



المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



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The Global Arbitration Center... in Saudi Arabia

1

Background and Founding



The first Saudi arbitration clause

In 1923, Saudi Arabia's founder, King Abdulaziz signed a concession agreement with Maj. Frank Holmes, an agent of Eastern and General Syndicate Ltd., to drill for oil in Al-Ahsa. Paragraph 23 of the agreement provided for disputes to be referred

to arbitration in the event of a dispute. It also defined the scope and procedures for the arbitration and the finality of any arbitration awards rendered.



90 years between...



First Saudi arbitration clause



Establishment of Saudi Arabia's first arbitral institution

1931

**Enactment of
Commercial Courts
Law**

Containing the first
legislative provision on
commercial arbitration in
Saudi Arabia

1946

**Enactment of
Chambers of
Commerce and Industry
Law**

Containing more legislative empowerment of the commercial
arbitration industry and practices in the business sector

1947

**Enactment
of Labor and
Workmen Law**

1965

**Enactment of
Companies Law**

1980

**Saudi Arabia's
accession to the
Convention on the
Settlement of Investment
Disputes between States and
Nationals of Other States
(the Washington
Convention)**

2019

**Saudi Arabia accession
to the Singapore
Convention on Mediation
to be one of the first
countries to sign the
Convention and the
fourth country to ratify it
worldwide**

2019

**Enactment
of Franchise Law**

"It may be agreed that disputes arising
from a franchise agreement or this Law's
application may be resolved through
alternative means such as arbitration,
mediation, and conciliation." (Article 25)

2019

**Enactment of
Government Tenders and
Procurement
Law**

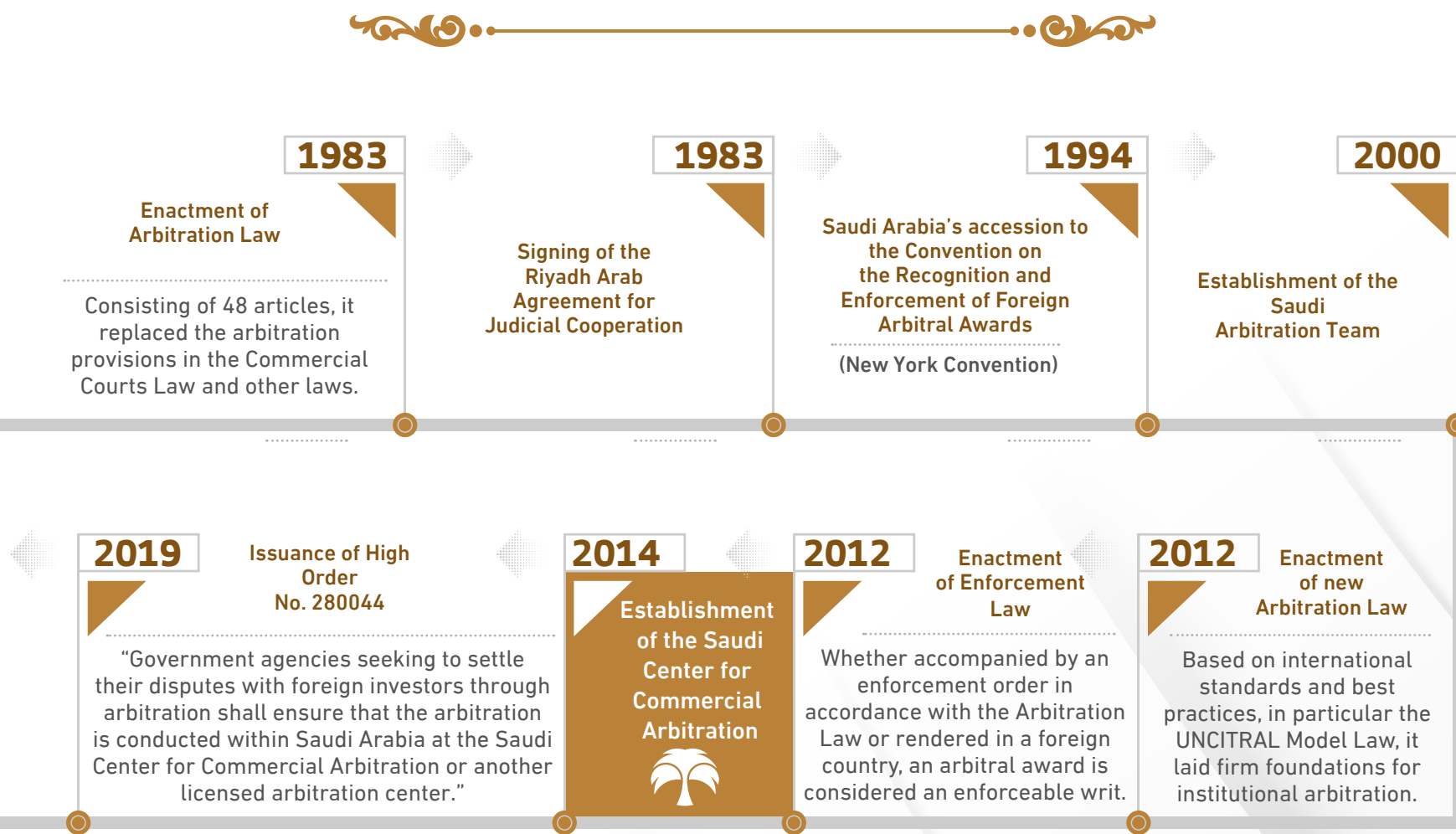
"A government agency may, following
the Minister's approval, agree to
resort to arbitration"
(Article 92)

2019

**Enactment of
the Saudi Center for
Commercial Arbitration
Statute**

Enhanced SCCA's administrative
and financial independence and
assigned the Prime Minister the
power to appoint the SCCA
Board of Directors

A transformative journey of legislative, executive, and judicial support for the development of a national alternative dispute resolution industry



The Cornerstone



"... II. To establish a center named the **Saudi Center for Commercial Arbitration...** with its headquarters in Riyadh, to supervise arbitration procedures in commercial and civil disputes which the parties agree to settle through arbitration within the framework of this center. ..."

Saudi Cabinet Decree No. 257 of 14 April 2014

The Saudi Center for Commercial Arbitration Statute*

- | | | | | | |
|----------|--|----------|--|----------|---|
| 1 | "The Center shall be a juridical person that is financially and administratively independent and not-for-profit." | 3 | "The Center's Board of Directors shall be constituted by an order from the Prime Minister. ... No board member may hold government office or employment." | 5 | "The Board is the ultimate authority controlling Center affairs and conducting its business." |
| 2 | "Arbitral tribunals shall work independently of the Board ... [and] shall take no instructions relating to the performance of their work." | 4 | "Board members and Center employees shall work independently of the Council of Chambers and individual chambers, and they shall take no instructions from those bodies relating to the performance of their work." | 6 | "The Center shall ... participate in representing the Kingdom in the field of commercial arbitration on the local and international level." |

* Enacted by Cabinet Decree No. 448 of 30 April 2019

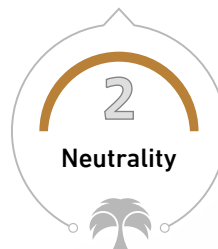
Vision

To be the preferred ADR choice in the region by 2030

Mission

SCCA is dedicated to providing professional, transparent, and efficient ADR services. SCCA services are inspired by Shariah principles and meet international standards. SCCA shall contribute to enhancing ADR awareness in order to create a safe investment environment that attracts both domestic and foreign investments.

Values



2

Saudi Center... Global Outlook



A select group of local and international arbitration experts, Shariah and law specialists, and business leaders, all on one Board

* By High Order No. 45319 of 23 March 2021

SCCA Board of Directors



Dr. Walid Abanumay

Chairman

Chairman and board member of various national & international companies



Mr. Toby Landau QC

Vice Chairman

Member of Duxton Hill Chambers



Dr. Mohamed Abdel Raouf

Head of the international Arbitration Group
Abdel Raouf Law Firm



Prof. Georges Affaki

Lawyer, Independent Arbitrator and Professor of Law
University of Paris



Dr. Abdullah Al-Ajlan

Partner, Head of Litigation & Dispute Resolution
AS&H Law Firm



Dr. Saud Al-Ammari

Lawyer and Independent Arbitrator
Saud Al-Ammari Law Firm



Ms. Abby Cohen Smutny

Global Head of International Arbitration Practice
White & Case



Mr. Abdullah Al-Hashim

Managing Partner
Al-Jadaan & Partner Law Firm



Mr. Sulyman Al-Majed

Chairman and board member of various of national and foreign companies



Dr. Ali Al-Sowailam

Founder and Managing Partner
The Saudi Office, Lawyers & Consultants



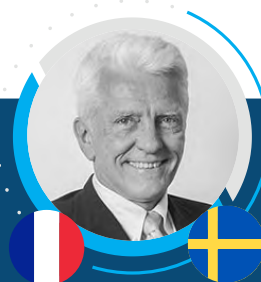
SCCA Court

An independent body within SCCA, composed of highly qualified and accomplished arbitration experts with international reputations in the ADR industry from all over the world.

▶ **Determining technical aspects related to the administration of arbitration and mediation cases under the auspice of SCCA and based on its rules and in accordance with international best practices.**



Vice President
Dr. Ziad Al-Sudairy
International Arbitrator; Principal
Ziad Al-Sudairy Law Firm



President
Mr. Jan Paulsson
Consultant
and Independent Arbitrator



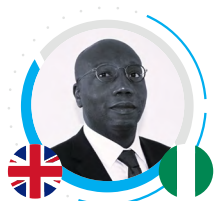
Vice President
Mr. James Hosking
Founding Partner
Chaffetz Lindsey LLP



Mr. Alec Emmerson
Independent Arbitrator and
Mediator
ADR Management Consultancies



Dr. Tai-Heng Cheng
Global Co-Head of International
Arbitration and Trade Practice
and Co-Managing Partner
Sidley Austin LLP



Mr. Tunde Ogunseitan
Arbitrator, Mediator and Counsel



Ms. Jennifer Kirby
Principal
Kirby international
arbitration practice



Dr. Habib Al Mulla
Founder
Habib Al Mulla & Partners



Dr. Hamad Al-Kudiry
Former Acting Deputy
Minister, MoJ; former
President, Riyadh
Commercial Court



Ms. Sara Koleilat-Aranjo
Partner
Morgan, Lewis & Bockius



Ms. Sarah Lancaster
Chambers Director
Arbitration Chambers
(London, Hong Kong, New
York)



Dr. Laurence Shore
Partner
Seladore Legal



Prof. Loukas Mistelis
Partner, Clyde & Co; Profes-
sor of Int. Arbitration, Queen
Mary University of London



Dr. Majed Al-Rashed
Managing Partner
Al-Rasheed Law Firm



Dr. Mostafa Abdel Ghaffar
Judge
Cairo Court of Appeal

Global Advisory Committee

If you want to come in first ... You must be the best

A group of international arbitration experts from Saudi Arabia and around the world, the committee provides advisory support to SCCA to maintain its domestic and international standing in the arbitration industry.

The committee provides guidance and direction for the continuous improvement of SCCA's working rules, procedures, and services. It monitors international trends in the arbitration industry and advises SCCA on introducing new services or reviewing existing services.



Committee Chair



Mr. Richard Naimark
Principal
Naimark Dispute Resolution



Sheikh Dr. Abdulaziz Al-Nasser
Judge
Riyadh Court of Appeal



Mr. Alec Emmerson
Independent Arbitrator and Mediator
ADR Management



Mr. Ben Cowling
Partner
Clyde & Co



Mr. Bernardo Cremades Sanz-Pastor
Founding Partner
Cremades y Asociados



Mr. Timothy Martin
Managing Director
Northumberland Chambers



Ms. Erin Rankin
Partner
Freshfields Bruckhaus Deringer LLP



Dr. Fahad Abuhimed
Managing Partner
AS&H Law Firm



Prof. Franco Ferrari
Professor of Law
New York University School of Law



Mr. James Hosking
Founding Partner
Chaffetz Lindsey LLP



Mr. Jingzhou Tao
Independent Arbitrator



Dr. Matthew Secomb
Partner
White & Case



Mr. Michael Patchett-Joyce
Counsel and Independent Arbitrator
Ely Place Chambers



Prof. Dr. Mohamed Abdel Wahab
Founding Partner
Zulficar & Partners



Dr. Mostafa Abdel Ghaffar
Judge
Cairo Court of Appeal



Mr. Salman Al-Sudairi
Partner
Latham & Watkins

3

SCCA Services



**Accessible
anywhere,
anytime,
for all business
sectors**



SCCA provides
a wide range
of ADR services



in various forms to
meet the needs
of business sectors



aligned with
best standards and practices
at the global level



Arbitration Services

1

Standard arbitration

Institutional arbitration in accordance with time-tested procedural rules. An independent, expert arbitrator decides the dispute and issues a final award that is enforceable locally and internationally.



2

Expedited arbitration

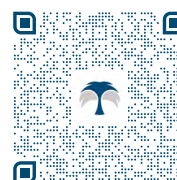
Meets the need for timely arbitration, particularly in small and midsize claims. It costs 30% less than standard arbitration and generally takes less than six months.



3

Emergency arbitrator

For issuance of a temporary measure that cannot await the formation of an arbitral tribunal. SCCA appoints the emergency arbitrator within 24 hours of submission of the application.



4

Online arbitration

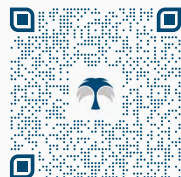
For the resolution of disputes that do not exceed SAR 200,000 through fully virtual proceedings, resulting in an arbitration award within 30 days of the appointment of the arbitrator.



Mediation Services



Standard mediation



※ 1 ※

Institutional mediation by SCCA in accordance with its rules. A formal alternative that facilitates an amicable resolution agreed to by the parties to the case.

※ 2 ※

Emergency mediation



For small-claim disputes that need an amicable resolution resolved typically under 60 days and after only one remote mediation conference. Proceedings make use of existing technology from the online filing until the settlement and issuance of an executive bond.

Mediation facilitation



※ 3 ※

Facilitating party agreement to mediate disputes under SCCA Mediation Rules where no prior agreement to mediate existed.

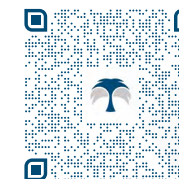
À La Carte Services

Arbitrator selection and appointment

1



A transparent process that assists parties in non-SCCA-administered arbitrations to overcome the challenges associated with the selection of impartial and independent arbitrators that have subject-matter expertise and understand the importance of resolving disputes swiftly and efficiently.



A

List-only

SCCA provides a list of 5, 10, or 15 candidates based on the applicant's needs

B

Appointment authority

SCCA appoints a tribunal of one or three arbitrators, or the tribunal chair, based on the applicant's needs

C

List and appointment

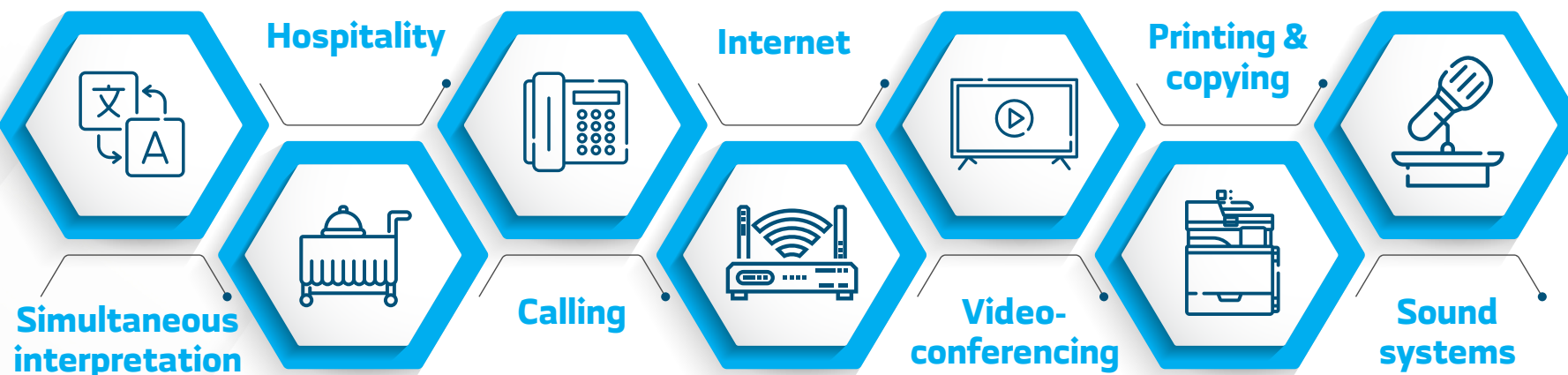
A combination of list-only and appointment authority

2



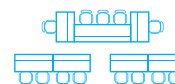
Facilities

A suite of logistical support services for SCCA-administered and non-SCCA-administered arbitrations and mediations that enables all stakeholders to focus on the resolution of the dispute.

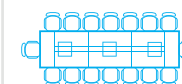


SCCA facilities in Riyadh and Jeddah
Equipped with various forms of technical support for arbitration and mediation proceedings

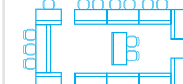
Mas'oliya Hall (Riyadh)



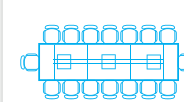
Nazah Hall (Riyadh)



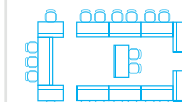
Hiyad Hall (Riyadh)



Nazah Hall (Jeddah)



Hiyad Hall (Jeddah)



100 Seats



5 Conference rooms





Mas'oliya Hall (Riyadh)



Hiyad Hall (Riyadh)



Nazah Hall (Jeddah)



Hiyad Hall (Jeddah)



Nazah Hall (Riyadh)

Arbitrator and Mediator Roster

355 +

**Arbitrators
and Mediators**



SCCA Arbitrator and Mediator Roster is composed of highly qualified and accomplished professionals from the legal and business communities that have subject-matter expertise in a particular field to cover the needs of local and international business sectors.

19

Nationalities



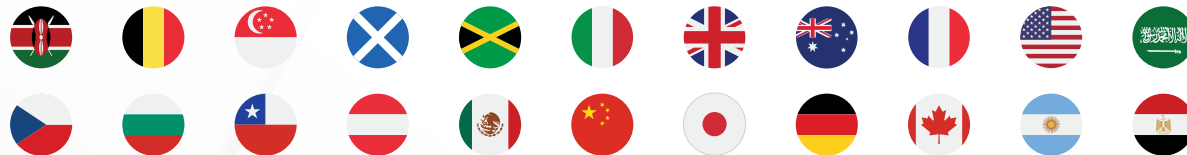
24

Languages



20+

Specialties

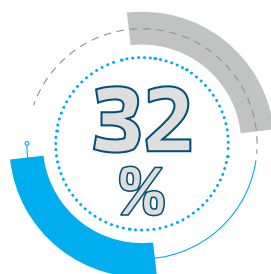


• The above figures are subject to change.



A passionate and experienced team with multifaceted skills and attention to detail that does not stand in the way of responsive, swift, and effective case management.

**Staff
Depth, Diversity & specialization**

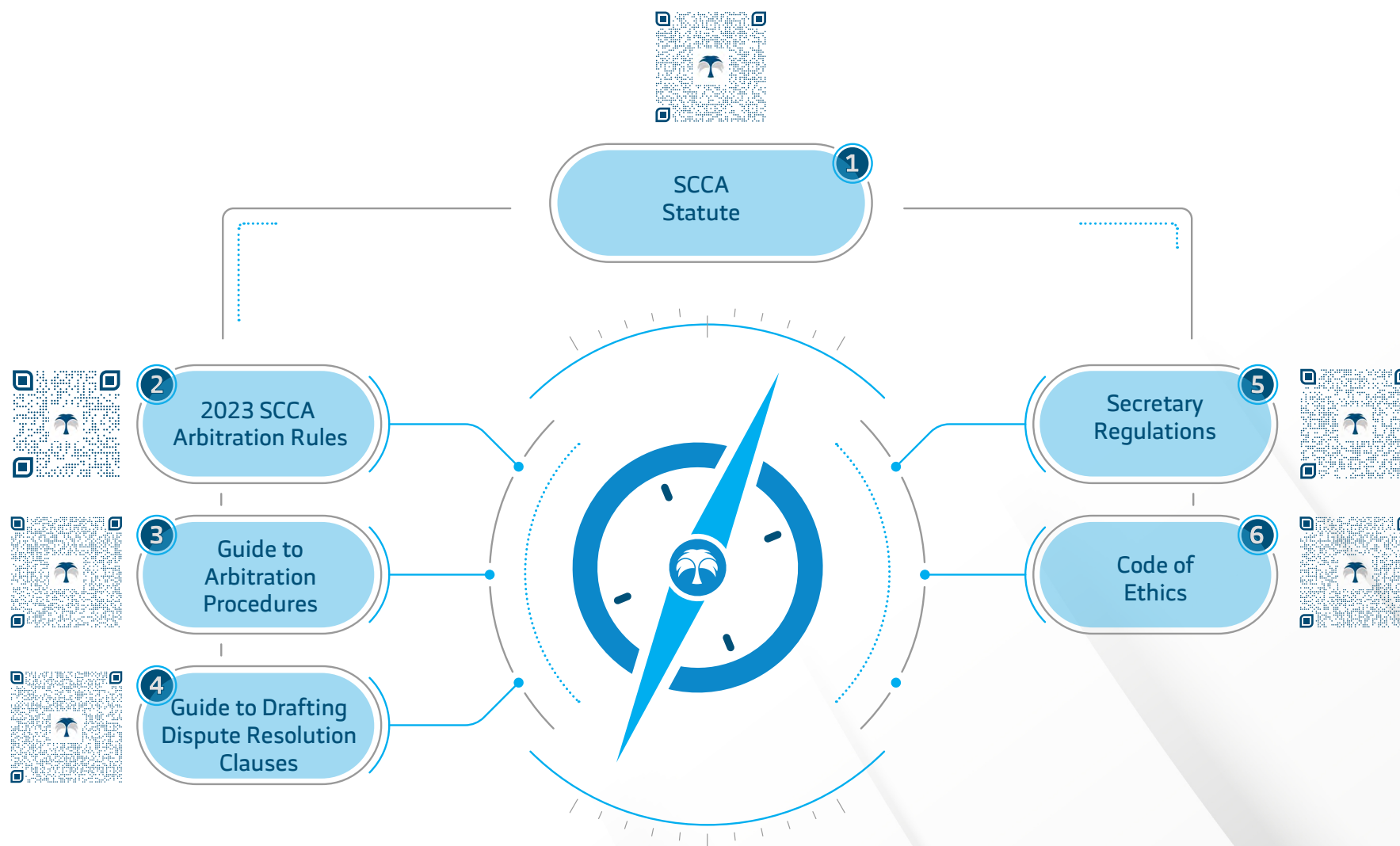


* The above figures are subject to change.

A steady compass for institutional action



SCCA rests on an integrated organizational structure of rules, standards, codes, and guides that ensure that ADR services are provided with an institutional approach consistent with international best practices and professional standards. This structure is accessible through the following links:





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Saudi Center for Commercial Arbitration



A dispute resolution clause in your contracts is comprehensive insurance for your business

“Any dispute, controversy, or claim arising out of or relating to this contract, or the breach, termination, or invalidity thereof, shall be settled by arbitration administered by the Saudi Center for Commercial Arbitration (the “SCCA”) in accordance with the SCCA Arbitration Rules.”



The above is a model clause that can be used to draft an optimal dispute resolution clause for a commercial contract. SCCA recommends consulting a legal advisor before incorporating it into a contract.



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• — Contact Us — •

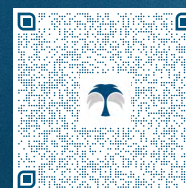
+966 920003625

• — Connect with us — •



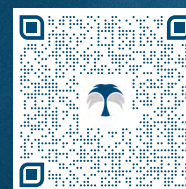
/sadrorg

Visit us



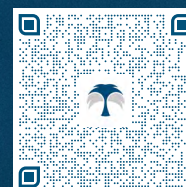
Riyadh – Headquarters

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