disputes. He opined that the merits of Expedited Arbitration encourage the advancement of arbitral procedures where party autonomy is not jeopardised, flexibility is provided, Tribunal can exercise discretion as and when necessary particularly as it affects abridgement or extension of time.

It is noteworthy for parties who wish to refer disputes to arbitration under expedited arbitration rules, to consider the urgency in resolving the dispute, the complexity and number of parties involved, anticipated complexity and amount involved, parties' financial capacity in proportion to expected cost of arbitration, possibility of joinder and consolidation and likelihood of award being rendered within the time frame provided in the Expedited Rules.

Expedited Arbitration has already been provided for in the Regional Centre for Arbitration, Lagos Rules 2019 under Article 8- Number of Arbitrators and Expedited Formation.

THE NIGERIAN INSTITUTE OF CHARTERED ARBITRATORS (NICARB) ROUNDTABLE ON JULY 30, 2021

The Centre participated in a roundtable discuss on- **“AfCFTA and Non-State Parties: Implications for Trade and Dispute Resolution”** on July 30, 2021 which was organised by the Nigerian Institute of Chartered Arbitrators (NICArb), in collaboration with the National Action Committee (NAC) for the African Free Trade Area and Nigerian Chamber of Commerce Dispute Resolution Centre (NCCDRC).

The event which focused on Dispute Resolution Mechanism as it affects Non-State Parties/Actors, the Implications of the Current Dispute Resolution Arrangement, and how it will affect Non-State parties, including interventions to provide remedial measures for non-state parties amongst others was moderated by Mrs. Foluke Akinmoladun. The speakers included Hon Wilfred D. Ikatari, Director of the Regional Centre for International Commercial Arbitration- Lagos, Professor Jonathan Aremu, Professor of International Economic Relations, Covenant University/Consultant at ECOWAS, Dr. Ken UKAOHA, the President of the National Association of Nigerian Traders. A member of Nigeria's AfCFTA's Impact and Readiness, Committee under Nigeria's Action Committee on AfCFTA Implementation, His Excellency, Otunba Olufemi Pedro former Deputy Governor of Lagos State and Chairman of Small and Medium Enterprises Development Agency of Nigeria

(SMEDAN), Professor Muhammed Ladan, Director-General, Nigerian Institute of Advanced Legal Studies, Mrs. Shola Oshodi-John, the Chief Executive Officer/Registrar, and member of Faculty of the Nigerian Institute of Chartered Arbitrators, (NICArb).

Some of the topics discussed were Dispute Resolution in Trade and Investment Agreement, the implications of AfCFTA Disputes Resolution Mechanisms on Non- State parties, Legal and Procedural issues involved, lack of mass enlightenment on the part of government to key stake holders, Domestication of AfCFTA as a Treaty as well as the Role of Arbitration Institutions under AfCFTA.

The event was held virtually.

REPORT ON INVOLVEMENT OF THE DIRECTOR OF CENTRE IN THE PROPOSED NATIONAL ARBITRATION POLICY, NIGERIA

Some recent events in Nigerian Arbitration industry necessitated the constitution of a 16-man committee charged with formulating a National Arbitration Policy aimed, *inter alia*, at positioning Nigeria as an arbitration hub in Africa, making her a suitable venue for transactions arising from within and also an attractive centre for domestic and international contractual / commercial arbitrations, ultimately boosting confidence in Nigeria's arbitration laws and institutions, attract investment and stem capital flight.

The Committee was inaugurated on 13th October, 2020 in Abuja, with membership comprised of representatives of government institutions, experts and practitioners in the field including Hon Wilfred D. Ikatari, Director of the Regional Centre for International Commercial Arbitration – Lagos. Dr. Olisa Agbakoba, SAN, OON, FCI Arb. Serves as Chairman while other committee members are Mr. A.B. Mahmoud, SAN; Dayo Akpata; Prof. C.J. Amasike; Mrs. Juliet Ibekaku-Nwagwu, Mr. Felix Ota-Okojie; Mr. Akin Sowemimo; Hajia Halima Halilu; Mr. Chike Okoye; Mr. Lawal Hassan; Adepeju Francis-Abu, Mr. I.G. Umar Andumar; Maimuna Shiru; Jamila Akaaga-Ade and Mr. Uthman Endurance Odusele.

At the inauguration, Honourable Attorney-General and Minister of Justice, Abubakar Malami, SAN, charged the committee to undertake a comprehensive review of the Nigerian Arbitration Laws and policies and develop a National Arbitration Policy.

Hon Ikatari, besides attending meetings and having discussions with committee members, has also been working assiduously to engage with the arbitration public through teaching and creating public awareness with a view to and exchange ideas and more importantly elucidate areas which hitherto were seemingly contentious or controversial and therefore misconstrued. Some of such areas are- insertion of arbitration clause into contracts involving the host government of Nigeria, bilateral agreements, Seat, Venue/Place of Arbitration, Legislative/Legal framework for arbitration as well as enforcement of awards as it relates to the Regional Centre for International Commercial Arbitration – Lagos.

REPORT ON CHARTERED INSTITUTE OF ARBITRATORS ANNUAL CONFERENCE 2020

Hon Wilfred D. Ikatari, was invited as Panellist at the virtual Annual Conference (26th & 27th November, 2020) of the Chartered Institute of Arbitrators (UK), Nigeria Branch, with the theme “Arbitration and ADR in a free trade regime: Assessing Africa’s Readiness”.

Hon Ikatari spoke specifically on- “the role of existing Arbitral institutions in Africa and their continued relevance to socio-economic development in Africa” where he underlined the effect of decisions from arbitral institutions in Africa and their impact in socio-economic development in African countries, highlighting related judicial pronouncements and arbitral awards .

Several speakers/ panellists from Nigeria and abroad participated virtually in the very intuitive conference.

He further stressed that the State must play a very significant role in achieving and maintaining relevance to socio-economic growth and development in African emerging economies which he called- “Three Arbitration Friendlys”, viz:

Arbitration Friendly National Policy

Arbitration Friendly Legislative Framework

Arbitration Friendly Judicial System

He concluded by underscoring the economic benefits of arbitral institutions in Africa to socio-economic development such as increase in foreign and local investment, improved

activities in trade and commerce, employment/ job creation and security, enhancement of African Continental Free trade Area (AfCFTA) and projecting the capacity of African arbitrators and arbitration.

CASE LOAD FOR THE PERIOD

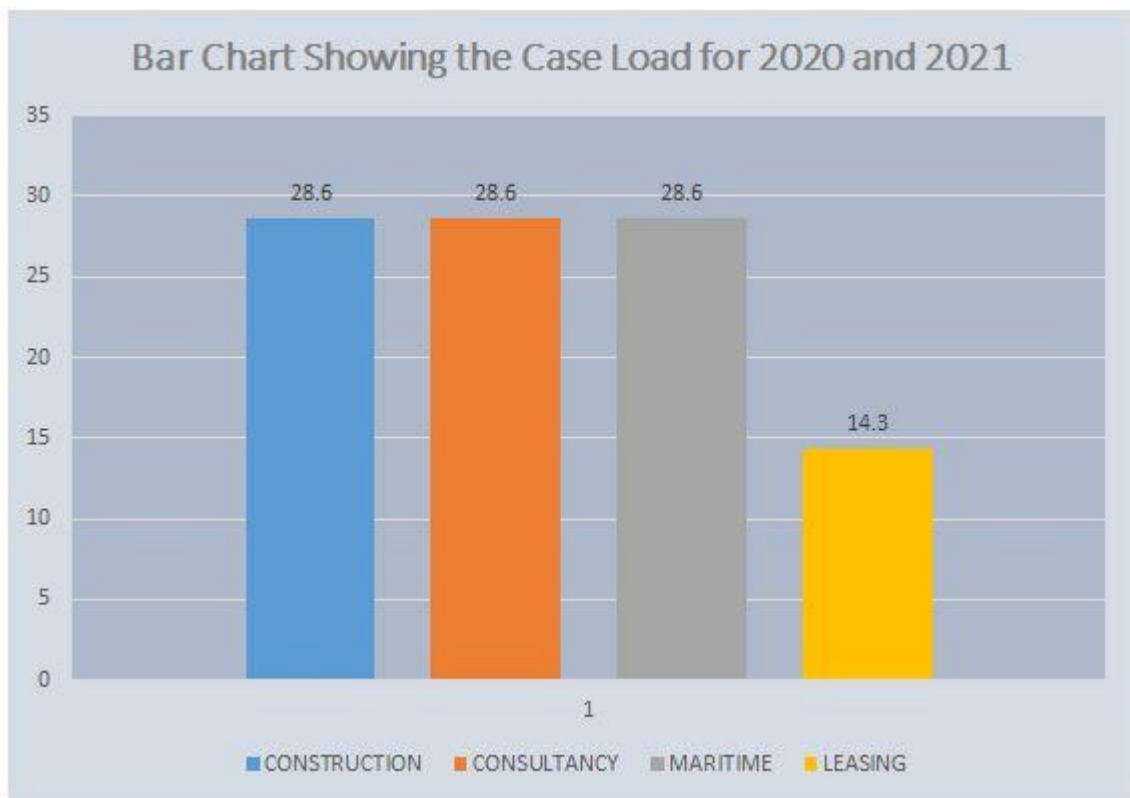
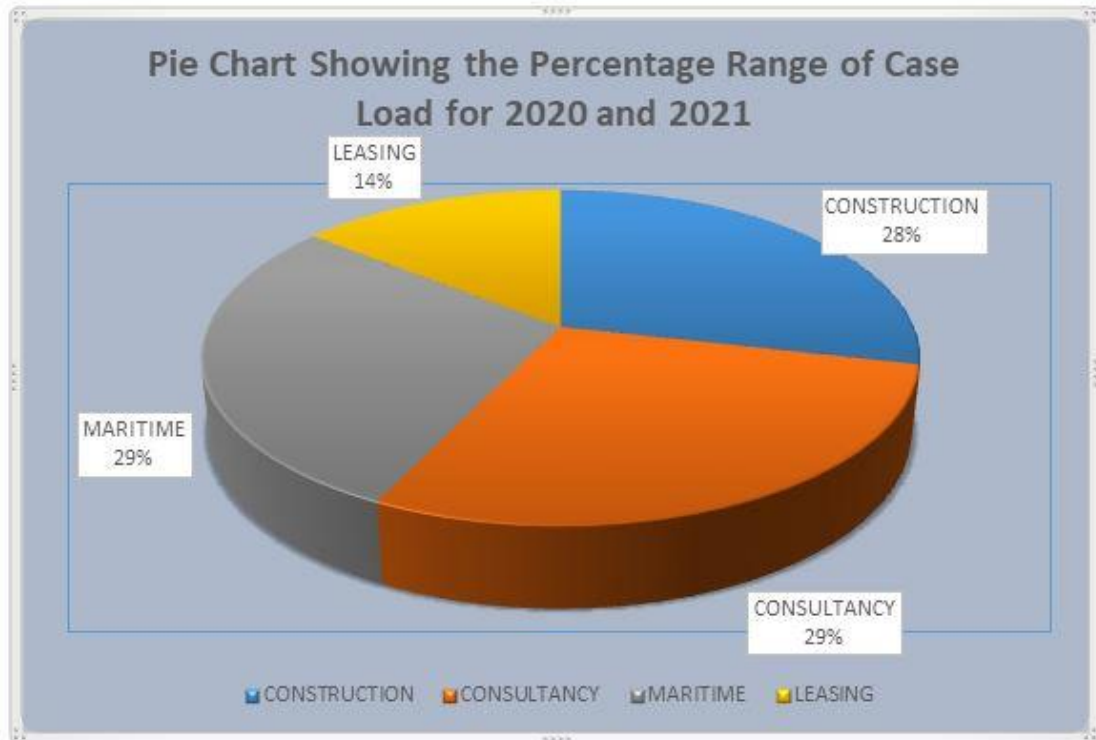
In the period under review, seven new cases were filed before the Centre in addition to the already existing caseload.

The cases are both domestic and international and cover the fields of Construction, Leasing, Consultancy services and Maritime.

All the cases have commenced fully, two are in the award stages, one is ad hoc while six are institutional.

While the construction-related matter involves construction of a public infrastructure which the Claimant maintains has been fully executed, the Respondent contends that it was not satisfactorily executed by the Claimant hence the contract was terminated, an act the Claimant insists was unlawful hence the redress being sought.

In the lease matter, the Respondent alleges a default in rent obligation upon which the contract was terminated but the Claimant contends that all rents were paid as and when due which effectively renders the act of termination wrong and indeed unlawful.



IX. Report on the activities of the Nairobi Centre for International Arbitration (NCIA) for the year 2020-2021

A. About NCIA

1. 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.
2. 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.
3. During the Fifty-Fourth Annual Session in Beijing (China, 2015) the Head of Delegation of the Republic of Kenya noted that the Government of Kenya had shown its commitment to establishing a regional centre by enactment of the Nairobi Centre for International Arbitration Act No. 26 of 2013 to establish the Nairobi Centre for International Arbitration (NCIA).⁵
4. NCIA is governed by a Board of Directors of eminent practitioners, consisting of a Chairperson, and eleven members, two of whom are from the East African region. The daily affairs of NCIA are managed by a Registrar.

B. Arbitration and Alternative Dispute Resolution Webinars & Events, 2020 – 2021

5. In keeping with the mandate of AALCO regional arbitration Centres to promote the practice of international commercial arbitration and other forms of dispute resolution, the NCIA held the 6 international webinars on divergent thematic areas as follows ;

⁵ See, the Report of the Fifty Fourth Annual Session of AALCO, Beijing, People’s Republic of China, 13-17 April 2015, p. 321, available at www.aalco.int

- On 10th August 2020, the Centre held a webinar titled *The Covid 19 pandemic and the contractual face majeure landscape: Lessons for the future.*
 - On 23rd September 2020 the Centre held its second webinar titled *Mediation: Time to harness its effectiveness*
 - On 25th November 2020, the third webinar titled *To adjudicate or nit to adjudicate* was held.
 - On 2nd July 2020, the Centre held a webinar titled *Impact of covid on arbitration and ADR process-reshaping the new normal.*
 - On 24th February 2021, the Centre conducted a webinar titled *The Art of award writing for arbitrators.* Among the topics covered included tips and techniques for awarding arbitral awards. The speakers also highlighted the distinction between awards and procedural orders and discussed present day and emerging issues in award writing.
 - On 20th June 2021 the Centre partnered with the Nairobi branch of Law Society of Kenya for a webinar titled *Exploring the opportunities in ADR for legal professionals.*
6. The Centre participated in the SOAS Sixth Arbitration in Africa Conference held in Douala and co-hosted by CMAG. The Conference was themed “Legal Culture and Arbitration/ADR in Africa.”
 7. In the region, the Centre participated in the 8th East Africa International Arbitration Conference held on 27th- 28th August 2020 and themed “Disruption in African Arbitration.
 8. The Centre also participated in the 4th International Conference on how Africa is evolving and strengthening its practice of ADR hosted by the Chartered Institute of Arbitrators -Kenya on 18th – 20th November 2020.

C. Collaborations

1. Joint activities with the Kenya Judiciary & International Development Law Organization (IDLO)

9. Collaboration with the Judiciary and the International Development Law Organization (IDLO) in development of a National Alternative Dispute Resolution Policy in Kenya.
10. Collaboration with the Judiciary and the International Development Law Organization (IDLO) resulted in the National Alternative Dispute Resolution Policy which has been submitted to the Office of the Attorney General & Department of Justice.

2. Signed MOU with the Law Society of Kenya

11. Signed a Memorandum of Understanding with the Law Society of Kenya to deepen the mutual knowledge and understanding of our respective institutions and develop a positive and mutually beneficial relationship in different fields.

D. Capacity Building Activities

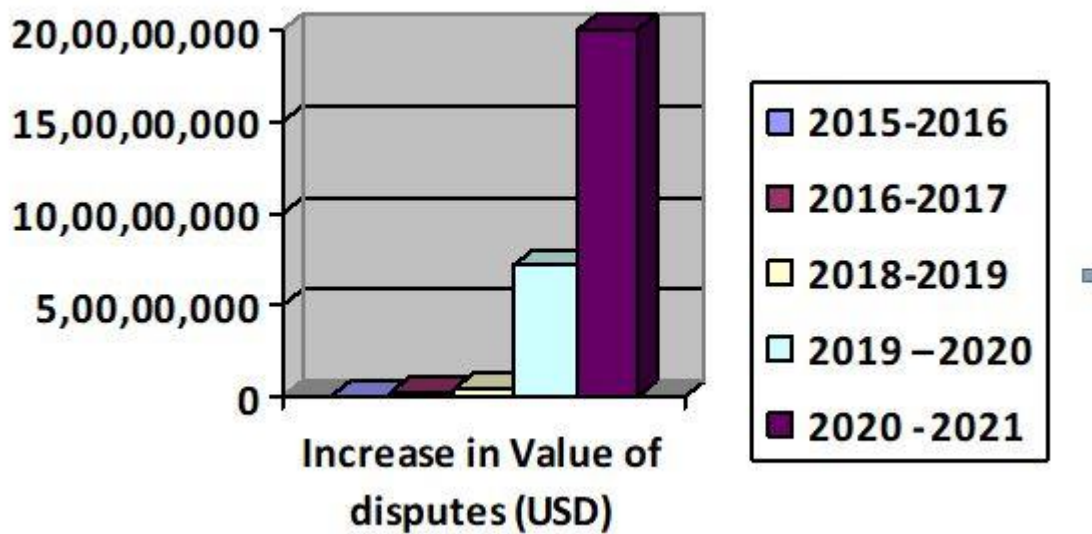
1. 1st NCIA Mediation Moot Competition, June 2020

12. The Nairobi Centre for International Arbitration organized its 1st ever *Mediation Moot Competition on the 29th – 30th June 2020 dubbed "Preparing the Future Today."* The competition pitted the best law schools against each another with each team bringing their A game in a friendly and competitive environment. The judges were drawn from top law firms within the country with a view to ensuring fairness and impartiality.
13. ADR Training- The Centre launched its 2020/2021 financial year training calendar by leveraging on technology to expand the reach for skills development. The objective is to grow a talent hub that is quintessential in supporting the arbitration and mediation ecosystem. Among the training programmes offered included courses in Arbitration and Mediation running from introduction, Module 1, 2 and 3, with an emphasis on quality of content and excellence in delivery. The trainings offered included introduction to Mediation, Module 2 Mediation and Module 2 Arbitration.

E. Administration of Disputes

14. The year 2020 -2021 has continued to record a growth in reference of disputes for administration by the Centre. The disputes totalled in value at USD 2.9 million and varied in nature of disputes from supply and delivery, construction and other commercial agreements.

Year	Increase in Value of disputes (USD)
2015-2016	50,000
2016-2017	1,500,000
2018-2019	2,900,000
2019 – 2020	70,865,412
2020 - 2021	200,000,000



DRAFT RESOLUTION ON THE AGENDA ITEM

1 DECEMBER 2021

REPORT ON THE AALCO'S REGIONAL ARBITRATION CENTRES

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

Considering the Report on the AALCO's Regional Arbitration Centres contained in Document No. AALCO/59/HONG KONG/2021/ORG 3,

Noting with appreciation the introductory remarks made by the Secretariat and the report of the Directors of the Regional Arbitration Centres,

Reaffirming the commitment by the Governments of the 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, the Arab Republic of Egypt, the 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 the Member States to promote and support the use of the Regional Arbitration Centres,

Further reiterating its proposal, 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 the Member States,

1. **Requests** the Member States to continue their support to the Regional Arbitration Centres and use the AALCO's Regional Arbitration Centres for resolving their disputes and in particular to consider in their contracts, the inclusion of such Arbitration Clauses;
2. **Urges** the Regional Arbitration Centres to consider to the extent possible, 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 Regional Arbitration Centres to meet at every AALCO Annual Session to enable an exchange of ideas and to report the outcome to the Organization; and
4. **Decides** to place this item on the provisional agenda of the Sixtieth Annual Session.