

CRCICA ANNUAL REPORT

2013-2014

The Cairo Regional Centre for International Commercial Arbitration (CRCICA)
An International Organization operating in Egypt since 1979



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LETTER FROM THE DIRECTOR

2013 was an exceptional year for CRCICA. CRCICA was honored as the Regional Institution of 2013 by the Global Arbitration Review. Out of five other arbitral institutions from Europe, Asia, Latin America and the Arab Gulf, CRCICA was announced as the winner of such prestigious award "*in recognition of its great strides in the past year*". CRCICA dedicated this award to the soul of Dr. Mohamed Aboul-Enein, CRCICA late Director and the father of its renaissance over nearly 30 years.



More recently, in 2014, CRCICA received another valuable recognition from an independent report mandated by the African Development Bank assessing various arbitration centres across the African continent. The Report considered CRCICA as one of the best arbitration centres across the African Continent that can readily be recommended for use by parties from both the African continent and elsewhere. According to the Report, CRCICA fulfills the Bank's important requirement for a neutral venue even in cases of commonality of origin between one of the parties to the arbitration (notably if it is the State party) and the State in which the Centre is located, i.e. Egypt.

This Annual Report covers CRCICA's caseload and activities in 2013-2014. I am particularly proud of the variety of cases (ranging from lease agreements to complex construction and oil and gas contracts), the diversity of the nationalities of the parties and arbitrators as well as the increasing amounts in dispute.

For the first time since its inception in 1979, CRCICA issued Practice Notes determining the Centre's policies regarding its decisions under the Arbitration Rules in force since 1 March 2011. The Practice Notes have been prepared based on the decisions taken by the Centre's Advisory Committee during its quarterly meetings in 2012 and 2013.

I am also extremely satisfied with CRCICA's regional and international contributions to the development of both international arbitration and commercial mediation. In 2013-2014, CRCICA was actively promoting both dispute resolution mechanisms in Europe, Asia, North Africa, the USA and the Arab Gulf.

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

CRCICA is celebrating its 35th anniversary in 2014. Thanks to the vision of its former leaders, the tireless efforts exerted since its inception in 1979 and the genuine devotion of its staff, CRCICA is currently regarded as one of the best arbitral institutions in the world. This comes to symbolize an accumulated recognition of CRCICA's regional and international contributions over thirty five years of existence and summons a more successful future that CRCICA vows to achieve.

HONORS AND ACKNOWLEDGMENTS



CRCICA Honored as the Regional Institution of 2013 by the Global Arbitration Review

The Cairo Regional Centre for International Commercial Arbitration won the prestigious GAR GRA Award for the regional institution of 2013. Arbitral institutions in Abu Dhabi, Beijing, Helsinki, São Paulo and Seoul featured in the shortlist. However, according to GAR's official announcement, *"the winner was the Cairo Regional Centre for International Commercial Arbitration, in recognition of its great strides in the past year"*.

GAR is one of the leading publications of the international arbitration community worldwide. Its annual awards are the most closely watched in the field. The GAR Guide to Regional Arbitration (GRA) award for the regional institution of 2013 is a new category featuring in this year's GAR awards for the first time. CRCICA is pleased to be the first arbitral institution to win it. Prof. Ahmed Sadek El-Kosheri, Chairman of CRCICA Advisory Committee, accepted the award on behalf of CRCICA at GAR's fourth and largest-ever annual awards ceremony held on 12 February 2014 in Paris, France. At the same important event, Prof. El-Kosheri won life time achievement award in recognition of his contributions to the field.

As CRCICA is celebrating its 35th anniversary in 2014, the granting of such a prestigious award is a kind of a decent "well done" message coming just on time to praise a fruitful past that we do cherish and to summon a more successful future that we vow to achieve.

CRCICA is pleased to have dedicated this award to the soul of its late Director and the father of its renaissance over nearly 30 years, Dr. Mohamed Aboul-Enein.



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



CRCICA: One of the Best Arbitration Centres across the African Continent and Elsewhere, Assessment Report mandated by the African Development Bank, April 2014

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

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

1. Recognition: CRCICA is one of the best arbitration centres across the African Continent and can readily be recommended for use by parties from both the African continent and elsewhere.
2. Neutrality: CRCICA fulfills the Bank's important requirement for a neutral venue even in cases of commonality of origin between one of the parties to the arbitration (notably if it is the State party) and the State in which the Centre is located, i.e. Egypt.
3. Strengths: the professionalism of the Centre and the suitability of the CRCICA Rules for the conduct of important international arbitration proceedings are noted as significant features of CRCICA.
4. Users' Review: All the practitioners consulted confirmed that the Cairo Centre was functioning very well and that the current political situation in Egypt did not have any impact on the organization of the Centre and its ability to properly administer the arbitral proceedings. This factor, together with the Centre's status as an independent non-profit international organization, enhance public confidence entrusted to the Centre.
5. French version of the CRCICA Rules: The assessor has received no negative feedback regarding the Centre. He has however stressed the importance of having a French version for CRCICA's Arbitration Rules, which is due to be released in September 2014.

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

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

To view the full report, please [click here](#).



CRCICA Director Elected Vice President of ICCA

The International Council for Commercial Arbitration (ICCA) announced new appointments to its Executive Body and Governing Board, ahead of its meeting in Miami in April 2014.

In this context, ICCA elected two vice presidents; Ms. Adriana Braghetta, co-head of arbitration at LO Baptista Schmidt Valois Miranda Ferreira Agel in São Paulo and Dr. Mohamed Abdel Raouf, Director of CRCICA.

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

Ms. Lise Bosman, Executive Director of ICCA and senior legal counsel at the Permanent Court of Arbitration in The Hague, believes Ms. Braghetta and Dr. Abdel Raouf can bring "*fresh perspectives and regional diversity to ICCA's office-holders*" ⁽¹⁾

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

(1) For more information <http://globalarbitrationreview.com/news/article/32532/new-appointments-icca/>

CRCICA CASELOAD



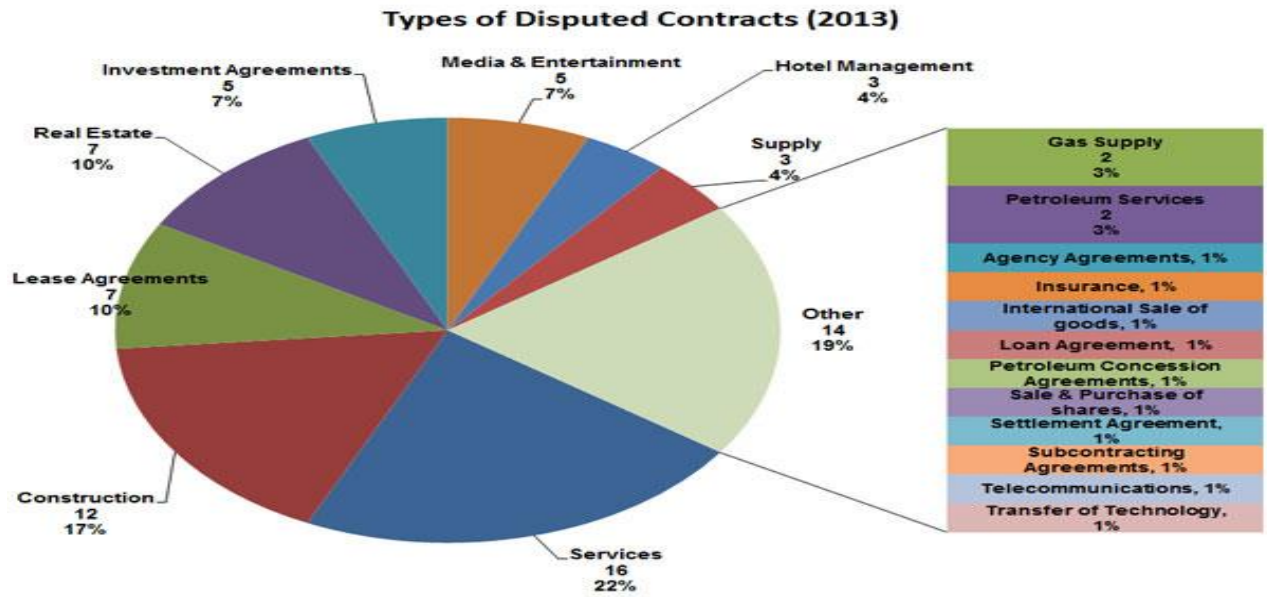
2013 Caseload: Services contracts surpass construction contracts for the first time since years

The total number of arbitration cases filed before CRCICA until 31 December 2013 reached 942 cases. In 2013, 72 new arbitration cases were filed compared to the record 78 cases scored in 2012. 15 out of the 72 new cases were filed in the first quarter of 2013, while 16 cases were filed in the second quarter of 2013. The third quarter of 2013 witnessed the filing of 18 new arbitration cases, while 23 new cases were filed in the last quarter of 2013.

The total sums in disputes filed under the auspices of the Centre until 31 December 2013 amounted to US \$ 1,547,758,635. The largest amount in dispute being US \$ I billion (EGP 7 billion), representing as such a new record amount in dispute in cases brought before the Centre during the last three years. It is worth noting that in 2012 the total sums in disputes reached US\$ 1,341,568,978.25. Compared to 2012, 2013 witnessed, therefore, an increase in the sums in dispute amounting to US\$ 206,189,656.75, scoring as such 1.15 % annual increase.

According to the statistics of 2013, for the first time since years, construction cases do not rank on top of the disputed contracts referred to the Centre; they come second (12 cases) after services disputes (16 Cases), followed by lease agreements and real estate (7 cases each), investment agreements and media and entertainment (5 cases each), hotel management and supply (3 cases each), gas supply and petroleum services (2 cases each), agency agreements, insurance, international sale of goods, loan agreements, petroleum concession agreements, sale and purchase of shares, settlement agreements, subcontracting agreements, telecommunications and transfer of technology (1 case each).

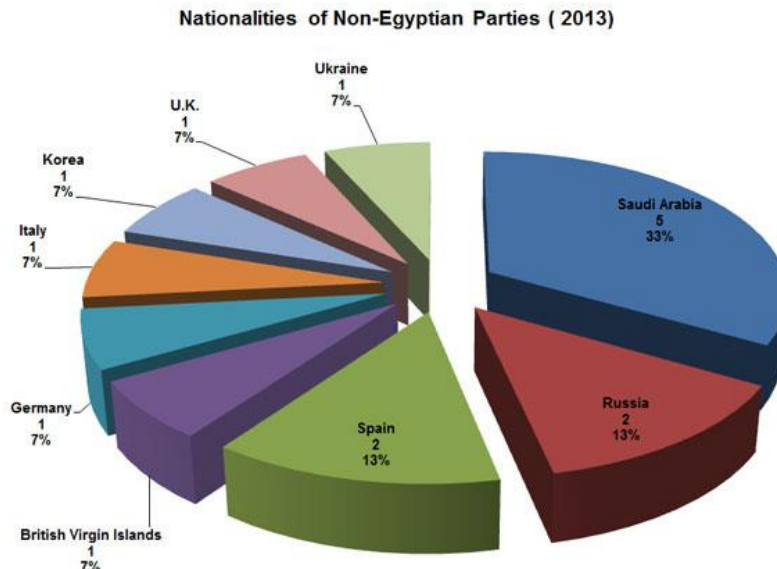
The following pie shows a breakdown of the types of disputed contracts in 2013:



The rich variety of the types of disputed contracts referred to CRCICA in 2013 clearly illustrates the importance of arbitration as a means of dispute settlement and confirms the credibility of institutional arbitration under CRCICA's auspices.

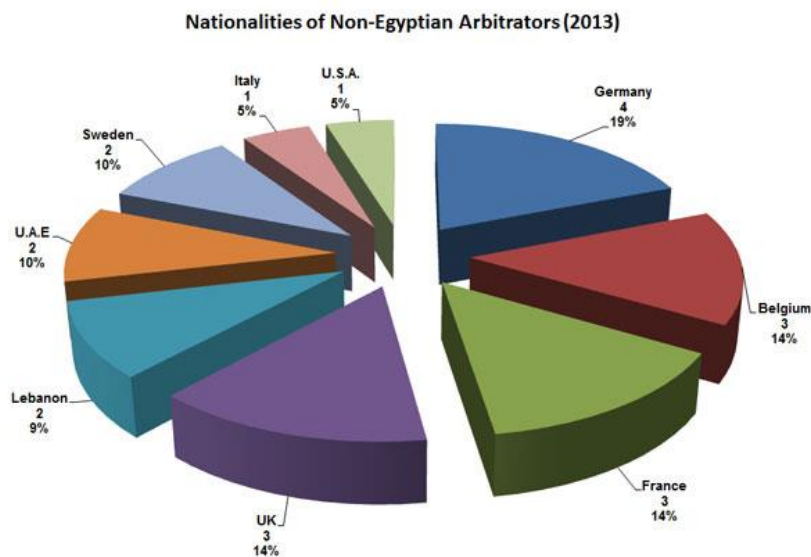
According to the statistics of 2013, parties from Saudi Arabia rank on top of the non-Egyptian parties referring their disputes to the Centre, followed by parties from Russia, Spain, Korea, Italy, Germany, UK, Ukraine and the British Virgin Islands.

The following pie shows a breakdown of the nationalities of non-Egyptian parties in 2013:



According to the statistics of 2013, Lebanese and Emirati arbitrators rank on top of Arab arbitrators, while German arbitrators are the most frequently appointed non-Arab arbitrators, followed by Belgian, French, British, Swedish, Italian and American Arbitrators.

The following pie shows a breakdown of the nationalities of non-Egyptian arbitrators in 2013:



It should be noted that 2013 witnessed the filing of two mediation cases under the auspices of the Centre one of which was amicably resolved, while the other is still pending. The Centre expects more mediation cases to be filed in 2014, especially after the enactment of the new Egyptian law on mediation.

1st Quarter of 2014: A Promising 1st Quarter

The total number of arbitration cases filed before CRCICA until 31 March 2014 reached 959 cases. In the first quarter of 2014, 17 new arbitration cases were filed.

CRCICA's caseload in the first quarter of 2014 involved disputes relating to lease agreements, hotel management, supply, construction, subcontracting agreements, joint venture agreements, information technology, agency agreements, media and entertainment, sports-related agreements, sale and purchase of shares, real estate and settlement agreements.

The first quarter of 2014 witnessed the filing of four cases arising out of lease agreements, three of which relate to commercial units, including two in a commercial center in Alexandria, while the third one is located in 6 October City. The fourth case relates to the lease of a hypermarket in a well-known shopping mall in Cairo.

Two other cases arising out of hotel management agreements were filed during the first quarter of 2014. The first one relates to a hotel in Alexandria, while the other pertains to a hotel in Hurghada.

Other cases relate to disputes arising out of the supply of desalinated water to a touristic complex in Sharm El-Sheikh, a subcontracting agreement for finishing works for a residential compound in Mokattam, Cairo, the sale of the marketing and commercial rights of a national federation of a popular sport, a settlement agreement already recorded in a consent award, the development of a touristic project in Zafranah, Suez, a joint venture agreement regarding the import and export of printing equipment as well as the purchase of a software license.

It is worth noting that the first quarter of 2014 has also witnessed the filing of four international arbitrations relating to the construction of the district cooling plant for a mega project in New Cairo, the sale and purchase of shares of a leading company specializing in establishing,

operating and managing fixed and wireless telecommunication networks, an agency agreement regarding the sale of flight tickets for a well-known Arab air carrier as well as a satellite broadcasting contract.

The total sums in disputes filed under the auspices of the Centre during the first quarter of 2014 amounted to US \$ 64,818,868.

The following pie shows a breakdown of the types of disputed contracts during the first quarter of 2014:

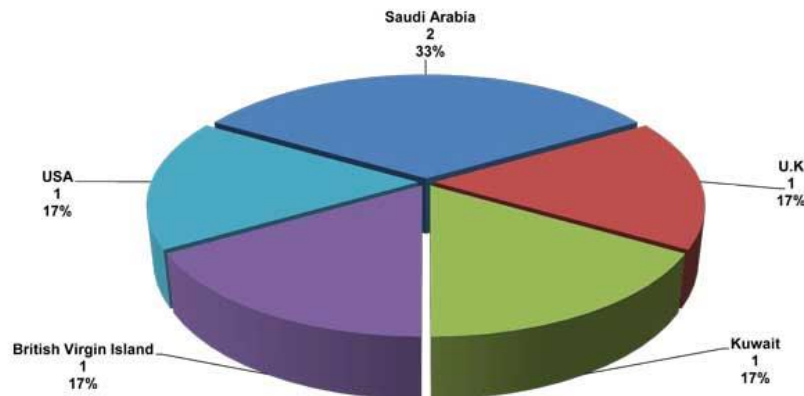
Types of Disputed Contracts (1st Quarter 2014)



In the first quarter of 2014, arbitration proceedings involved parties from different countries including Egypt, Saudi Arabia, UK, USA, Kuwait and British Virgin Islands. CRCICA is satisfied to see that its Arbitration Rules have recently been selected by parties from USA and Kuwait in addition to its usual users from Saudi Arabia.

The following pie shows a breakdown of the nationalities of non-Egyptian parties during the first quarter of 2014:

Nationalities of Non-Egyptian Parties (1st Quarter 2014)



The first quarter of 2014 witnessed the appointment of arbitrators coming from Egypt and the U.K. It is expected that arbitrators from other nationalities will be appointed by the parties or the co-arbitrators thus enabling the full composition of the arbitral tribunals.

2nd Quarter of 2014: The "comeback" of construction cases and an unprecedented increase in media and entertainment cases

The total number of arbitration cases filed before CRCICA until 30 June 2014 reached 977 cases. In the second quarter of 2014, 18 new arbitration cases were filed compared to 16 cases filed in the same quarter last year.

CRCICA's caseload in the second quarter of 2014 involved disputes relating mainly to construction, media and entertainment, lease agreements, real estate, supply, telecommunications, information technology and services.

While the construction cases filed in the first quarter of 2014 came in the third position after the lease and hotel management agreements, the second quarter of 2014 witnessed a "comeback" for such cases amounting to four thus far.

One of the four new construction cases is an international arbitration including parties from Germany and relates to the design and execution of a gypsum plaster plant in Suez, Egypt. Another case relates to the construction of an administrative complex for one of the Egyptian ministries in Mokattam, Cairo, Egypt. The third case relates to the construction and finishing works for the first phase of a residential and entertainment compound in Umm el Rakhm, Matrouh, the Egyptian northern Mediterranean coast. It is worth noting that in addition to the arbitration clause inserted in their contract, the parties to the said case concluded a submission agreement detailing the disputed matters to be referred to arbitration. The fourth construction case relates to the construction of a number of pumping stations and water supply networks for two villages in the Gharbiah Province located in the Nile Delta.

The second quarter of 2014 also witnessed an unprecedented increase in cases arising out of media and entertainment contracts, amounting to four cases. The first case relates to a well-watched TV sportive show broadcasted by one of the Egyptian satellite channels. Two other cases arose out of contracts concluded between two different production companies and two well-known male and female actors regarding the performance of their respective roles in two TV series. The fourth case relates to a contract concluded between an advertising company and a production company regarding the commercial exploitation of a very successful TV series broadcasted last year.

Two cases arising out of two lease agreements were also filed during the second quarter of 2014. The first case relates to the lease of a hotel in Sharm El Sheik, Egypt, while the other one relates to the lease of an office space in a building in the Smart Village, Egypt. Two other cases arising out of real estate contracts were also filed during the second quarter of 2014, one of which relates to the sale and purchase of a commercial unit (fast food restaurant) in a project located in a mall in Sheikh Zayed City, Giza, Egypt. The second case relates to the sale deed of a land in 6th of October City, Giza, Egypt.

The second quarter of 2014 also witnessed the filing of two other cases relating to the supply of desalinated water to a touristic complex in Sharm El-Sheikh, Egypt and the power supply of electrical energy to a paper factory located in the industrial zone in 6th of October City, Giza, Egypt.

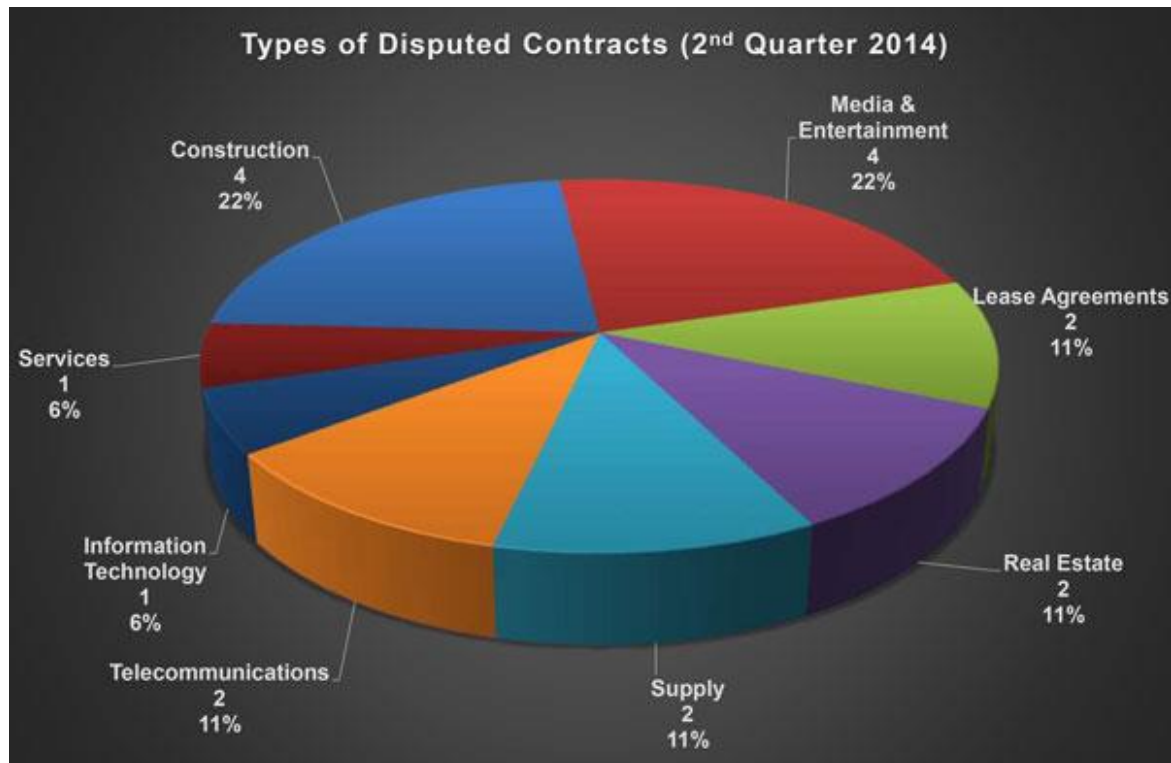
Two telecommunication cases were also filed during the second quarter of 2014, one of which relates to an interconnection Agreement between two telecommunication companies. The other case relates to a cooperation agreement concluded between an Egyptian company and a Chinese company.

It is worth noting that the second quarter of 2014 has also witnessed the filing of an international arbitration arising out of an oil and gas related services agreement involving a Swiss company.

Finally, a case was filed arising out of an information technology contract concluded between two companies including the designing of a website.

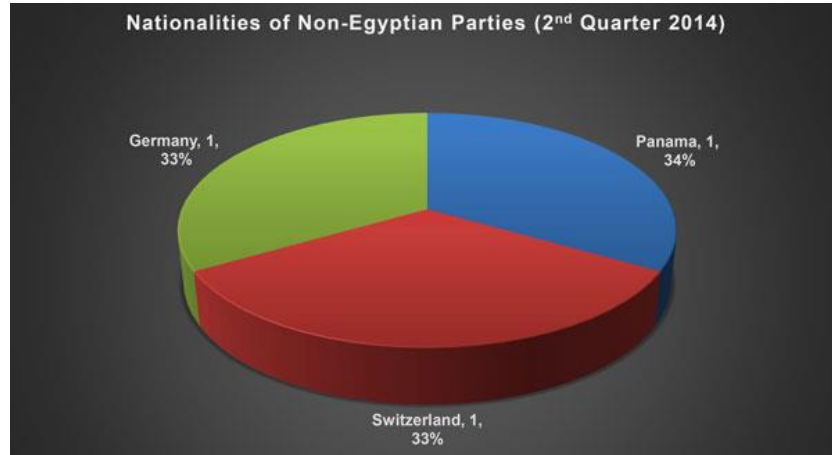
The total sums in disputes filed under the auspices of the Centre during the second quarter of 2014 amounted to US \$ 84,349,169 which, when added to the US \$ 64,818,868 scored in the first quarter of 2014, makes the total sums in disputes filed in the first half of 2014 US \$ 149,168,037.

The following pie shows a breakdown of the types of disputed contracts during the second quarter of 2014:



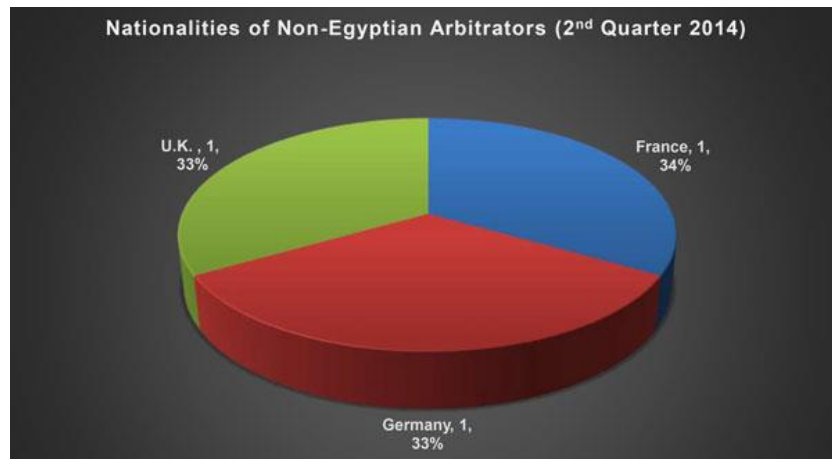
In the second quarter of 2014, arbitration proceedings involved parties from different countries including Egypt, Panama, Switzerland and Germany. CRCICA is satisfied to see that its Arbitration Rules have recently been selected by parties from Europe and Central America.

The following pie shows a breakdown of the nationalities of non-Egyptian parties during the second quarter of 2014:



The second quarter of 2014 witnessed the appointment of arbitrators coming from Egypt, France, Germany and the U.K. The non-Egyptian arbitrators were all appointed by the co-arbitrators to act as presiding arbitrators.

The following pie shows a breakdown of the nationalities of non-Egyptian arbitrators during the second quarter of 2014:



THE OFFICIAL INAUGURATION OF THE NEW CRCICA HEARING CENTRE



CRCICA celebrated the official inauguration of its new hearing centre on 26 December 2013. Ribbon-cutting was led jointly by Dr. Nabil Elaraby, the Secretary-General of the League Arab States, in his capacity as the Chairman of CRCICA Board of Trustees (BOT) and Coun. Adel Abdel Hamid in his capacity as the by-then Minister of Justice of the Host State.

The event started by a stand in mourning of Dr. Ahmed Esmat Abdel Meguid, the former Secretary-General of the League of Arab States and the Honorary Chairman of CRCICA BOT who exerted valuable contributions during the establishment of CRCICA. Speeches were delivered by Dr. Nabil Elaraby, Dr. Hamza Haddad, Former Jordanian Minister of Justice and Vice Chairman of CRCICA BOT and Dr. Mohamed Abdel Raouf, CRCICA Director. Speakers highlighted the significant role of the Centre in the region since its inception in 1979. Dr. Abdel Raouf presented the chronology of CRCICA developmental phases over years.



The event was attended by a number of notable guests including Professor Hossam Issa, who held at that time the dual post of the Egyptian Deputy Prime Minister and the Minister of Higher Education, Coun. Amin El Mahdy, former Egyptian Minister of Transitional Justice and National Reconciliation, Dr. Hassan Fahmy, who attended in his dual capacity as the President of General Authority of Investment (GAFI) and the official representative of the Egyptian Minister of Investment, in addition to a representative of the Egyptian Minister of Sports. From Lebanon, Dr. Nayla Comair Obeid, Member of CRCICA BOT and Vice Chair of the Board of Trustees of the Chartered Institute of Arbitrators (CI Arb), was in attendance.



The event also witnessed considerable diplomatic representation from a number of foreign embassies in Egypt being the embassies of France, China, Russia, Nigeria, Iraq and Libya. Several eminent lawyers, arbitrators and engineers were also among the participants.



In the course of the event, CRCICA honored the names of its founders and patrons over decades after whom the hearing rooms were named. The main hearing room is named after Coun. Dr. Mohamed Aboul-Enein, the former Director of CRCICA and the catalyst for its renaissance for nearly 30- years. The second hearing room is named after Prof. Dr. Mohsen Shafik, the father of the Egyptian Arbitration Law and the academic patron of the Centre. The third hearing room is named after Coun. Mamdouh Attia, the former Egyptian Minister of Justice and the official negotiator on behalf of the Government of the Host State during CRCICA establishment process under the auspices of the Asian-African Legal Consultative Organization (AALCO). Mrs. Sawsan Attia, the wife of Coun. Mamdouh Attia and Mr. Ilhamy Shafiek, the nephew of Prof. Dr. Mohsen Shafik were in attendance.



The event was concluded by an open reception and free networking.



For more information about the new hearing centre, please [download its detailed brochure](#) and for visual inspection, please visit its virtual tour at www.crcica.org/vt.



CRCICA ISSUES ITS FIRST PRACTICE NOTES



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

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

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

 [CRCICA Practice Notes JUNE 2014 \(Arabic version\)](#)

 [CRCICA Practice Notes JUNE 2014 \(English version\)](#)

ANNUAL MEETING OF THE BOARD OF TRUSTEES



On 26 December 2013, CRCICA held its annual Board of Trustees (BOT) meeting in Cairo by the attendance of 11 members; 9 in person and 2 by proxies. Attending members were: Dr. Nabil Elaraby (Chairman-Egypt), Judge Mohamed Amin El Mahdy (Vice-Chairman - Egypt), Prof. Dr. Hamza Haddad (Vice- Chairman- Jordan), Prof. Dr. Fouad Riad (Egypt), Prof. Dr. Yehia El Gamal (Egypt), Prof. Dr. Ahmed Sadek El Kosheri (Egypt), Dr. Nayla Comair Obeid (Lebanon), Prof. Dr. Ahmed Kamal Abul Magd (Egypt), Judge Dr. Adel Koura (Egypt), Prince Dr. Bandar Salman M. Al-Saud (By proxy-Saudi Arabia) and Mr. Michael Schneider (By proxy-Switzerland).

During the meeting, CRCICA Director presented the Centre's activities and caseload in 2012-2013 as well as the Centre's audited financial statement of operations for the year ended 31 December 2012. The salient features of the already achieved new CRCICA hearing centre as well as future plans for CRCICA conference centre and library were also presented. The BOT discussed matters pertaining to the Centre's branch in Alexandria as well as the possibility of establishing other branches.

ADVISORY COMMITTEE MEETINGS



The Advisory Committee of the Centre is scheduled to meet four times a year. During the reported period, the AC met twice in 2013 and twice in 2014; on 19 September 2013, 25 December 2013, 24 March 2014 and 23 June 2014.

All meetings except one were chaired by Prof. Dr. Ahmed Sadek El Kosheri (Chairman - Egypt) and attended, wholly or partly by the following members: Judge Dr. Adel Koura (Egypt), Coun. Dr. Borhan Amrallah (Egypt), Prof. Dr. Fathi Waly (Egypt), Prof. Dr. Hamza Haddad (Jordan), Prof. Dr. Hossam ISSA (Egypt) Dr. Karim Hafez (Egypt), Prof. Dr. Mahmoud Samir El Sharkawy (EGYPT), Coun. Mohamed Amin El Mahdy (EGYPT), Dr. Mohamed Salah Abdel Wahab (Egypt) and Prof. Dr. Mohamed Badran (Egypt). Through teleconferencing, Ms. Rabab Yasseen participated from (SWITZERLAND). Dr. Mohamed Abdel Raouf attended the meetings in his capacity as the Director of the Centre and member of the Advisory Committee.



Most of the reported meetings tackled, *inter alia*, the discussion of the various aspects of the Centre's institutional policies which most recently culminated in the historic issuance of the Centre's Practice Notes as reported above. The Practice Notes are deemed an important institutional development that fosters transparency in CRCICA's decision-making process.



MEMBERSHIP UPDATE



One year in operation, CRCICA membership attracts members from different countries. Beside Egypt, some joined from Lebanon, Jordan, United Arab Emirates, Kuwait, England, USA, German and Belgium. Speaking of professions, lawyers and engineers rank top. Others are accountants, members of private sector companies and governmental officials.

Approximately 20% of existing members have been qualified by completing CRCICA training program on Comparative Commercial Arbitration: Theory and Practice (CCATP). Other members were able to demonstrate an acceptable level of experience and professional exposure.

CRCICA Membership Steering Committee ensures the respectful professional level of members, in so doing, some exceptional cases call for tele-interviews or require submission of further documentations. Very few applications have been turned down for unauthenticity.

Members continue to enjoy a range of benefits including free subscription to the Journal of Arab Arbitration, which is issued semi-annually to provide comprehensive update on the development and application of international commercial arbitration, 40% discount on CRCICA publications, 20% discount on CRCICA room rental price list and free registration at CRCICA Mediation Breakfasts and CI Arb Cairo Wednesday One Seminars.

For more details, please visit <http://www.crcica.org.eg/membership.html>

EVENTS UPDATE:



Comparative Commercial ARBITRATION: Theory and Practice (CCATP)

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

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

The four modules of the program are being held annually in a total of 13 days through the year. The courses materials unfold a highly comprehensive collection of laws, rules, conventions, arbitral principles, international guidelines and references, extracts from specialized arbitration journals and most recent court judgments which count up to more than 20 awards compiled especially for the program. Decisions and guidelines by eminent international institutions in different jurisdictions were also included as relevant. Most interestingly, the tutorials were based on several mock cases, separately tailored for each module. A sample structure of a final award in an institutional arbitration was also handed to participants as a guidance in their professional practices. Upon completion of the program, in its four modules, participants are eligible to apply for the membership of CRCICA.

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

During the reported 2013-2014 period, CCATP was held as follows:



First Module: The Arbitration Agreement, 15-17 March 2014

CCATP 2014 round started on 15-17 March 2014 by the First Module: The Arbitration Agreement. The course was a balanced combination of lectures and tutorials. It provided participants with sufficient knowledge of the theory and practice in all the requirements for the writing and understanding of the arbitration agreement.

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

The course was attended by 45 practitioners representing an outstanding variety of business sectors, being petroleum, construction, real estate, investment, banking, air conditioning industry, trading, representatives of national courts and public prosecutors, ministries of justice of Egypt and United Arab Emirates, the League of Arab States and Libyan Commercial attaches in Cairo as well as private lawyers and professionals from Jordan, Saudi Arabia and Egypt.





Second Module: The Arbitral Tribunal, 8-10 June 2014

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

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



Modules 3 and 4 of the 2014 are scheduled for September and December.



Third Module: The ARBITRAL PROCEEDINGS, 1-3 September 2013

Beside traditional topics pertaining to the arbitral proceedings such as the commencement and conduct of proceedings, interim measures, suspension and termination of proceedings, the Arbitral Proceedings Module tackled other important aspects of the arbitral proceedings. Examples of these aspects are: the determination of the rules applicable to the arbitral proceedings, the relationship between the selected procedural rules and the mandatory procedural provisions in the law of the place of arbitration as well as basic principles of pleadings before arbitration.

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



Fourth Module: The Arbitral Award, 2-5 December 2013

CCATP fourth module was held from 2 to 5 December 2013. In this module, the "Arbitral Award" was handled in depth as based on most recent court judgments in different jurisdictions. Reference documents included a huge collection of court decisions which were regularly updated, analytic articles, expert commentaries and a model arbitral award. In groups, participants drafted an arbitral award based on the facts of a mock case. With varying professional backgrounds, participants came mainly from Egypt and Saudi Arabia.



CRCICA / IFC Mediation Seminars 2-5 January 2014

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

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



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

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

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



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

On 9 April 2014, CRCICA hosted the Oral Pleadings of The Shalakany Law Office International Commercial Arbitration Moot (SAM). SAM is an annual competition of teams representing law schools throughout Egypt and is intended to stimulate the study of international commercial law and to promote and develop interest and skills in international commercial arbitration. The nature of the Moot is intended to lead participants to interpret the texts of international commercial law to develop an expertise in advocating a position before an arbitral panel. The Moot is designed as an educational learning program in the form of a competition. It is not intended to be a competition with material benefits.

Shalakany Law Office organizes the SAM on a *pro bono* basis as part of its efforts to promote and support legal education in Egypt.

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

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

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





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

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

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



The event was organized on the occasion of establishing the Association's Egypt Group, which will function temporarily under the auspices of the IDAI ("Institut de Droit des Affaires Internationales" in Cairo), which is a delocalized branch of the prestigious University of Paris 1 Panthéon-Sorbonne. The establishment of the Egypt Group will foster collaboration between Egyptian and French jurists and will, hence, widen the scope of research in many important topics and changes made in the Egyptian law and case law. Members of the Egyptian Group are Prof. Dr. Hossam Loutfi, Professor at Cairo University, Director of the Civil Law Department (Beni Suef), Dr. Maged Ackad, Principal, Ackad Law Office, Dr. Ismail Selim, Partner, Zulficar & Partners Law Firm, and CRCICA Director, Dr. Mohamed Abdel Raouf.



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

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



CRCICA hosts IDAI MII Students for 2013-2014 lectures on Arbitration

During the month of April 2014, CRCICA hosted three lectures on international arbitration given by Dr. Mohamed Abdel Raouf to the postgraduate students of the IDAI ("Institut de Droit des Affaires Internationales"), which is a delocalized Cairo branch of the prestigious University of Paris 1 Panthéon-Sorbonne. The lectures are given in French as part of a 20-hour course on international arbitration within the context of the Master's Degree on International and European Business Laws.

MEDIATION BREAKFAST SEMINARS:



The Role of Mediator between Determination and Flexibility, 26 February 2014

The first Mediation Breakfast Seminar was delivered by Fatma Ibrahim, Operations Officer, International Finance Corporation (Middle East and North Africa), under the title “The Role of Mediation between Determination and Flexibility”.



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

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



The Role of Lawyers in Mediation, 31 March 2014

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

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

The majority of participants were in-house counsels of both public and private companies in different fields including steel industry, construction, petrochemicals industry, telecommunications, mass media and petroleum. A number of private lawyers were also in attendance as well as representatives of the administrative prosecution.



The Stages of Mediation, 30 April 2014

In the April Mediation Breakfast Seminar titled "The Stages of Mediation", Dr. Maged Ackad, Founder of Ackad Law Office, CEDR Accredited Mediator and Mediation trainer, analyzed the smooth complementarity among the different phases of mediation. After explaining the different types of the mediation agreement, Dr. Ackad categorized the stages of the process into three basic

ones; the preparation stage, the investigation stage and the negotiation stage. All three stages reveal a high level of interaction between the mediator and parties. At the end of the lecture, there was a guiding comparison between post-procedures process in two juxtaposed cases; the success and the failure of mediation. The seminar closed by a lively debate that revealed the increasing interest in mediation. Attendees represented holding companies, general authorities, schools of law, private law firms, Arab Investment companies and construction consultancy firms.



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

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



Confidentiality Guarantees in Mediation, 26 June 2014

The Mediation Breakfast Seminar of June was delivered by Dr. Eman Mansour, Director of the Investors' Dispute Settlement Centre of the General Authority for Investment and Free Zones (GAFI), under the title "Confidentiality Guarantees in Mediation". At the outset, Dr. Mansour highlighted the privileges of mediation and responded to possible fears and concerns as based on the comparative law and practice of mediation. The Seminar displayed the various guarantees of confidentiality in mediation under different jurisdictions. Legislative guarantees in different national laws as well as regulatory securities in institutional rules and practices were tackled. The lecture also highlighted the legal penalties for the breach of confidentiality in a number of national legislations including the Draft Egyptian Mediation Law. The presentation was followed by constructive discussions and noticeable interaction from the audience who represented investment companies, ministries, schools of law, holding companies, tourism companies and general authorities and law firms.

CRCICA HOSTS CIARB CAIRO WEDNESDAY



2 October 2013: Comments on the different judicial trends with respect to the relationship between the judiciary and arbitration

On 2 October 2013, Dr. Aly ELGHATIT, Professor of International Comparative Law and Vice-President of the Egyptian Society for International Law, delivered a lecture entitled "Comments on the different judicial trends with respect to the relationship between the judiciary and arbitration." The topic covered the most recent judicial trends regarding the validity of the arbitration agreement, the enforcement and the setting-aside of arbitral awards. The lecture led to a very interesting discussion.



6 November 2013: The United Nations and International Law

On 6 November 2013, Ambassador Dr. Hussein Hassouna, Former Assistant to the Minister of Foreign Affairs for legal affairs and the current member of United Nations' International Law Commission, delivered a lecture on "The United Nations and International Law". The lecture was followed by a lively debate.



4 December 2013: Resolution of Construction Disputes

On 4 December 2013, Eng. Dr. Sherif El Haggan Partner, Contract Administration & Arbitration Bureau delivered a lecture on "Resolution of Construction Disputes" in which he tackled the different means of dispute resolution of construction disputes including by adjudication, mediation and arbitration. The lecture attracted a big number of attendees from different backgrounds



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

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



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

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



5 March 2014: Blending Mediation and Arbitration

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



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

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

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



7 May 2014: Applicable Law in Petroleum Arbitrations

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

He stressed that the dominating feature of international petroleum contracts, in the past, was a lack of balance between the rights and obligations of host states and foreign petroleum companies, which, in many cases, involved an obvious negligence of national law systems. Concession agreements had been unilateral in nature in that they benefited mainly the oil companies and not the oil wealth holder. However, following a number of political changes and OPEC critical decisions, the practical scene started to change striking a relative balance between rights and obligations. One of the most significant model examples, in this concern, was the Government of Kuwait versus Aminoil Company Case after Kuwait's nationalization of the company in 1978 and the termination of its petroleum concession. As a counsel for the Kuwaiti Government, Prof. Dr. El Kosheri succeeded in convincing the tribunal with the legitimacy of the nationalization in the light of international law despite counter-calls to internationalize the case. The award supports the legitimacy of the nationalization against reasonable compensations. According to the lecturer, the legal principles enshrined in the Kuwait/Aminoil award provided a model for many tribunals to follow.

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

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



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

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

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

CRCICA CONTRIBUTIONS TO THE DEVELOPMENT OF INTERNATIONAL ARBITRATION AND ADR



Mena Regional Mediation Forum

As a founding member, CRCICA continues to contribute to the works and activities of the MENA Regional Mediation Forum. CRCICA got involved, among other member-Centres, in an institutional discussion of the Forum's Regional Mediation Quality Standard which targets to apply the provision of mediation services across the region. The International Finance Corporation (IFC) tasked the Centre for Effective Dispute Resolution (CEDR) to prepare a draft for member-centres to discuss and revise as needed.

Also, CRCICA coordinates with the Lebanese Mediation Centre (LMC) to prepare the website of the Forum.

Other founding members of the Forum are: The Investors' Dispute Settlement Center, General Authority for Investment (GAFI), Cairo-Egypt; Euro-Mediterranean Center of Mediation and Arbitration (CEMA), Casablanca, Morocco; Lebanese Mediation Center (LMC) of the Chamber of Commerce, Industry and Agriculture of Beirut and Mount-Lebanon (CCIAB), Beirut-Lebanon; and Tripoli Bar Association, Tripoli, Lebanon.



INSTITUTE FOR THE PROMOTION OF ARBITRATION AND MEDIATION IN THE MEDITERRANEAN

ISPRAMED releases Report on Independence and Impartiality of Arbitrators

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

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

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

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

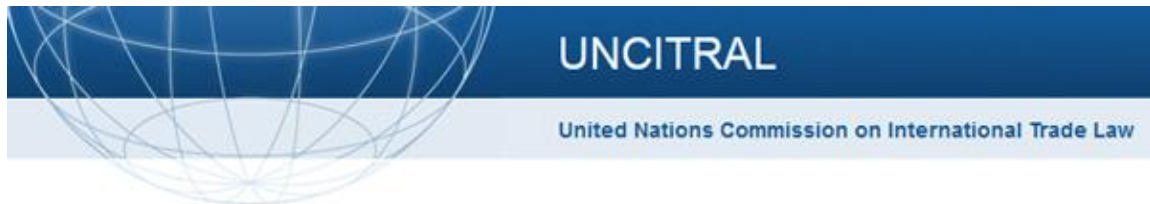
Within this context, CRCICA practice profile shows that the most frequent cause for challenging arbitrators is related to the arbitrators' current or previous relationship with the parties or parties' counsels. Challenges based on such causes are upheld by the Tripartite *Ad hoc* Committees composed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

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

By and large, this important work, which is a product of intensive collaborative devotion, is meant to be a useful tool in the hands of different stakeholders working in the Mediterranean

Area, as it illustrates the high quality standards followed by the institutions operating in the Area. To view the full Report, please [click here](#).

At a later stage ISPRAMED will publish the Second Report about *the Criteria for the selection of arbitrators*.



Contribution to the Revision of the UNCITRAL Notes on Organizing Arbitral Proceedings

Upon UNCITRAL's invitation, CRCICA submitted its proposals on possible revisions of the UNCITRAL Notes on Organizing Arbitral Proceedings which were adopted in 1996. At its annual session held in July 2013, the Commission called upon its Working Group II (Arbitration and Conciliation) to adopt the revision of the Notes in order to further meet users' needs and expectations.

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

CRCICA PARTICIPATION IN REGIONAL AND INTERNATIONAL EVENTS



SCC Board Meeting, Stockholm, Sweden, 13 September 2013

On 13 September 2013, CRCICA's Director attended the meeting of the Board of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) which he joined in 2012. The SCC Board appointed five other board members from Russia, Germany, Switzerland, the UK and Sweden. The new appointments continue a tradition that began in 2006, when the SCC Board announced it would include members from outside Sweden for the first time.

SCC Board members are appointed by the Board of Directors of the SCC for a three-year period and are eligible for reappointment for a further three years. The SCC Board consists of a chair, two to three vice chairs and a maximum of 12 additional members.

The Board plays a key role in administering SCC arbitrations, including deciding on *prima facie* jurisdiction, arbitrator appointments, challenges to arbitrators and arbitration costs.



New Generation of International Investment Policies, Sarajevo, Bosnia, 1-4 October 2013

CRCICA Director was one of the experts participating in the Training Course for Economies in Transition on: "New Generation of International Investment Policies" held from 1 to 4 October 2013 in Sarajevo, Bosnia and Herzegovina. The Training Course was organized by the UNCTAD in partnership with the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina, the Islamic Development Bank and the University of Kiel, Germany. In line with UNCTAD's Investment Policy Framework for Sustainable Development (IPFSD), the Course helped policy makers and negotiators to deepen their understanding of key issue in International Investment Agreements (IIAs) and Investor-State Dispute Settlement (ISDS) and offered concrete options for the design of IIAs that effectively promote sustainable development and inclusive growth.

The Training Course brought together 31 government officials from 18 countries in charge of investment promotion and protection issues. CRCICA Director made a presentation addressing "Dispute prevention policies and Alternative Dispute Resolution" in which he tackled the following issues:

- Advantages of international investor- State Arbitration
- Shortcomings of the system and Available remedial policies
- Limiting States' exposure to ISDS
- Dispute Prevention (Role of host states and foreign investors)
- Promotion of ADR and IBA Rules for Investor-State Mediation
- Dispute Management

According to the UNCTAD, the feedback received from the host State as well as participating countries indicated that the Course was a great success, effectively empowering policy makers to work towards a new generation of international investment policies and laying down the basis for creating "real impact" on the ground.





4th ISPRAMED Network Meeting, Istanbul, Turkey, 7 October 2013

On 7 October 2013, the 4th ISPRAMED (Institute for the Promotion of Arbitration and Mediation in the Mediterranean) Network Meeting was held in Istanbul at the headquarters of the Istanbul Chamber of Commerce. The meeting was attended by representatives of the following arbitral institutions: Milan Chamber of Arbitration (Italy), Centre de Conciliation, Mediation et d'Arbitrage of the Algerian Chamber of Commerce and Industry (Algeria), Arbitration Department, Istanbul Chamber of Commerce (Turkey), Lebanese Arbitration Centre (Lebanon) and CRCICA (Egypt), in addition to Professor Charles Jarrosson, ISPRAMED's Network Coordinator (France) and representatives of ISPRAMED (Italy).

The meeting tackled *inter alia* the positions expressed by ISPRAMED members on the theme of independence of arbitrators and discussed the Report prepared by ISPRAMED on arbitrators' independence and impartiality and on the Arbitration Rules Comparison Chart. The member Centres agreed to contribute to another comparative activity, by explaining the rules they apply and the principles they follow when dealing with the selection of the members of the arbitral tribunal. The ISPRAMED members also confirmed their willingness to foster the activities of the Network and to implement its goals.

The 5th ISPRAMED Network Meeting will be held in Casablanca on October 13, 2014, to be followed on 14 October by an international conference on “The selection of arbitrator: the key to an efficient proceeding”.



Costs of International Arbitration: Challenges and Solutions, Istanbul, Turkey, 8 October 2013

On 8 October 2013, the international conference on "Costs of International Arbitration: Challenges and Solutions", was held in Istanbul, Turkey. The Conference was organized by the Istanbul Chamber of Commerce and ISPRAMED in collaboration with the UNCITRAL and tackled the following issues pertaining to the costs of arbitration:

- a. Where and how arbitration costs are incurred? How to mitigate costs?
- b. Arbitration costs in the light of recent developments in arbitration law.
- c. Arbitration costs under the Turkish arbitration law.
- d. Regulating costs: the new review mechanism in the UNCITRAL Rules.
- e. The role of institutions: How can arbitral institutions contribute to cost control?

CRCICA Director participated in the roundtable session dedicated to comparing the role of arbitral institutions in controlling costs. The salient features of CRCICA Arbitration Rules pertaining to the costs of arbitration as well as their implementation by CRCICA in practice were highlighted and shared with the audience within a very interesting comparative approach including the Rules of the Milan Chamber of Arbitration, the Algerian Centre of Conciliation, Mediation and Arbitration, the Lebanese Arbitration Centre and the Arbitration Department of Istanbul Chamber of Commerce, in addition to CRCICA.



(BCDR/AAA) Workshops on "Overview of International Arbitration: Principles and Practices" and "Hot Topics in International Arbitration of Oil and Gas Disputes", Manama, Bahrain, 17 November 2013

CRCICA Director participated as tutor together with Dr. Mohamed S. Abdel Wahab in two pre-conference workshops on 17 November 2013 on "overview of international arbitration: principles and practices" and "Hot topics in international arbitration of oil and gas disputes", preceding the International Oil and Gas Dispute Resolution Conference held by the Bahrain Chamber for Dispute Resolution (BCDR/AAA) in Manama, Bahrain from 17 to 19 November 2013. The workshops were attended by more than twenty participants from all over the Gulf, the UK, Cyprus and the USA.



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

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

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

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

CRCICA Director made a presentation titled "*Overview of arbitration in Egypt with special emphasis on institutional arbitration under the auspices of CRCICA*" addressing *inter alia*:

- The salient features of the Egyptian Law on Arbitration;
- The arbitration infrastructure in Egypt;
- The practice of arbitration in Egypt;
- The enforcement of foreign arbitral awards in Egypt;
- The recourse against arbitral awards;
- The salient judicial trends;
- The practice of Investor-state arbitrations involving Egypt; and
- Institutional arbitration under the auspices of CRCICA.



"First Arbitration Forum in the Islamic World", Mecca, Saudi Arabia 9-10 March 2014

Upon the kind invitation of his Highness Prince Dr. Bandar Salman M. Al-Saud, Advisor to the king Abdulla Bin Abdul Aziz and President of the Saudi Arbitration Group, the first Forum for Arbitration in the Islamic World was held at Um Al Qura University in Mecca, Saudi Arabia from 9 to 10 March 2014.

The Forum was attended by many experts, lawyers, engineers, professors and students from all over the Islamic World. It tackled the following five topics:

- Salient features of Arbitration in Islamic Sharia;
- Different fields of Arbitration in Islamic Sharia;
- Procedural Aspects of Arbitration;
- The Reality of Arbitration Centers in the Islamic World; and
- The Future of Arbitration in the Islamic World.

CRCICA Director delivered a speech addressing the past, present and future of CRCICA, its activities and contributions to the theory and practice of arbitration in its region.

On the occasion of the Forum, and upon the initiative of his Highness Prince Dr. Bandar Salman M. Al-Saud, a meeting was held between representatives of six arbitration centers located in the Islamic World, who agreed to foster the cooperation between their respective institutions through the establishment of an international federation for arbitral institutions in the Islamic World.



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

On 25 March 2014, the Legal Committee of the French Chamber of Commerce in Egypt (CCFE), headed by Mrs. Arig Ali organized its second Mediation Seminar for the CCFE on: «Commercial Mediation, an Effective Tool for Dispute Resolution». The half-day event took place at the Aida Ballroom, Marriott Hotel, Cairo, Egypt and was attended by more than 60 persons from different backgrounds.

The Seminar was intended to discuss new developments in alternative dispute resolution, analyze and share experiences while focusing on the most important practical issues in mediation, based on what's happening right now in the field.

The Seminar offered to companies an opportunity to discuss mediation which is a rapidly evolving and widely used method for dispute resolution that have proved successful in many jurisdictions. The Seminar was also the forum where companies and their in-house counsels shared best practices and lessons learned in order to stay in control of their claims and disputes.

CRCICA Director was invited to explain the salient features of the new CRCICA Mediation Rules in force since January 2013. He also shared his recent experience as mediator in two mediation cases that were successfully concluded.

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



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

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

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

The next IFCAI Council meeting is scheduled to take place in November 2014 in Sharm El Sheikh, Egypt on the occasion of the Sharm El-Sheikh V Conference on the role of State courts in arbitration, while the 13th IFCAI Biennial Conference shall take place in Manama, Bahrain in March 2015. The tentative theme of the Conference is legitimacy of international arbitration from an institutional perspective.



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

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

On 7 April 2014, a panel involving representatives of nine arbitral institutions including CRCICA addressed the following question: Arbitral Institutions Can Do More to Further Legitimacy. True or False? The panel was chaired by Salim Moollan (London) who was assisted by a rapporteur, Belinda McRae (Paris). The Panelists were:

- John Beechey (ICC)
- Brooks Daly (PCA)
- Meg Kinnear (ICSID)
- Richard Naimark (AAA)
- Sundra Rajoo (KLRCA)
- Mohamed Abdel Raouf (CRCICA)
- Frederico José Straube (CAM-CCBC)
- Adrian Winstanley (LCIA)
- Nassib Ziadé (BCDR-AAA)

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

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



CRCICA Director headed one of the three sub-panels and delivered a speech discussing whether arbitral institutions are enabling a "mafia" and are indifferent to delays and costs. Based on the answers collected from all nine arbitral institutions, he concluded his presentation by stating that the alleged existence of a "mafia" that is enabled by arbitral institutions is clearly a myth and should not be perceived as an institutional issue. He added that, from the perspective of arbitral institutions, the community of arbitrators is rather viewed as an exclusive club, access to which is not really hindered for newcomers. This is demonstrated by relevant efforts exerted by organizations like the ICCA, the IFCAI and the IBA, whose Arbitration Section is becoming its largest one. Drove of highly able younger practitioners are flooding into the field. More women are becoming prominent. Every region has people of fine expertise and growing acceptability in the field. Accordingly, arbitration institutions are not solely responsible for the shortcomings in the system. These problems should not deter them, however, from pursuing every effort to expand the pool of qualified arbitrators and to take the lead in this mission in order to maintain not only the trust of their users, but most importantly the legitimacy of institutional arbitration.



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

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

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

The Roadshow was launched on the evening of 3 May, with speeches from Prof. Ziadé, Prof. Jan Paulsson, former President of the ICCA, Bahrain's Minister of Justice and Foreign Affairs Shaikh Khalid Bin Ali Al-Khalifa, and His Highness Prince Dr Bandar Bin Salman Al-Saud, Advisor to the king Abdulla Bin Abdul Aziz and President of the Saudi Arbitration Group. The launch was attended by the Bahraini Minister of Culture, Shaikha Mai Bint Mohammed Al-Khalifa and Arab ambassadors in Bahrain.



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

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

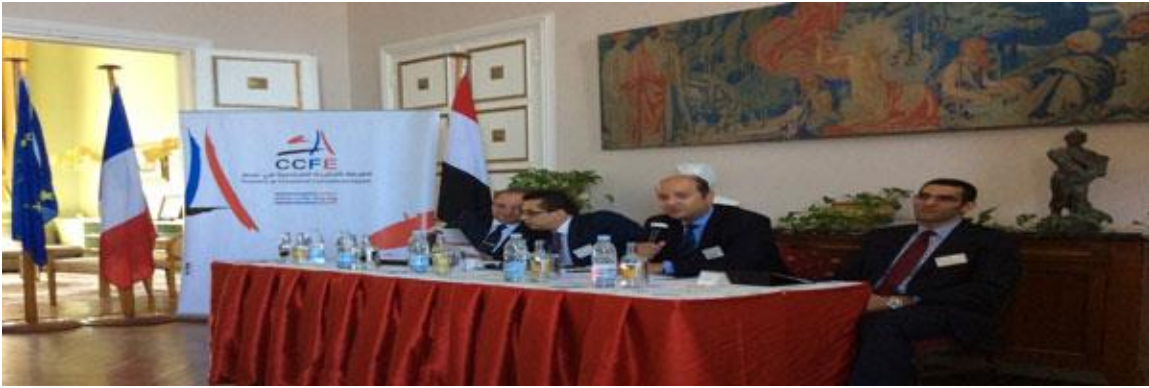
There were also calls for Arabic to be accredited as an official language for international treaties and agreements related to international commerce and international arbitration.

Finally, the delegates pledged to highlight to the international arbitral community the flexible nature of Islamic Shariah Law and its easy integration into commercial contracts and arbitration rules. The complete list of recommendations is available via the following link:

http://www.arbitration-icca.org/NY_Convention_Roadshow.html.



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



First Mediation Conference CCFE-Alexandria, 18 May 2014

On 18 May 2014, the Alexandria Branch of the French Chamber of Commerce in Egypt (CCFE), organized its first conference on Mediation in Alexandria on: «Commercial Mediation, an Effective Tool for Dispute Resolution». The half-day event was hosted by the French Consulate in Alexandria, Egypt and was attended by more than 30 persons from different backgrounds.

The Seminar was intended to discuss new developments in alternative dispute resolution, analyze and share experiences while focusing on the most important practical issues in mediation, based on what's happening right now in the field.

The Seminar offered to companies an opportunity to discuss mediation which is a rapidly evolving and widely used method for dispute resolution that have proved successful in many jurisdictions. The Seminar was also the forum where companies and their in-house counsels shared best practices and lessons learned in order to stay in control of their claims and disputes.

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

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

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



CRCICA PUBLICATIONS



Journal of Arab Arbitration: Volumes 20, 21, 22 and Twenty-Volume Index 1999 – 2013

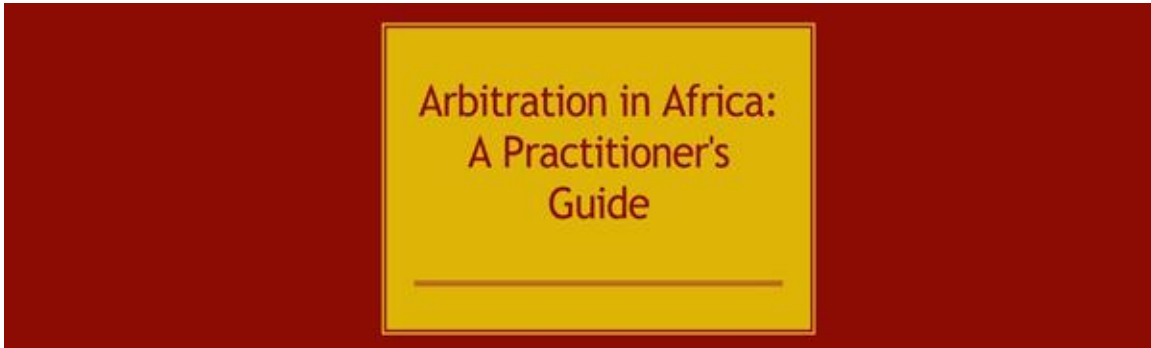
Since the last quarter of 2013, CRCICA has issued 3 volumes of the Journal of Arab Arbitration, volumes 20, 21 and 22, as well as the Journal's Twenty-Volume Index 1999-2013. The Journal of Arab Arbitration, a CRCICA-sponsored Publication of the Arab Union of International Arbitration (AUIA), is issued semi-annually and includes articles, judicial awards and arbitral precedents.



English Volume IV of CRCICA Arbitral Awards

CRCICA has entered into an agreement with Kluwer Law International to publish the fourth English volume of CRCICA Arbitral Awards which is authored by Dr. Mohi-Eldin Ismail Alam-Eldin, the Senior Legal Adviser of the Centre. Volume IV includes seven complex construction cases. Each award is squeezed into around 100 pages originally out of 300/500 pages. The publication is expected to be on market before the end of 2014.

CONTRIBUTIONS TO INTERNATIONAL PUBLICATIONS



Arbitration in Africa: A Practitioner's Guide

CRCICA contributed to Kluwer Law's "Arbitration in Africa: a practitioner's Guide" with a chapter on Egypt. This unprecedented volume, generally edited by Lise Bosman, assembles for the first time a country-by-country analysis - both practical and insightful - of how arbitration is conducted in 46 African countries, providing essential information about legislative provisions, treaty adherence, and arbitral procedure. Five sections representing the main regions of the continent offer country overviews addressing issues such as the following:

- adherence to the key arbitration conventions;
- the modernity of a State's arbitration legislation and its compatibility with the UNCITRAL Model Law;
- particular features of arbitral practice in that jurisdiction;
- access to and (where available) statistics from local and regional arbitral institutions;
- significant arbitration-related national case law; and
- enforcement of foreign arbitral awards.

A sixth section focuses on Africa-based investor-State arbitration, providing an empirical analysis of the experience and record of African States with investment treaties and investor-State arbitration. Useful tables of intra-African bilateral investment treaties, a list of ICSID proceedings involving African States, and other tabular features round out the volume.



Arbitration

Contribution to Getting the Deal Through - Arbitration 2014

A Chapter on CRCICA is featured in the ninth edition of Getting the Deal Through - Arbitration 2014, which provides international analysis in key areas of law and policy for corporate counsel, cross-border legal practitioners and business people. The scope of coverage of the publication is expanding annually. In the 2014 edition, there are 52 jurisdictions and 13 arbitral institution chapters. To view the full Chapter, please visit:

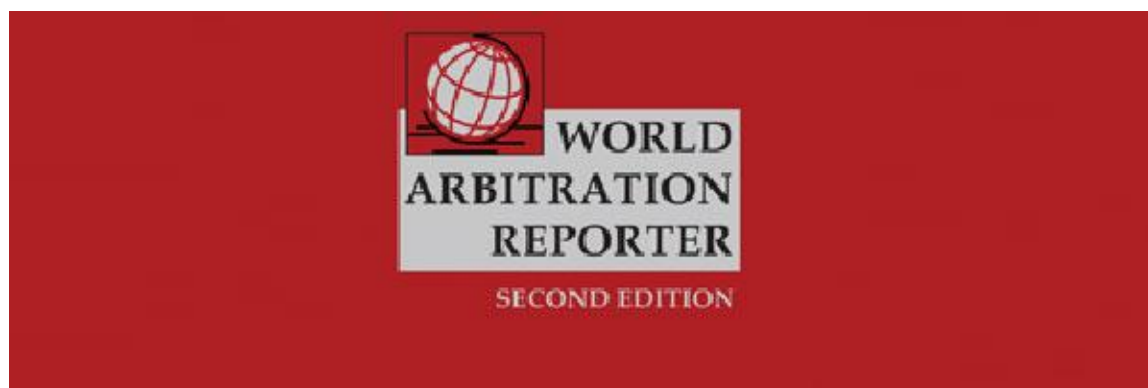
<http://www.crcica.org.eg/newsletters/nl012014/A2014CRCICA.pdf>

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CRCICA Arbitral Awards published in ICCA Yearbook

Selected CRCICA arbitral awards have been recently published in the ICCA Yearbook Commercial Arbitration, VOLUME XXXVIII 2013. The general editor of the Yearbook is Albert Jan VAN DEN BERG, ICCA President as of April 2014.



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

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

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

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



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

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

STUDY VISITS



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

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

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

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

It is notable that the first study visit organized to the Centre by Volterra Fietta took place in 2012 and also involved Saudi Officials.





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

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

SUMMER INTERNSHIPS

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

FUTURE EVENTS:



SHARM EL SHEIKH V: The Role of State Courts in International Commercial Arbitration 16-17 November 2014, Sharm El Sheikh – Egypt

Sharm El Sheikh 2014 is the fifth in the only international series of conferences organized biennially since 2005 on the evolving relation between state courts and arbitration in a cross-cultural context.

CRCICA Partners in the Sharm El Sheikh Conferences are the United Nations Commission on International Trade Law (UNCITRAL), the International Federation of Commercial Arbitration Institutions (IFCAI), and the Arab Union for International Arbitration (AUIA).

The program of Sharm El Sheikh V will focus on the role of the judiciary during the four traditional phases of the arbitration process (the arbitration agreement, the arbitral tribunal, the arbitration proceedings and the arbitral award). Confirmed speakers so far come from Egypt, Lebanon, Syria, Tunisia, United Arab Emirates, Bahrain, Italy, France, Sweden, Brazil, Switzerland, Iraq, Turkey, Iran, Venezuela, U.S.A., UK and Cameroon.

In Sharm El Sheikh IV (November 2012), twenty seven countries were represented: Egypt, Libya, Morocco, Tunisia, Sudan, Palestine, Jordan, Lebanon, Syria, Iraq, Qatar, Saudi Arabia, U.A.E., Kuwait, Yemen, Ethiopia, Nigeria, Turkey, France, Italy, Spain, Sweden, Switzerland, Venezuela, U.S.A., Austria and Canada.

Beside the geographical variation, an outstanding variety of professional sectors were in attendance including, for instance, 19 international arbitration centres and arbitration federations from all around the world, 12 courts representing different jurisdictions, 34 law firms, 8 chambers of commerce, 6 faculties of Law, 5 ministries of justice. Added to this, there were representatives of many business sectors especially the gas and petroleum sector and the financial sector. World Bank and UN organizations were also present.



Comparative Commercial Arbitration: Theory and Practice (CCATP) 2014 Round Continued:

In cooperation with the Cairo Branch of the Chartered Institute of Arbitrators (CI Arb), the remaining 2014 modules of the Comparative Commercial Arbitration: Theory and Practice (CCATP) are scheduled as follows:

7-9 September 2014:

CCATP Third Module: The ARBITRAL PROCEEDINGS

The Arbitral Proceedings Module tackles, *inter alia*, the rules applicable to the procedures, evidences and the examination of witnesses, interim measures...etc.

7-10 December 2014:

CCATP Fourth Module: The ARBITRAL AWARD

In this module, "the Arbitral Award" will be handled in depth as based on most recent court judgments in different jurisdictions.