





Custodian of the Two Holy Mosques KING SALMAN BIN ABDULAZIZ AL SAUD



HRH the Crown Prince MOHAMMAD BIN SALMAN BIN ABDULAZIZ AL SAUD



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Praise be to God, Lord of all worlds, and prayers and peace upon Muhammad, our Prophet and the most noble of the messengers, and upon all his family and companions.

Amid the accelerating developments in the world of finance and business, the Kingdom of Saudi Arabia is emerging as one of the most important and economically impactful forces, regionally and globally. With the expansion of commercial operations, and the diversification of business sectors and the parties involved, an urgent need has arisen for more comprehensive dispute resolution options. In line with the Kingdom's policy of keeping up with new developments, the Council of Ministers issued its Decree No. 257 dated April 15, 2014, amended by Decree No. 107 dated January 19, 2016, establishing the Saudi Center for Commercial Arbitration as the first institutional arbitration center in the Kingdom and the Kingdom's official representative in the field of arbitration at the domestic and international levels.

The role entrusted to the Saudi Center for Commercial Arbitration is an unquestionably important one, and SCCA has earned great trust as a nonprofit center that is Saudi in identity and global in expertise — home to the leading experts of the institutional arbitration industry in the Kingdom of Saudi Arabia. The SCCA continues to enhance its capacity and performance in order to deliver upon and maintain the great trust that SCCA enjoys across public sector agencies, the private sector and domestic and international law firms. This observance of the highest international standards in the

arbitration industry includes enacting SCCA's own rules in accordance with the latest and best practices.

Since SCCA was launched in October 2016, its many successes have been made possible by the considerable support that our wise government provided for the wider arbitration industry in the Kingdom of Saudi Arabia, in addition to the support provided by SCCA's successive Boards of Directors, the stewardship of the SCCA Working Group, and many key stakeholders in the domestic and international arbitration industry.

On behalf of the SCCA Board of Directors, Secretariat and its diverse communities of partners and supporters, I am pleased to deliver this important report, which reflects the major transformation that SCCA is undergoing to establish and strengthen its local and international standing as a Center of Excellence.

In conclusion, I would like to thank — after God — the Custodian of the Two Holy Mosques, His Highness the Crown Prince, the Ministry of Justice, the Ministry of Commerce and Investment, the Council of Saudi Chambers of Commerce, and the other government and public sector contributors for their support. And let us not forget those who created and sustained our SCCA, the successive Boards of Directors and our brothers and sisters on the SCCA Working Group.

With the highest regards,



Yaseen Bin Khalid Khayyat Board of Directors, Chairman



Praise be to God, Lord of all worlds, and prayers and peace on Muhammad and on all his family and companions.

It is an enormous honor and a great responsibility for the Saudi Center for Commercial Arbitration to be the official representative in the field of arbitration for a country with the Kingdom of Saudi Arabia's size and stature.

The honor and responsibility are even greater considering that SCCA is the first institutional arbitration center in the Kingdom, in spite of the long-standing arbitration industry in the Kingdom, for which our founding King, God rest his soul, enacted the first governing provisions more than 90 years ago.

The responsibility became greater, and the ceiling on our aspirations disappeared, when SCCA took on the honor of being an implementing partner in one of the initiatives of the Kingdom's Vision 2030, which expresses a country's ambition and a nation's future. We therefore believe that there is no better way to represent this national success story than titling this report "Institutional Arbitration in the Kingdom: A National Vision."

Actions and achievements on the ground are the language that all peoples of the world share in understanding, without need for translation, and the language of numbers and facts is the Best regards purest form of expression. The purpose of this professional,

documentary report, then, is to tell a story of national achievement that is short in terms of the time elapsed but formidable in its impact and the magnitude of its achievements.

SCCA began with an ambitious vision of an international center that would emerge from the heart of the nation and provide alternative dispute resolution in accordance with the best and latest international standards. The center would also be charged with building an alternative dispute resolution industry in the Kingdom, in partnership with government institutions and agencies, the private sector, and international organizations. This includes shaping generations of experts and specialists in institutional arbitration and alternative dispute resolution, and contributing to the enhancement of the practical context of the entire alternative dispute resolution cycle.

The tremendous efforts exerted by hundreds of people in the past few years, from the Council of Ministers decision to establish SCCA to this moment, have led to remarkable achievements in various fields that this report will detail fully.

Whatever achievements have been made, our aspirations and ambitions are even greater, and all those who have the honor of serving in this institution are working around the clock to achieve a nation's vision and ambition.



Dr. Hamed bin Hassan Merah SCCA, CEO





Report on the work and activities of SCCA From founding until December 2018

Arbitration Rules

Executive Summary

- Arbitration & Mediation Rules
- Codes of Ethics
- Guide to Drafting ADR Clauses at the Center



The work to develop these products took





Procedural Guides

Procedural Guides

Guides aimed at detailing procedures in the arbitration process, from receiving the claim to the rendering of the award. The guides layout the policies for each stage and the person concerned in carrying them out, as well as the required time frames. Preparing these guides took more than a year.



Number of cases registered at SCCA

The claim amount of some cases registered with SCCA within 48 months

Average time to adjudicate a case at SCCA

Types of cases

■ banking

capital market

supply

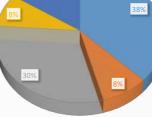
contract disputes

Nationalities of parties









construction



Lists of neutrals (arbitrators and mediators)

Number of arbitrators and mediators

specializations







languages

English русский Italiano 日本語 Português עברית Ελληνικά Español Deutsch



Report on the work and activities of SCCA From founding until December 2018

Preparation



Recruiting outstanding talent



Regulatory Structure

Regulation

Procedural

Ethics

Set of Rules





Infrastructure Infographic of SCCA's . layout

Effective partnerships with government agencies, the private sector, practitioners, and academia





International Communication and Representation

Ongoing communication with more than **50** arbitration centers and international organizations



Report on the work and activities of SCCA From founding until December 2018

Visits to more than **30** ADR-related centers and organizations

Participation in more than **35** international events, including conferences, workshops, and forums.



Conferences and Events

Since its launch, SCCA has held more than

20

different events, from which more than

2500

professionals and stakeholders

Professional Development

Specialized Programs: More than 800

participants benefited from unique training programs in arbitration, mediation and contract drafting skills







The Board's First Term



15 / 07/ 2014



the Board included an elite group:



H.E. Mohammed bin Abdullah Al-Jadaan (now the Minister of Finance) Chairman



H.E. Ghassan bin Abdulrahman Al-Shibl Member



H.E. Dr. Abdulaziz bin

Hamad Al-Fahad

Member





Chairman

H.E. Dr. Zeyad bin Samir Khoshaim

Member

H.E. Fahd bin Abdullah Al-Qasim (completing the term) Chairman



H.E. Majed bin Abdullah Al-Hogail (now the Minister of Housing) Member

Report on the work and activities of SCCA

From founding until December 2018



H.E. Sultan bin Ibrahim bin Zahem Member



H.E. Salman bin Ayed Al-Amrey Member



Hon. Sheikh Dr. Muhamad bin Saud Alosaimi Member



H.E. Dr. Nabil bin Abdul Aziz Al-Mansour Member



Hon. Sheikh Yousef bin Hassan Khalawi Member

The Board's Second Term







elite group:



H.E. Yaseen Bin Khalid Khayyat Chairman



H.E. Abdullah Bin Hashem Al-Hashem Member



H.E. Dr. Nabil bin Abdul Aziz Al-Mansour Member



H.E. Khalid bin Abdullatif Al-Saleh Member



H.E. Dr. Ali bin Abdulkareem Al-Suwailem Member



Hon. Sheikh Yousef bin Hassan Khalawi Member



H.E. Khalid bin Muhammad Abdulkareem Member



Hon. Sheikh Dr. Muhamad bin Saud Alosaimi Member



H.E. Dr. Youssef bin Abdullatif Al-Jabr Member



H.E. Dr. Abdullah bin Marei bin Mahfouz Member



During the period





10 / 05 / 2020

the Board included an

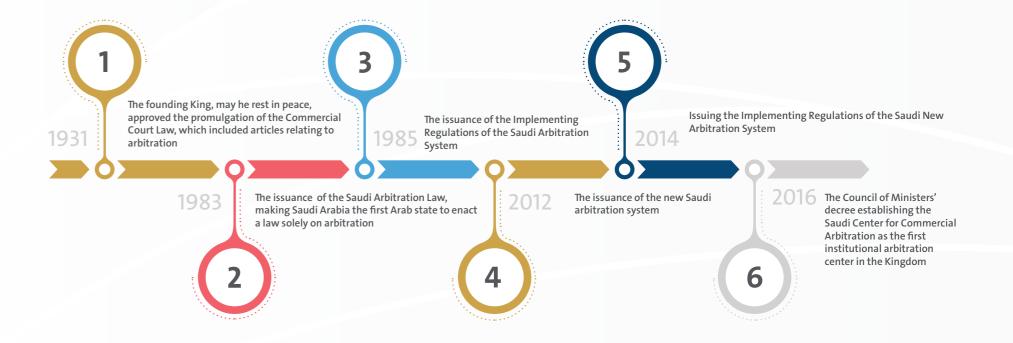




Report on the work and activities of SCCA
From founding until December 2018

Historical Synopsis

Historical stages in regulating arbitration in the Kingdom:



Report on the work and activities of SCCA
From founding until December 2018

Origin and Functions

The Saudi Center for Commercial Arbitration was established by Council of Ministers' Decree No. 257, dated April 15, 2014, amended by Decree No. 107 dated January 19, 2016.

With a belief in the importance of learning from the best international international dispute resolution centers, and in order to realize the best and most expeditious results to be applied in the Kingdom, SCCA has, since its inception, endeavored to establish strategic partnerships to attract the best practitioners and talents in arbitration. Most significantly, this gave rise to a strategic partnership with the International Centre for Dispute Resolution of the American Arbitration Association (ICDR-AAA), which has translated into a series of strategic projects, the most notable outcomes of which are:

Training for executive management and meetings with all the executives at ICDR-AAA.





Preparation of arbitration and mediation rules

THE PARTY NAMED IN



Preparation of codes of ethics (for arbitration, mediators, parties, and staff)



On-the-job training for case counsel at ICDR-AAA's headquarters in New York City.



Conducting specialized arbitration and mediation programs to train Saudi professionals.





Legislative Structure

Advantages of the Saudi Arbitration Law

The Saudi law is based on the UNCITRAL Model Law on International Commercial Arbitration. It gives the parties autonomy the applicable law, the rules governing the dispute, the place and language of arbitration, and the appointment of members of the arbitral tribunal. The law grants protection to arbitral awards such that no award rendered in accordance with the Saudi Arbitration Law can be challenged through any means other than bringing a claim to vacate.

Enforcement of Arbitral Awards in the Kingdom of Saudi Arabia

Arbitral awards are enforced in accordance with simple, prompt and effective procedures. Under the Saudi Enforcement Law, an arbitral award, to which an enforcement order is appended, is consider a writ of enforcement for which compulsory enforcement is permitted. In addition, the Kingdom is a party to the Convention on the Recognition of Foreign Arbitral Awards (1958) also known as the "New York Convention", which requires courts of contracting states to give effect to private agreements to arbitrate and to recognize and enforce arbitral awards made in other contracting states. Widely considered the foundational instrument for international arbitration, it applies to arbitrations that are not considered as domestic awards in the state where recognition and enforcement is sought.



The Saudi Arbitration Law, based on the UNCITRAL Model Law

The Saudi Arbitration Law

More Options for Parties

- Choosing the applicable law
- Institutional arbitration available
- Choosing the place and language of arbitration

Judicial Support

- · Appointing arbitrators Ordering interim and
- precautionary measures
- Calling witnesses and experts • Subpoenaing documents
- Requests for judicial assistance

Binding Force of Awards

- No appeal of awards
- Vacate claims limited by number and time for submission

Enforcement of Awards in Saudi Arabia

- Under the Enforcement Law, arbitral awards are considered writs of execution in the Kingdom.
- As KSA is a member of the 1958 New York Convention, it enables awards to be enforcable in other contacting states

The Saudi Enforcement Law

A Quantum Leap in Arbitral Award Enforcement

- Shifted from the Board of Grievances to specialised Saudi **Enforcement Courts**
- Simple, speedy and effective enforcement procedures
- Writs of execution





Mission



Vision

To be the preferred ADR choice in the region by **2030**.



Values

Neutrality

Integrity

Privacy

Transparency

Independence

Responsibility



Vision 2030 and Localizing the Institutional Arbitration Industry in the Kingdom

The initiative to localize the institutional arbitration industry in the Kingdom was launched as one of a number of initiatives within the National Transformation Program and Vision 2030 to ensure that arbitration is a national priority that must be achieved to guarantee that the Kingdom's justice system is comprehensive and compatible with other government agencies. This initiative will facilitate the conduct of business according to international best practices and encourage national and foreign investment.

Institutional arbitration — a national vision SCCA seeks to contribute to achieving the strategic plans and objectives of the Kingdom's Vision 2030 and its associated programs.





The initiative aims to expand the availability and use of dispute resolution services, namely arbitration and mediation, across three main regions of the Kingdom (central, west, and east), including responding to existing demand for arbitration and mediation in those regions and meet the increasing need for arbitration in proportion to the volume of local and foreign economic investments. This includes creating institutional arbitration rules and procedures, managing arbitration cases, building world-class Saudi capabilities in the field of alternative dispute resolution (ADR), raising awareness and spreading knowledge about ADR, pursuing international partnerships and co-operation in the field of arbitration and mediation, and raising the profile of the Kingdom's ADR industry by representing the Kingdom locally and internationally at ADR-related activity and events.





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Alternative Dispute Resolution



Arbitration Rules

The Board of Directors decided to adopt the UNCITRAL Model Rules as a basis for creating the arbitration rules for the SCCA, due to their acceptance among users and international recognition among courts. The Board also ensured that the SCCA Arbitration Rules include the latest, industry responsive innovations alongside cuttingedge technology for case management as implemented by the leading global institutions.

A Working Group of SCCA professional staff and consultants from ICDR-AAA was constituted to formulate arbitration rules for the Saudi Center for Commercial Arbitration.

The Working Group examined several sets of rules from other regional and international centers, in addition to the Saudi Arbitration Law and established judicial principles.

The Working Group prepared draft arbitration rules as a clear, systematic framework governing the conduct of arbitration proceedings, from filing a claim to rendering of an enforceable award.

The draft arbitration rules were presented and discussed in a number of meetings with lawyers and practitioners, followed by two workshops for SCCA Board of Directors. The Working Group's final draft arbitration rules, amended in light of the feedback and analysis of those meetings and workshops, were then adopted by resolution of the Board of Directors.





Mediation Rules

The Board of Directors decided to adopt the ICDR-AAA Mediation Rules as a basis for creating the mediation rules for the Saudi Center for Commercial Arbitration, due to their flexibility and ease of application as well as the sucess in practice the ICDR-AAA mediation rules have achieved.

A Working Group of SCCA professional staff and consultants from ICDR-AAA was constituted to formulate mediation rules for the Saudi Center for Commercial Arbitration.

The Working Group produced draft mediation rules that were presented and discussed in a number of meetings with lawyers and practitioners, followed by two workshops for SCCA Board of Directors. The Working Group amended the draft mediation rules in light of the feedback and analysis of those meetings and workshops. The mediation rules were then adopted by resolution of the Board of Directors.

Alternative Dispute Resolution



Codes of **Ethics**

The Saudi Center for Commercial Arbitration prepared an integrated system of ethical standards that govern the conduct of those engaged in dispute resolution proceedings. The SCCA's Code of Ethics for arbitrators. mediators, parties and their representatives are based on the standards adopted by ICDR-AAA and adding to those standards certain other regional and international aspects.

The Code of Ethics for Arbitrators include standards for the modes of behavior that arbitrators should follow to ensure the integrity and fairness of the arbitration proceedings, avoiding anything that could give the impression that the arbitrator is biased in favor of one party over the another, and disclosing any facts that could affect the arbitrator's impartiality or independence.

The Code of Ethics for Parties and Their Representatives provides the parties and their representatives the modes of behavior incumbent upon them when participating in SCCA's dispute resolution procedures. The parties and their representatives must sign a pledge to observe these standards.

The Code of Ethics for Mediators was designed to serve as a guide following basic ethical rules for mediators who handle mediation proceedings in accordance with the SCCA Mediation Rules. These standards aim to achieve three objectives:

- Guiding the conduct of mediators
- Ensuring that the parties are aware of the standards Strengthening public confidence in mediation
- as a means of dispute resolution

A Working Group of SCCA professional staff and consultants from ICDR-AAA was constituted to formulate these standards. The Working Group's draft, after it was submitted for general discussion among practitioners and specialists, was adopted by SCCA Board resolution.

SCCA also adopted an internal Code of Ethics for members of its Board of Directors and for its staff. prepared by a Working Group formed by SCCA and its international partner, the ICDR-AAA.



Tribunal Secretary Regulation

The regulation for Tribunal Secretaries, working for arbitral tribunals formed under the SCCA's aegis, was prepared based on international experiences made by a number of arbitration institutions, with the aim of defining the scope of the Tribunal Secretaries' duties, obligations and limitations of their role in assisting the arbitral tribunal, as well as ensuring their commitment to the highest ethical standards necessary for performing their work. The drafting of this regulation followed the same model as for SCCA's other working documents, through cooperation with ICDR-AAA.



Guide to Drafting Dispute Resolution Clauses

This guide has been prepared to provide a set of directions that should be observed when drafting clauses for dispute resolution, whether for arbitration, mediation or both, so as to ensure correct wording and enhance the positive impact on management of the dispute. This guide was prepared by a Working Group comprised of representatives of SCCA and ICDR-AAA.

Report on the work and activities of SCCA

From founding until December 2018



Procedural Guides

Procedural guides were implemented for all phases of case management with the Saudi Center for Commercial Arbitration, from SCCA receiving the case to the rendering of the final award. These guides include a statement explaining the purpose of the guides, the relevant references that were relied upon in their preparation, definitions and the procedural policies of each stage. The guides also include the procedures to be followed for each phase, the time frame for each procedure and the person in charge of carrying out that procedure.

More than 120 templates have been formulated and translated into Arabic and English to facilitate the management of cases, including templates for correspondence, procedural orders, internal decisions, working papers, employee guidebooks, and guidebooks for members of arbitral tribunals the parties and experts.

Alternative Dispute Resolution



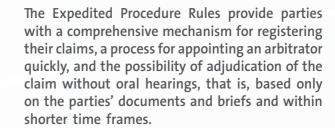
effect on October 15, 2018, contain speedy, simple, and low-cost procedures. The Expedited Procedure Rules apply to any case where the total claim amount at issue does not exceed SAR 4,000,000, exclusive of the costs of arbitration, provided that the arbitration agreement was concluded after October 15, 2018. The goal is to provide maximum efficiency. The parties can agree to opt out of the Expedited Procedure Rules or apply them even in higher-value cases.

The Expedited Procedure Rules, which came into

A. Expedited Procedures



New Products and Services



B. Emergency Arbitration

The Saudi Center for Commercial Arbitration Rules allow any party wishing to obtain emergency measures that cannot wait until the constition of the arbitral tribunal, to request the appointment of an emergency arbitrator to consider the party's request. The Emergency Arbitration Procedures, which came into effect on October 15, 2018, contain a comprehensive description of the emergency proceeding, from the submission of the request to the issuance of the award, while specifying clear and effective time frames.







New Products and Services

C. The Saudi Center for Commercial **Arbitration Online Dispute Resolution** Protocol

This is a protocol for managing arbitration claims online, from receipt of the case to the rendering of the final award. The provisions of this protocol are applicable if the parties make an agreement to that effect, provided that the value of the claim does not exceed SAR 200.000. Briefs and documents are exchanged through an electronic portal, and if a hearing is necessary, it is held via Cisco Webex remote communication technology without the need to attend in person. The award must be rendered within 30 days of the arbitrator's appointment.

The documents referenced in the above items were prepared by a SCCA Working Group in cooperation with ICDR-AAA advisers. They were also submitted for discussion with a number of local experts and practitioners and reviewed by an international consultant, Mr. Andrea Carlevaris, the former Secretary General of the ICC International Court of Arbitration.

Alternative Dispute Resolution

Report on the work and activities of SCCA

From founding until December 2018



Lists of neutrals (arbitrators and mediators)

The goal of SCCA's roster of arbitrators and mediators is to build a base of highly qualified institutional ADR professionals with experience in the Kingdom and abroad. This enables SCCA to seek their assistance and appoint them in cases it manages, while ensuring that procedures and outcomes are well managed. The roster adds value to users of SCCA services.

SCCA has implemented procedures for applications as neutral through its website. An internal review is conducted to verify that candidates meet the requirements and have the needed qualifications and experience in the field of arbitration. The SCCA Board of Directors then approves candidates for the list.

The requirements for qualifying for the SCCA roster of arbitrators and mediators were adopted after an examination of the requirements utilized by a number of leading global arbitration institutions, and after consultation with ICDR-AAA. The SCCA Board of Directors then approved such requirements.





cases registered at SCCA

While other international arbitration centers have taken 5 to more than 10 years to register their first case, in less than 2 years since its launch, SCCA has been able to register an unprecedented number of cases involving local and international parties, some of which exceed US \$100 million in value.

weeks average time to adjudicate a case at SCCA

The average time to adjudicate a case at ICDR-AAA is 6 months to 1 year.
Cases types include:

30%

38%

3%

markets

16%

8

tribution

t Distribution

The parties are local and international, including:

Germany

Unit

United States

United Kingdom

rance

Alternative Dispute Resolution



SCCA's role
in obtaining
UNCITRAL
approval of
the Saudi
Arbitration
Law

As an important national accomplishment achieved by the Saudi Center for Commercial Arbitration, and based on its function of representing the Kingdom locally and internationally, SCCA participated in several events, meetings and working groups in cooperation with the United Nations Commission on International Trade Law (UNCITRAL).

With UNCITRAL, SCCA studied the obstacles preventing the inclusion of the Saudi Arbitration Law on the list of laws based on the UNCITRAL Model Law. Through several clarifications, memoranda, and consultation with UNCITRAL to explain the differences between the Saudi law and the UNCITRAL Model Law, and the justifications and contexts for those differences, which did not overstep the norms of international legislative practice, UNCITRAL concluded that the Saudi Arbitration Law should be listed among the laws based on the UNCITRAL Model Law. This was an important development in paving the way for making the Kingdom an attractive venue for international arbitration.

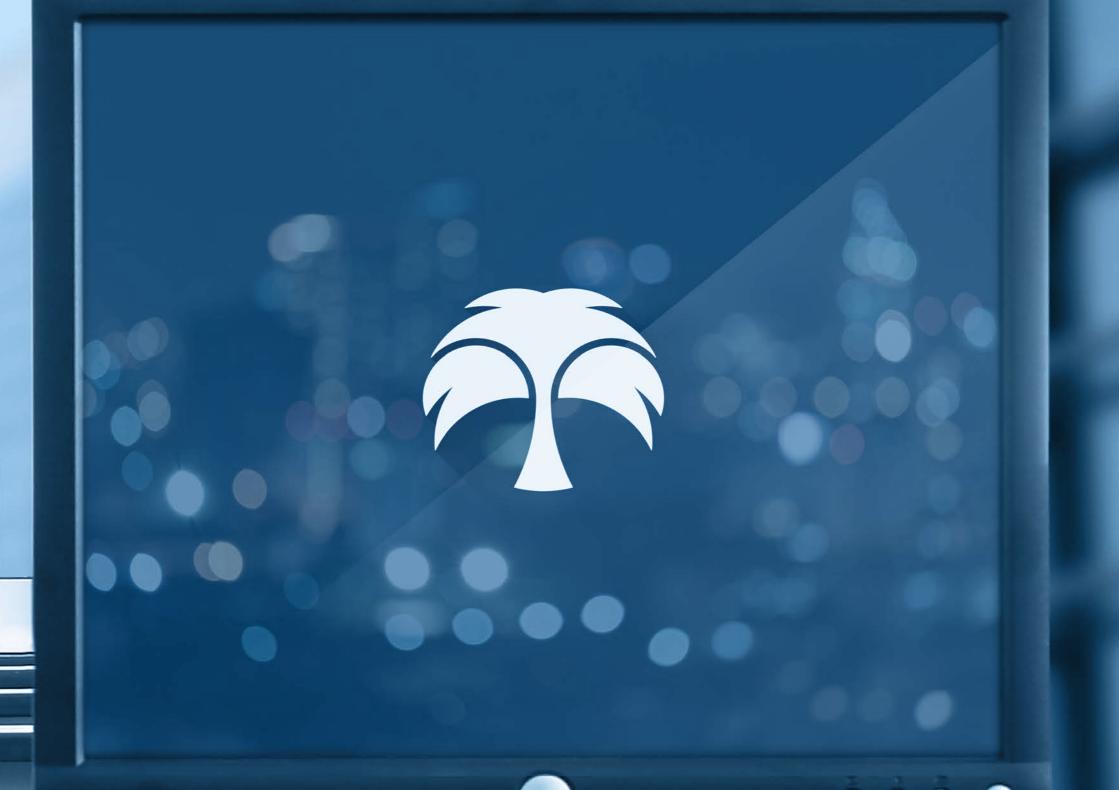


UNCITRAL

UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW

Preparation





Preparation

The Saudi Center for Commercial Arbitration is fully prepared to administer alternative dispute resolution cases. That preparedness includes solid regulatory, professional and human resources foundations that enable it to attract all types and sizes of domestic and international cases and administer them with qualified and professional staff in accordance with the highest international standards. Examples of SCCA's preparedness:

Regulatory Structure:

SCCA issued its rules, codes of ethics, and guides in accordance with the highest standards and in partnership with the most esteemed international institution, ICDR-AAA, in addition to relying on the latest practices in preparing and adopting a number of internal policies and procedures to enhance SCCA's professionalism, governance and institutionalization.

Set of Rules

Codes of Ethics

3 Procedural

Guides

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Ò

Regulation



Report on the work and activities of SCCA From founding until December 2018

Preparation

Infrastructure

The SCCA headquarters are equipped with the best facilities and the latest ADR-specific technologies for managing cases in accordance with the highest international standards for arbitral centers. Several of the features include:

- Administative offices
- Several deluxe halls with various capacities for holding meetings and hearings
- Interpreters' booth with latest technology
- State-of-the-art communication and audio-visual meeting technologies
- Breakout meeting rooms
- Interactive whiteboards
- Support services for parties, including logistics, clerical and other related services

Recruiting outstanding talent

When SCCA was first established, its senior management composed a special working group of staff and consultants, including both Saudi citizens and international personnel, to bring together the requisite knowledge, experience and competence. SCCA succeeded in forming a group of some of the world's most experienced leaders and experts in institutional arbitration, mediation and other supporting disciplines in domestic and international contexts dealing with sophisticated, large-scale caseloads.

experience



Relations with Government **Agencies**

In approximately 24 months, SCCA established many productive relationships, conducting various meetings and workshops, signing cooperation agreements, and implementing joint programs and events with more than 120 agencies, including ministries, authorities, institutions and government companies, as well as several professional associations, quasi-judicial commissions, and development and coordinating committees, such as:







Ministry of Energy



Public Investment Fund



Saudi Arabian Monetary



Saudi Arabian Monetary Authority







Royal Industrial





Ministry of Commerce and Investment



Ministry of Economy and



Government Services

Privatization Program

General Authority for

Competition

Public Pension Agency



Secretariat of the Committees for the Resolution of Securities



Saudi Authority for Intellectual Property



Ministry of Labor and Social Development



Ministry of Labor and Social Development



Ministry of Housing Ministry of Finance



Saudi Bar Association **Judicial Training Center**



Justice Training Center **Bureau of Experts**



Saudi Council of



Real Estate General



Saudi Contractors Authority



Council of Cooperative Health Insurance



Relations with the Private Sector

Because benefiting from the services of the Saudi Center for Commercial Arbitration is of essential importance to the private sector. SCCA has worked to establish active engagment with more than 250 private sector entities in the fields of banking, construction, telecommunications. technology, information logistics, real estate, and arms and defense, in addition to several chambers of and relevant councils and committees, including:



Council of Saudi Chambers



Saudia (Saudi Arabian Airlines Corporation)

البنك الأول Alawval bank

SABB

Alawwal Bank



SABB (Saudi British Bank)



Sipchem (Saudi International Petrochemical Company) Emirates Steel



Saudi Aramco



Al Ra'idah Investment



Saudi Telecom Company



SAR (Saudi Company for



Emirates Steel



SABIC (Saudi Basic Industries Corporation)





Bank Albilad



Takamol



SASREF (Saudi Aramco Ma'aden Shell Refinery Company)

Tadawul (Saudi Stock

Exchange)

исш

Awgaf Sulaiman Al Rajhi

Holding Company

Alinma Bank

ELM



Report on the work and activities of SCCA

From founding until December 2018

Al Faisaliah Group



Amlak International



National Commercial Bank



Sadara Chemical Company

These efforts culminated in incorporating SCCA Model Arbitration Clauses in the contracts of some of these organizations.

Marketing and Public Relations

Relations with Law Firms:



SCCA has active and solid relationships with more than 100 of the leading local international and law firms in the Kingdom and abroad, and has met 700 more than partners, consultants and lawyers. These relationships included various visits and introductory meetings, along with extensive panel discussions and workshops.

Relations with Universities and other **Academic Organizations:**

SCCA conducted a number of visits, lectures, forums, and workshops in partnership with universities, colleges and academic organizations. SCCA also worked with young people to raise awareness of alternative dispute resolution and the importance of institutional management for ADR cases. SCCA met with more than 1,000 students in the Kingdom and abroad, at various stages and using various types of active and direct communication.

In 2019, SCCA also aims to expand its partnerships with universities in the Kingdom to provide expert advice on developing ADR-related curricula and to introduce the international fellowship program in arbitration as well as the international youth arbitration competitions SCCA has recently launched.



King Abdulaziz University, Jeddah







Prince Sultan University, Riyadh

جامعة الامير سلطان

PRINCE SULTAN





Princess Nourah Bint Abdulrahman University Riyadh



Arab East Colleges. Rivadh



Dar Al Uloom University. Riyadh



Dar Al-Hekma University,

Effective Partnerships:

The Saudi Center for Commercial Arbitration developed partnerships and fosters fruitful cooperations with various government agencies, as well as specialized and influential local and international organizations. SCCA held frequent meetings and extensive workshops and signed several memoranda of understanding, embodying genuine partnerships that directly benefit the development and awareness of the institutional arbitration industry in the Kingdom and raise awareness of that industry. These partnerships also facilitate the provision of ADR services to beneficiaries and enhance outreach to most of the target groups. These partnerships include:

Objectives:



Supporting the ADR industry in the Kingdom of Saudi Arabia
Participating in raising the judiciary's status and visibility locally and internationally

and visibility locally and internationally
Strengthening confidence in contract
enforcement

Mitigating courts' case flows Enhancing justice services and institutional excellence

Making use of the SCCA's expertise and contribution to promoting ADR



Current results:



Pilot project for referring cases from the commercial courts to SCCA where conciliation and mediation is possible (under implementation)



Objectives:



Participating in supporting institutional arbitration in the Kingdom Supporting an attractive environment for local

and foreign investment Raising awareness of ADR

Enabling effective access to groups benefiting from SCCA services

Contributing to raising the Kingdom's standing in international reports

Supporting SCCA as an official representative for the Kingdom in arbitration locally and internationally





Current results:



Inclusion of SCCA's Model Arbitration Clause in a number of the Ministry's contract templates

Objectives:



Supporting the creation of a positive environment for local and foreign investors Introducing SCCA to various segments of the domestic and foreign business sector Raising the Kingdom's standing in investment international reports Cooperating with SCCA as one of the streams of investment reform in the Kingdom

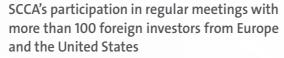
Report on the work and activities of SCCA

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Current results:

SCCA's membership on the Investment Policy **Development Committee**



GIA support for SCCA and its services through local and international communications and marketing campaigns

Coordination of television interviews to promote arbitration

Marketing and Public Relations

Other Active Partnerships:



Ministry of Labor and Social Development Kingdom of Saudi Arabia

Coordination regarding the amicable and independent settlement of labor disputes and resolution through mediation



Cooperation to provide ADR in the economic cities linked to the Authority's work and to create operational representative offices for the Center in those cities



An understanding related to the resolution of real estate disputes in general, and SCCA's participation in the advisory group for establishing the Real Estate Dispute Resolution Center



Addressing difficulties in and solutions for enhancing awareness and knowledge of the Association's and SCCA's programs, and analysis of the problems that members of the two organizations might encounter in accessing their services and programs



Enabling effective access for segments of the Saudi-British business sector and related associations and organizations, and strengthening outreach to target groups through holding meetings, workshops and panel discussions



Strengthening a culture of publicizing institutional arbitration businessmen and consumers through relevant workshops and panel discussions with stakeholders in the field





International Communications and Representation:

In fulfilment of the Council of Ministers' decision establishing the Saudi Center for Commercial Arbitration as the official representative of the arbitration industry in the Kingdom of Saudi Arabia on the local and international levels, SCCA represented the Kingdomin several international and local meetings, conferences, and forums, most importantly representing the Kingdom at meetings of the United Nations Commission on International Trade Law (UNCITRAL) for the last four years. SCCA also made several international working trips to various continents, including Europe, North America and East Asia, through which it established and strengthened relationships and frameworks for active cooperation with various globally influential entities. SCCA also provided local representation by fostering contacts with commercial attachés in foreign diplomatic missions in the Kingdom.

Active communication and cooperation with relevant international entities:

Arbitration centers attain success and distinction by maintaining good, operational relationships with other notable international arbitration centers and relevant entities, organizations, associations, commissions, and programs. They develop these relationships to benefit the alternative dispute resolution industry, and they apply the ADR industry's international standards with the utmost professionalism. The Saudi Center for Commercial Arbitration has endeavored since its establishment to follow this course. SCCA has met with more than 50 international centers, organizations, associations, commissions, and programs to study and set up means of active cooperation. SCCA also established active relationships with several commercial attachés in foreign diplomatic missions in the Kingdom, with an impact on building bridges and strengthening channels of communication between the Kingdom and foreign investors. Below is a partial list:





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International Centre for Dispute Resolution of the American Arbitration Association (ICDR-AAA — strategic partner)



Dubai International Arbitration Centre



Queen Mary University of



Financial Industry Regulatory Authority (FINRA)



British Embassy in Riyadh



United Nations Commission on International Trade Law (UNCITRAL)



Asian International Arbitration Centre (AIAC)



Bahrain Chamber for Dispute Resolution (BCDR-AAA)



Commercial Law Development Program (CLDP) at the U.S. Department of Commerce



Italian Consulate in Riyadh



International Centre for the







U.S. Department of Commerce





Settlement of Investment Disputes (ICSID), World Bank



Chartered Institute of Arbitrators (CIArb)



International Chamber of Commerce (ICC)

(F



U.S. Department of State



Australian Embassy in Riyadh Peruvian Embassy in Riyadh



ondon Court of International Arbitration at the Dubai International Financial Centre (LCIA DIFC)



International Institute for Conflict Prevention and Resolution (CPR)



London Court of International Association of International Petroleum Negotiators (AIPN) Arbitration (LCIA)



American Embassy in Riyadh





The World Bank





Roadshows:

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The Saudi Center for Commercial Arbitration visited several countries involved in the alternative dispute resolution industry, such as the United States of America, the United Kingdom, Austria, the United Arab Emirates, the Kingdom of Bahrain, and others. SCCA met with more than 30 ADR-related centers, organizations and programs by holding introductory meetings, workshops and panel discussions. In these activities, SCCA represented the Kingdom and sought to highlight the major qualitative leap the Kingdom is experiencing in the evolution of ADR generally and institutional arbitration in particular. SCCA undertook its basic role as one of the elements supporting foreign investment in the Kingdom, in addition to building relationships and holding discussions to explore the prospects for cooperation in developing procedures, strengthening advanced professional programs and signing memoranda of understanding to enable the accomplishment of initiatives that were discussed. The entities that SCCA visited include:



Roadshows:

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- United Nations Commission on International Trade Law (UNCITRAL)
- International Centre for the Settlement of Investment Disputes (ICSID) at the World Bank
- International Centre for Dispute Resolution of the American Arbitration Association (ICDR-AAA SCCA's strategic partner)
- JAMS
- International Institute for Conflict Prevention

- and Resolution (CPR)
- Commercial Law Development Program (CLDP) at the U.S. Department of Commerce
- American Bar Association (ABA)
- Financial Industry Regulatory Authority (FINRA)
- National U.S.-Arab Chamber of Commerce (NUSACC)
- Several international law firms in Washington, D.C. and New York



- International Dispute Resolution Centre (IDRC)
- Centre for Effective Dispute Resolution (CEDR)
- JAMS International
- Chartered Institute of Arbitrators (CIArb)
- Queen Mary University of London
- Arab-British Chamber of Commerce (A-BCC)
- Several international law firms in London



- Dubai International Financial Centre Courts
- London Court of International Arbitration at Dubai International Financial Centre (LCIA-DIFC)
- Dubai International Arbitration Centre
- International Chamber of Commerce branch in the United Arab Emirates (ICC-UAE)
- Association of International Petroleum Negotiators (AIPN)
- Several international law firms in Dubai



Participation in International Conferences and Events

The Saudi Center for Commercial Arbitration works continuously to be the Kingdom's international representative in the field of arbitration, highlighting developments and achievements in the alternative dispute resolution industry in the Kingdom. SCCA also works to create and deepen active international relationships and ties with influential entities and figures in the international arbitration and mediation industry. SCCA was an active participant as a speaker and attendee at more than 35 diverse events, workshops, forums, symposia, and panel discussions, such as:



Conferences and Events

Report on the work and activities of SCCA From founding until December 2018

As part of SCCA's efforts to raise awareness of ADR and promote the culture of institutional arbitration and international best practices in that regard, SCCA has, in the short period since its launch, held more than 20 different events benefiting more than 2500 specialists and stakeholders. These events included general forums, intensive workshops and specialized training programs. SCCA also organized an international conference, the first of its kind in the Kingdom, in which a pioneering international partnership was launched to offer an international fellowship program in arbitration for the first time in the Kingdom of Saudi Arabia, in cooperation with the Chartered Institute of Arbitrators from the United Kingdom.





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SCCA18: The Saudi Center for Commercial Arbitration's International Conference

Sponsored by the Ministry of Justice and the Ministry of Commerce and Investment, in partnership with the International Centre for Dispute Resolution of the American Arbitration Association (ICDR-AAA), and supported by the Council of Saudi Chambers and the private sector, the Saudi Center for Commercial Arbitration organized its first international conference with the tagline "Institutional Arbitration: Its Importance and Impact for Economic Transformation and Investment." SCCA hosted more than 52 local and international speakers from more than 15 countries, including six ministers and several top officials and decision makers from Saudi Arabia and around the world, including the Gulf Cooperation Council states, other Arab countries, the United States of America, Australia, Italy, France, Germany, the United Kingdom, Brazil, Singapore, South Korea, and more. The conference addressed seven major themes at the heart of investment and encouraging capital flows: the role of institutional arbitration in the Kingdom's Vision 2030, new trends in the practices of ADR institutions, the role and impact of the judiciary in supporting arbitration, institutional arbitration in dispute resolution between investors and a country, resolving disputes in the international oil and gas sector, dispute resolution in family-owned businesses, and arbitration in construction and contracting disputes.

The international conference also included several parallel programs, such as closed workshops for appeals and enforcement judges to discuss application and enforcement procedures for local and foreign arbitral awards, as well as an intensive training program for female attorneys on negotiation and mediation skills. SCCA also organized an open seminar entitled "The Cutting Edge of International Arbitration," in partnership with the Chartered Institute of Arbitrators. An esteemed group of international experts participated in these activities, which were held in partnership with specialized international organizations. The conference unfolded with careful attention to covering all the desired objectives of its diverse constituent groups, as well as benefiting from the available expertise and local and international communication and cooperation via the conference.



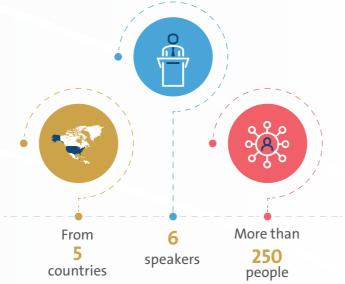


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SCCA held its first event on the sidelines of its inauguration celebration, presenting the reality of institutional arbitration in the Kingdom of Saudi Arabia and the aspirations linked to the arbitration industry. The forum presented regional and international examples and a study of the opportunities and challenges in the Saudi market. Six speakers from various entities and countries, and more than 2,500 people attended. The forum's objective was to present the experiences of international and domestic arbitration institutions related to case management procedures for arbitration, and to discuss best practices and the mechanisms adopted by institutional arbitration in response to evolving needs in order to manage cases effectively and limit the time and cost required.

There was also discussion of ways to develop the ADR services offered to the business sector and how to draft ADR clauses. The forum further addressed experiences in enforcing arbitral awards and the role that institutional arbitration can play in improving the quality and enforceability of awards. Finally, it addressed experiences in legal training and education in order to learn from those experiences in capacity-building for all stakeholders in the field of arbitration.



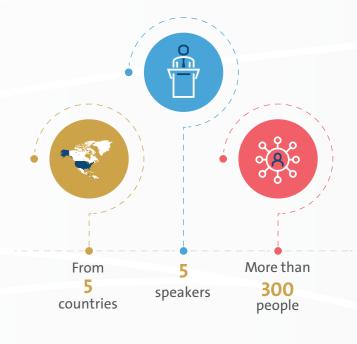


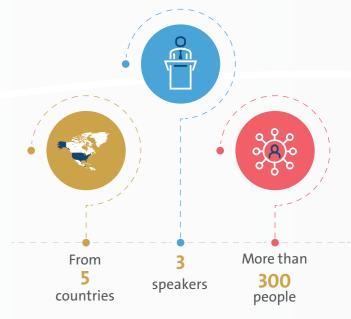
Institutional Arbitration Forum (2017)

The Saudi Center for Commercial Arbitration held the forum "Institutional Arbitration: Features, Practice, and Opportunities," with an esteemed group of speakers including the attorney Yaseen Khayyat, chairman of the SCCA Board of Directors; Majed Al-Rasheed, the then-CEO; Dr. Georges Affaki, professor of international law and dispute resolution and an attorney at the Court of Appeal in Paris; Richard Naimark, former senior vice president of the International Centre for Dispute Resolution of the American Arbitration Association; and Dr. Mostafa Abdel Ghaffar, a judge and then head of alternative dispute resolution at SCCA. More than 300 lawyers, jurists, experts, and university personnel attended the forum, which addressed international practices in institutional arbitration and their adoption by SCCA, and allowed for discussion and an open session for attendees to ask questions.

Capital Markets Disputes Resolution Forum

In December 2017, SCCA organized the program "Capital Markets Dispute Resolution," generously sponsored by the Council of Saudi Chambers and featuring Kenneth Andrichik, senior vice president of the Financial Industry Regulatory Authority (FINRA), and James MacPherson, an international ADR expert and SCCA Special Counsel & Project Leader, as well as Dr. Mostafa Abdel Ghaffar, then SCCA's Head of ADR. More than 300 investors, jurists and researchers interested in ADR and the capital markets attended the event. During the program, there was a presentation on the role of ADR (arbitration and mediation) in developing regulatory frameworks for issues related to capital markets. The program also reviewed the role of ADR in promoting and securing greater credibility for contracts and the obligation to enforce them, while highlighting the experience of the American regulatory body FINRA.





SCCA-CIArb Fellowship

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Center for Commercial Arbitration to build capacities among neutral parties, SCCA concluded a strategic agreement with the Chartered Institute of Arbitrators (CIArb) in London, which has built an international reputation over the course of more than 100 years through its long-standing and sound programs for training arbitrators in more than 37 countries around the world. CIArb's worldwide membership of more than 16,000 members represents progressive stages of programs that include a mix of selfa broad cross-section of jurists, professionals and academics. study and in-person instruction. Through this agreement, fellowship-track programs with CIArb will be available locally in the Kingdom for the first time in CIArb's In addition to the advanced academic level of these programs, history, and in Arabic, also a first for CIArb. The programs will be implemented by trainers accredited by CIArb in accordance with the standards relevant to the program's implementation method arbitration institutions around the world. and model.

Within the framework of the continuous efforts by the Saudi The fellowship track will be available in Arabic and English with regard to both content and testing. The program will address various legal cultures and systems, and SCCA, together with CIArb, will work to adapt the program to reflect the legal culture in the Kingdom and the region, while maintaining the core elements and structure of the original program. The fellowship-track program consists of

> those who complete them will be able to obtain some level of membership in CIArb, which is widely accepted in leading





Introductory Meetings

From founding until December 2018

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As part of the continuous effort to strengthen communications for the sake of deeper and more comprehensive access to segments of the commercial and legal sectors, and to introduce them to its own objectives and institutional services, the Saudi Center for Commercial Arbitration held several meetings with more than 500 local and international entities and institutions, including major multinational corporations and institutions, as well as smalland mid-sized organizations. They included extensive bilateral meetings and meetings organized by supporting Saudi entities, such as the General Investment Authority and the Council of Saudi Chambers, as well as notable international entities such as the National U.S.-Arab Chamber of Commerce and ISFIN. In addition. other meetings with the legal departments of influential law firms, relevant commissions and other organizations were held.

Workshops and Panel Discussions

The Saudi Center for Commercial Arbitration held several workshops and diverse panel discussions within its competencies, seeking to provide information on most of the topics important to the business and legal sectors. These included:

- 1. A workshop to discuss SCCA's procedural documents
- 2. A panel discussion titled "Arbitration Cases: Case Studies"
- 3. A closed workshop with enforcement judges and the Board of Grievances on enforcing foreign awards
- 4. A workshop with mediators on SCCA's roster about a future mediation project
- 5. A panel discussion with the Islamic Banking Commission at the Saudi Arabian Monetary Authority
- 6. An advanced workshop on drafting contracts in Arabic and English
- 7. A closed workshop in partnership with the Ministry of Justice for enforcement and appeals judges
- 8. A workshop related to SCCA's new products for members of the SCCA roster





Report on the work and activities of SCCA

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Specialized Programs

A. Symposium on Advanced Case Management (Riyadh — Jeddah — Dammam)

This program is organized through a collaboration between the Saudi Center for Commercial Arbitration and the International Centre for Dispute Resolution of the American Arbitration Association (ICDR-AAA). The symposium was developed to provide experienced arbitrators with a comprehensive guide based on best practices for managing arbitration proceedings, including the main aspects of arbitration case management. During six interactive sessions over two days, the program covers steps starting with preparations for the preliminary hearing and moving through evidentiary hearings, rendering awards, and how to handle any obstacles that may hinder arbitration proceedings.



B. Mediation in Commercial Disputes (Riyadh)

An intensive three-day program for mediators, lawyers and other professionals interested in mediation was held to develop their skills in mediation as a means of alternative dispute resolution. The program aims to provide participants with basic knowledge related to mediation and fundamental skills needed. The training is conducted by a select group of experts in the field of dispute resolution, including trainers certified by SCCA and ICDR-AAA. Completing the program, therefore, gives participants the necessary training to work in mediation. The program includes dialogue, interactive training and mock mediation sessions, featuring evaluation and constructive guidance from a group of experienced mediators. Through such exercises, the participants not only gain vital knowledge about mediation from a theoretical standpoint but also learn the associated practices and techniques and how to develop skills that are indispensable for working as an active mediator.

The program was held four times at SCCA's headquarters in Riyadh by the end of 2018, with more than 98 participants, including lawyers, investors, arbitrators, legal advisers, academics, and others interested in becoming commercial mediation professionals. The participants came from several regions of the Kingdom and were affiliated with more than 70 entities in the government sector, companies, local and international law firms. The program contributed to introducing the culture of mediation and promoting international mediation practices through practitioners with more than 30 years of experience in the field.

Specialized Programs

C. Intensive programs for women

As part of its efforts to train a cadre of women specializing in alternative dispute resolution, SCCA held a number of workshops and intensive programs for women, addressing negotiation and mediation skills. The most recent dealt with arbitration and mediation skills and was presented by a select group of international female trainers from the United States, Germany, Bahrain, and Egypt, in partnership with the Commercial Law Development Program (CLDP) at the U.S. Department of Commerce and the United Nations Commission on International Trade Law (UNCITRAL). More than 887 women attended, including jurists, lawyers, academics, and legal advisers, coming from the government sector, companies, local and international law firms.



D. Contract drafting skills program

In partnership with CLDP, SCCA hosted Mr. Kenneth Adams, a leading international expert in legal contract drafting and its technical aspects. SCCA held two specialized programs on drafting skills for commercial contracts, which were attended by more than 630 legal professionals and academics. The participants discussed the drafting of various commercial and service contracts, written in various languages and crossing cultural boundaries, with a view to promote and develope quality contract drafting, leading to proper implementation of those contracts.



Seeking to create opportunities for students and furnish them with practical knowledge and skills for the labor market, SCCA organized an internship program in conjunction with SCCA's first international conference. The program targeted a group of university students and recent graduates and lasted four months, during which they were able to immerse themselves into a unique experience in media, digital media, public relations, event management, training, and other fields.







SCCA Arabic Moot



In light of SCCA's role representing the Kingdom locally and internationally in the field of arbitration, and out of a desire to represent the Kingdom in the Willem C. Vis International Commercial Arbitration Moot competition, attended annually by more than 300 teams of university students from more than 80 countries, including teams from Harvard, Oxford and Sorbonne, and sponsored by the American Arbitration Association (AAA) and the United Nations Commission on International Trade Law (UNCITRAL), SCCA launched several youth initiatives in arbitration out of its belief in its role of training young people on best practices and skills in alternative dispute resolution. These initiatives include:

A. International Youth Arbitration competion "SCCA Arabic Moot"

SCCA Arabic Moot is an annual arbitration moot in Arabic aimed at developing the capacities of law students at all stages to understand modern developments in the field of international commercial law and train them to work with arbitration, one of the most well-known means of resolving commercial disputes worldwide. The competition is divided into two basic phases. The first stage is in writing and includes the submission of legal briefs in Arabic or English for the claimant and the respondent based on a problem the organizing committee sends to each team. The teams then compete in a second stage, which includes oral arguments, thereby promoting the competition's importance in making practical contributions by enhancing the legal skills that law students need to argue before international arbitral tribunals, giving them a full picture of the nature of arbitration and its proceedings, and encouraging them to study international trade law and commercial arbitration and arbitration law due to its international significance as a means of ADR. This program, developed in partnership with the Commercial Law Development Program (CLDP) at the U.S. Department of Commerce, will be the first ever in Arabic.



International Youth Arbitration Competition



SCCA is beginning to train Saudi teams in English to represent the Kingdom in the next iteration of the Vis Moot, which will constitute a qualitative shift in the Arab and Saudi presence at this competition.



From founding until December 2018

C. Efforts to establish a competition based on SCCA Rules

Supporting the adoption of SCCA's Arbitration and Mediation Rules as the official arbitration rules of the Vis Moot. This would contribute to fostering awareness of the arbitration environment in the Kingdom, its readiness and its integration with the justice environment in accordance with international best practices.











