







# SCCA Arabic Moot GCC Edition 2021 Report



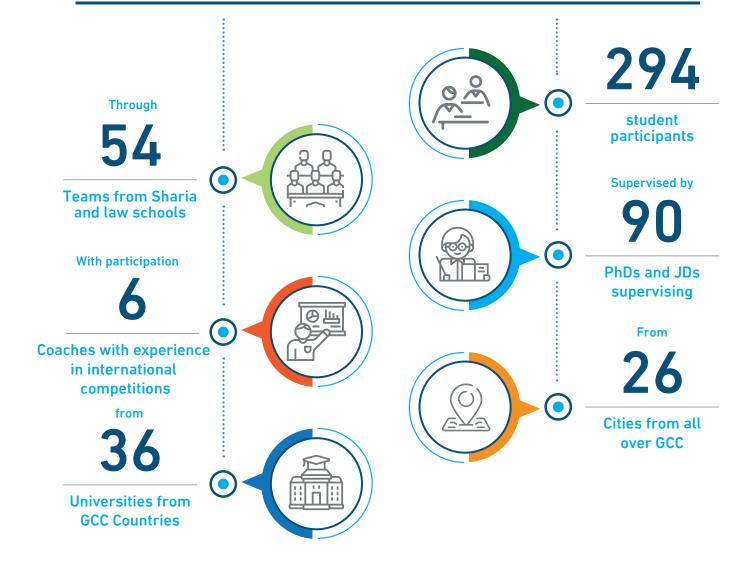
















As part of the Saudi Center for Commercial Arbitration's endeavor to improve the arbitration environment and enhance the level of practice in the KSA in particular, the Gulf region and the Middle East in general, and actively contribute to the development of arbitrators at the local level, maximizing the benefit of international arbitrators, and providing students of Sharia, law and regulations with practical and personal skills in the field of arbitration International Trade in accordance with the best international standards, and after the success it achieved (for the 1st edition of SCCA Arabic moot KSA edition) directed to students of the faculties of Sharia, Law and Regulations in universities, whose first version was limited to the level of universities in the Kingdom of Saudi Arabia, in which the participants competed By pleading in a hypothetical arbitration case that simulates international trade issues, which will refine the legal skills that students need to plead before international arbitration bodies, give them a full vision of their nature and procedures, and encourage them to study international trade law and study commercial arbitration and its system because of its international importance

as an alternative means for settling their disputes, commercial disputes, providing with the necessary practical skills and contact with the symbols of distinguished international arbitrators and the elite of the most prestigious law firms; Which is also reflected in opening the door to polarization and employment for the distinguished among them. After touching on the need to transfer this experience to the countries of the Gulf Cooperation Council, the Center decided to launch the (SCCA Arbic moot GCC Edition), in which 294 male and female students competed in 54 teams (26 teams of female students and 22 teams of male students) from Faculties of Sharia, Law, and Regulations from 36 universities from 26 cities of the Gulf Cooperation Council under the supervision of 90 faculty members, male and female trainers and trainers with practical practice in the arbitration industry and in related international competitions, whose course spanned seven months of work, hard work, perseverance, diligence and research.



#### Objectives of the SCCA Arabic Moot:



Practical application of studies to a real-world scenario



Familiarization with international arbitration rules and procedures



Exemplifying the importance of rules and procedures in order to understand and practice arbitration



Strengthening presentation and recall skills for arbitration sessions



Creating and encouraging a spirit of fair competition among students in their efforts to reach the final stages of the competition

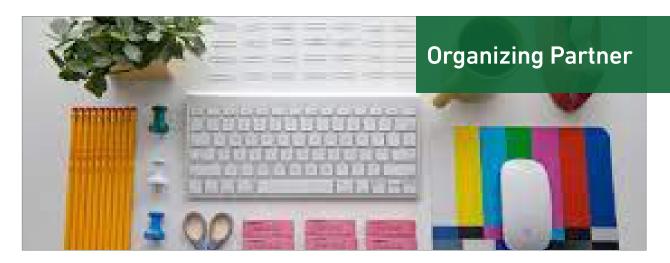


A better, more professional, more specialized future for the arbitration industry (especially institutional arbitration) in the region

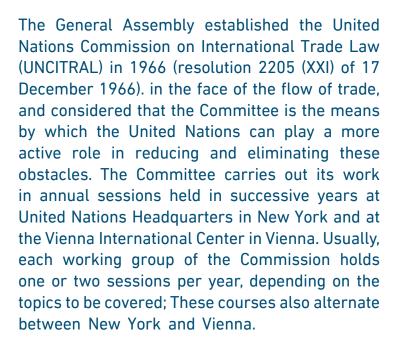


Developing students' public speaking abilities, self-confidence, and written and oral argument skills, all of which arbitrators and lawyers need to present and defend their position in arbitration cases









In addition to Member States, all States that are not members of the Commission, as well as interested international organizations, are invited to attend the sessions of the Commission and the sessions of its working groups, as observers. Observers are allowed to participate in discussions in sessions of the Committee and its working groups to the same extent as members.



The Commercial Law Development Program (CLDP). established in 1992, is a division of the U.S. Department of Commerce that helps to raise legal in developing awareness countries. particularly in the area of international trade, by participating in the development of international commercial policies and laws. In the past 10 years, the CLDP has organized international legal competitions across the Middle East and the Arab world that have contributed to boosting Arab participation in the Willem C. Vis International Commercial Arbitration Moot and improving the performance of young practitioners in legal and commercial spaces.



The SCCA Arabic Moot is divided into two major stages

Stage 1

#### **Written Submissions**



After publication of the case, the participating teams prepare memoranda with the arguments by the claimant and the respondent in the case, which they deliver electronically using a special form by the deadlines published at www.ArabicMoot.sadr.org.

Stage 2

#### **Oral Proceedings**



The teams compete through oral arguments on behalf of the claimant and the respondent before arbitration tribunals composed of local and international practitioners experienced in international commercial arbitration.







Based on the role of the Saudi Center for Commercial Arbitration "SCCA" in preparing young people to practice international commercial arbitration and realizing the importance of youth in advancing the arbitration industry, SCCA equips students from Shariah and law schools with practical and personal skills in the field of international commercial arbitration consistent with international standards.

After the great success of the first edition, SCCA decided to launch the GCC Edition of SCCA Arabic Moot, which was held in international partnership with the United Nations Commercial Law Commission (UNCITRAL) and The Department of Commerce's Commercial Law Development Program (CLDP). In order to maximize the benefits of the competition, a scientific team was formed to formulate the case file in a systematic way that combines the know-how, specialization and practical experience in international arbitration cases on one hand, and previous participations in international and regional commercial arbitration competitions on the other hand. This is to ensure the best experience for all teams participating in the competition and getting maximum possible benefits.

#### The Case:

The case arose out of a contract made between a Saudi museum and GCC artist. The artist agreed to design and supply a unique piece of artwork for the museum using unique materials, particularly Bohemian glass from a European country. The dispute arose when the artist was unable to purchase the materials on time due to unrest and strikes in the European exporting country and consequently the delivery of the piece of art was delayed. The matter only got worse when



the Bohemian glass couldn't stand the weather conditions and started cracking after it was delivered.

The case raised questions regarding the entitlement to liquidated damages under Islamic law, the impact of unforeseen events on the performance of the contract, and conformity of the goods under the United Nations Convention on Contracts for the International Sale of Goods (CISG) governing the contract.



After the dispute arose and the museum began the arbitration procedures administered by SCCA, both parties agreed to hold a virtual hearing due to Covid-19 pandemic. However, they can't reach agreement with regard to whether the main witness can actually give testimony in light of the local procedural rules in the GCC region that would have prevented the virtual testimony.

To learn more about the case, download it in Arabic or English:

**English Version** 

**Arabic Version** 







Several training programs were organized to prepare the participating teams and maximize the benefits of the competition.

These programs included a number of topics:

- Case and timeline analysis
- Questions raised and highlighting important issues
- Introduction to applicable sources of law
- UNIDROIT principles
- International Bar Association Guidelines on Conflicts of Interest in International Arbitration
- The Saudi arbitration law and SCCA arbitration rules
- Development and summary of arguments

- Research strategies for making arguments
- Legal writing skills





Dara Sahab Lawer, Squire Patton Boggs (Dubai)



Christian P. Alberti Cheif of ADR, General Counsel SCCA



Fatima Balfaqeeh
Founder and Managing
Director of RKAH Legal
Consultancy



Amer AbuSham
Ass. Professor of Commercial
Law at the Royal University of
Women, Bahrain.



Lawyer at Dr. Qaysar Metawea for Legal Counsel and Consultations (Jeddah), Former Participant in The Willem C. Vis International Commercial Arbitration Moot

Yara Al-Sayegh

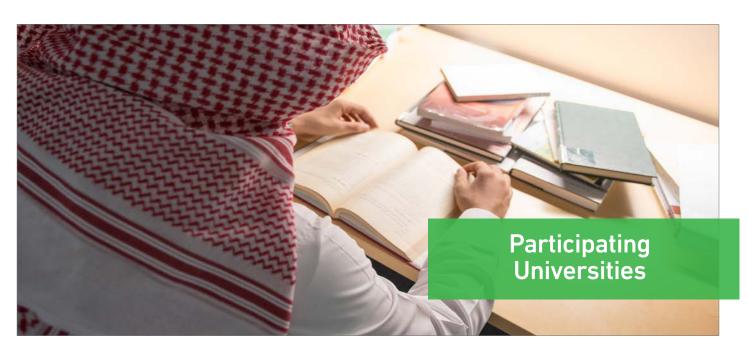


Bashayir Bin Yamin

Lawyer at Al Tamimi & Company,
Former Participant in The Willem C. Vis
International Commercial Arbitration

Moot















## منافسة التحكيم التجاري الطلابية SCCA Arabic Moot

النسخة العالمية International Edition





### Results of The Inaugural Competition

#### The winning team in the competition in First Place



#### The winning team in the competition is in second place





1 The winning team in Best Memo for Claimant 1st place



The winning team in Best Memo for Claimant 2nd place



The winning team in Best Memo for Claimant 3rd place



#### The winning team in Best Memo for Claimant 4th place



#### 5 The winning team in Best Memo for Claimant 5th place



#### 6 The winning team in Best Memo for Claimant 6th place





7 The winning team in Best Memo for Claimant 7th place



8 The winning team in Best Memo for Claimant 8th place



7 The winning team in Best Memo for Claimant 9th place



#### 10 The winning team in Best Memo for Claimant 10th place





بالشراكة مع







1 The winning team in the Best Memo for Respondent 1st Place



The winning team in the Best Memo for Respondent 2nd Place



The winning team in the Best Memo for Respondent 3rd Place



#### The winning team in the Best Memo for Respondent 4th Place



#### The winning team in the Best Memo for Respondent 5th Place



6 The winning team in the Best Memo for Respondent 6th Place

#### أفضل مذكرة عن المدعي عليه Best R-Memo المركز السادس





7 The winning team in the Best Memo for Respondent 7th Place



8 The winning team in the Best Memo for Respondent 8th Place



7 The winning team in the Best Memo for Respondent 9th Place



#### 7 The winning team in the Best Memo for Respondent 10th Place





(F) CLDP

Knowledge Sponsor الراعي المعرفي

M CIArb

#### Best Oralist for Respondent from 1 to 10 place

**United Nations** 



المركز السعودي للتحكيم التجاري

Gold Sponsor الراعي الذهبي





#### **Side of Honoring The Winners**































You can view the video report of the Awarding Ceremony of the competitions by Scanning the QR Code or via the link.













# Highlights Media



Moot videos were viewed more than

on Social Media Platforms

Moot tweets interactions of more than

between new tweets, replies, retweets and likes.



Promotion from popular news & media accounts with followers of more than

32,000,000

(SABQ Newspaper, HASHTAG KSA, Saudi News) in addition to universities' accounts).



Most interactive Moot hashtags:



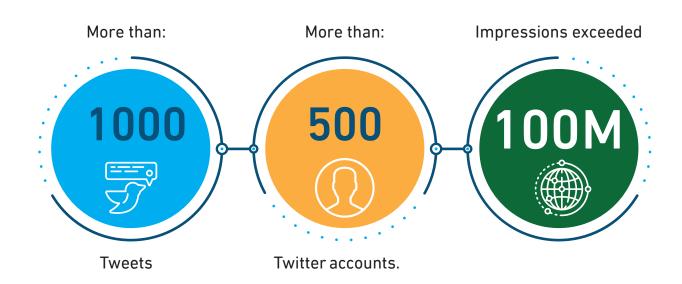
منافسة\_التحكيم\_التجاري\_الطلابية

#

المركز\_السعودي\_للتحكيم\_التجاري

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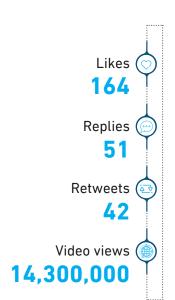
Interactions with the hashtags:







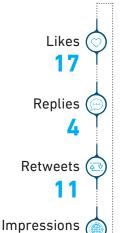
#### Influential accounts





أخبار السعودية @SaudiNews50

صحيفة سبق الإلكترونية @sabqorg



13,500,000









www.sadr.org