



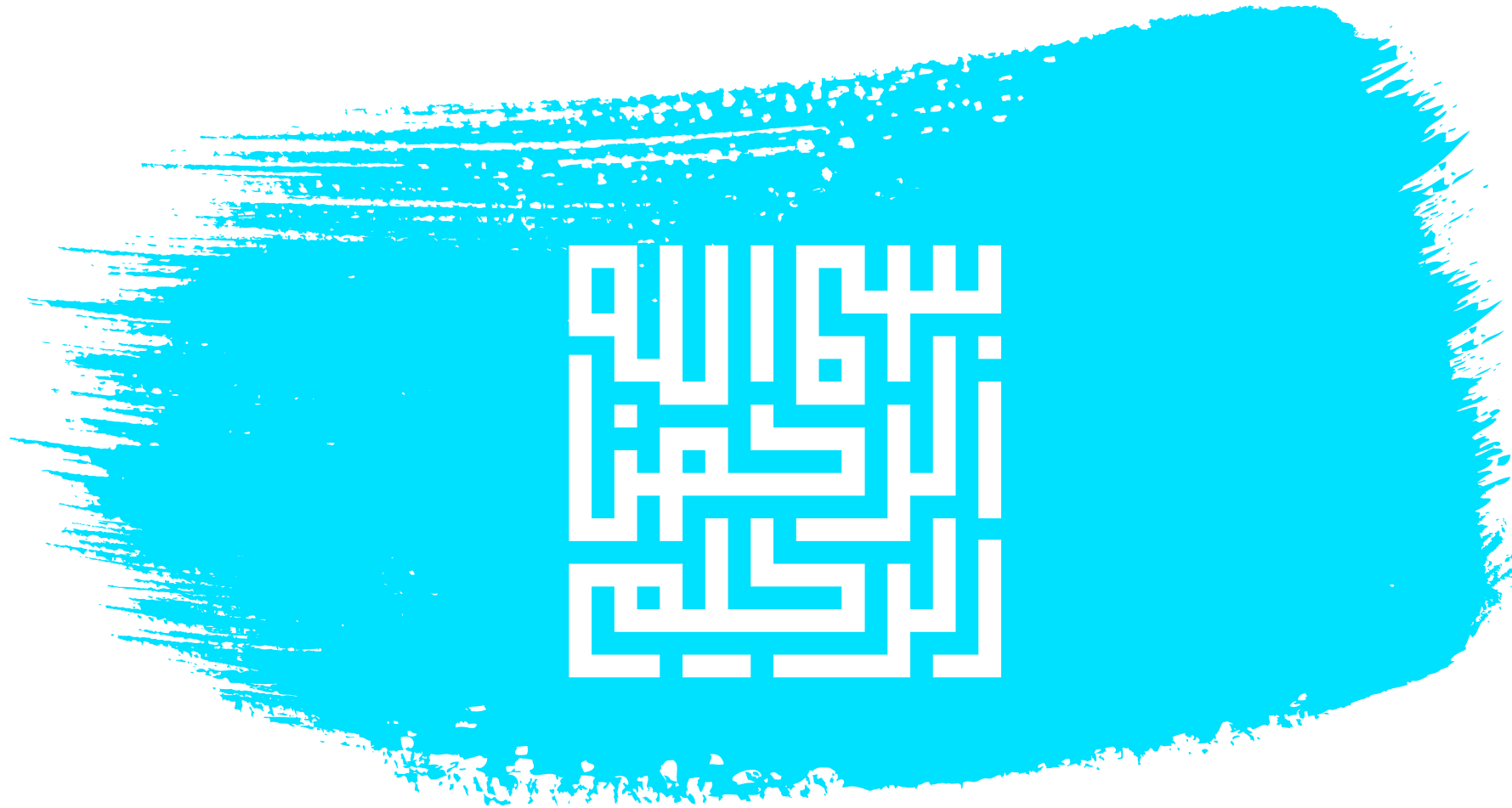
المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration

Annual Report

ADR and Activities
Saudi Center for Commercial Arbitration
2020

رؤية
VISION
2030
المملكة العربية السعودية
KINGDOM OF SAUDI ARABIA





المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration





Custodian of the Two Holy Mosques

KING SALMAN BIN ABDULAZIZ AL SAUD

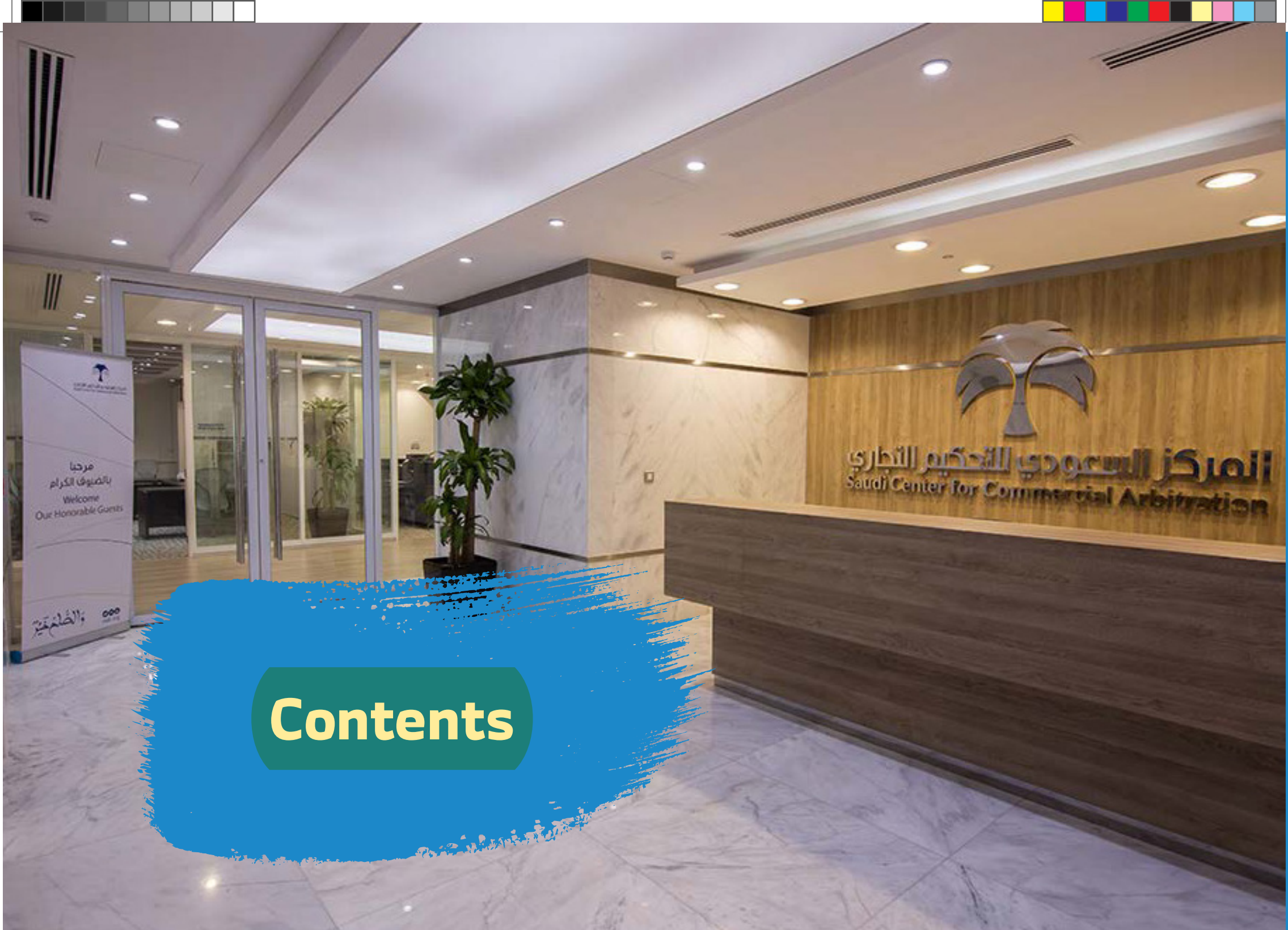
المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration





HRH the Crown Prince

MOHAMMAD BIN SALMAN BIN ABDULAZIZ AL SAUD



Contents



10



Preface

12



Performance Overview

Report Sections





Preface



CEO

Dr. Hamed Bin Hassan Merah



Preface

2020 ... an extraordinary year by any standard. The entire world was beset by unprecedented challenges and consequential upheavals in almost every facet of life. The world after the COVID-19 pandemic is already dramatically different from the world that preceded it.

Despite the great difficulties that the Saudi Center for Commercial Arbitration, along with everyone else, experienced in 2020, the SCCA turned the year into a success story, with God's help. This report tells that story, in detailed facts and figures.

In 2020 ... the SCCA achieved 88% of the 16 performance indicators adopted for the year and completed approximately 97% of the 31 Board of Directors-approved initiatives and projects. Equally importantly, the staff developed and carried out 13 additional initiatives and projects. One of the most important was the development and launch of the Covid-19 Emergency Mediation Program, which earned local and international praise and was short-listed by Global Arbitration Review ("GAR"), the leading resource on international arbitration news and community intelligence, for its pandemic response award, honoured as one of the top 10 responses by the international arbitration community to the coronavirus pandemic.

2020 ... The total number of cases registered at the SCCA (arbitration, mediation, and à la carte services) increased by 178% over 2019. There was also a steady increase in the number of business sectors repre-

sented in the cases to 18 sectors (with the construction and engineering sectors in the lead), and the number of nationalities among the parties to the cases increased to 13. Further, year on year, the value of the disputes continued to rise alongside a doubling in the number of major entities and transnational corporations from all sectors that have incorporated the SCCA arbitration clause into their contracts. These are the fruits of the trust-building journey that the SCCA has been on since its founding.

2020 ... a year in which the SCCA cemented its position as the ideal international ADR partner in the region and the Saudi face of institutional arbitration, having the honor of representing the Kingdom of Saudi Arabia in the field of arbitration locally and internationally. Its efforts in this context included holding more than 20 events – most of them virtual – that drew more than 76,620 attendees and viewers. Notable highlights included two events with the United Nations Commission on Trade Law (UNCITRAL).

I extend my sincere thanks and appreciation to all those who have both supported and placed their confidence in us. Words of commendation cannot fully express what all of our SCCA colleagues deserve for their extraordinary hard work. Their remarkable dedication to meet all the unprecedented challenges of this unusual year enabled them to accomplish all that was asked of them - many quite exceptional achievements - the scale of which goes well beyond those reflected in the pages of this report.

With kind regards,



Performance Overview

2020 initiatives, assessment indicators, and financial performance

Since the Council of Ministers decree established the Saudi Center for Commercial Arbitration, the SCCA's strategic development has transparently provided detailed analysis with comprehensive indicators measuring performance and assessing initiatives. All strategies drafted according to the Balanced Scorecard methodology which the Kingdom adopted for Vision 2030 and associated programs and initiatives.



11

Strategic Goals

All serving a primary goal of improving the SCCA's case track record in terms of both quality and quantity



16

Performance Indicators

KPI's



31

Initiatives and Projects

Approved by the Board of Directors to achieve 2020 goals





Performance Overview

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



2020 initiatives, performance indicators, and financial performance



52% savings
on expense side of
Board-approved budget



88% of
key performance in-
dicators achieved



97% of initiatives
accomplished



The total number of cases registered at the SCCA rose by **178%** over **2019**, and there has been a steady increase in the types of business sectors represented in those cases, as well as a greater diversity of nationalities involved among the parties.



Income was **68%** higher than the overall target figures included in the Board of Directors-approved budget, including income from arbitration and mediation cases, which exceeded the target by **233%**, and income from other activities, which exceeded the target by **36%**.



Across various sectors and activities, the number of major entities and transnational corporations that incorporated the SCCA arbitration clause into their contracts doubled - a key measure of an institutional arbitration center's success, especially at this stage.



I



Alternative Dispute Resolution





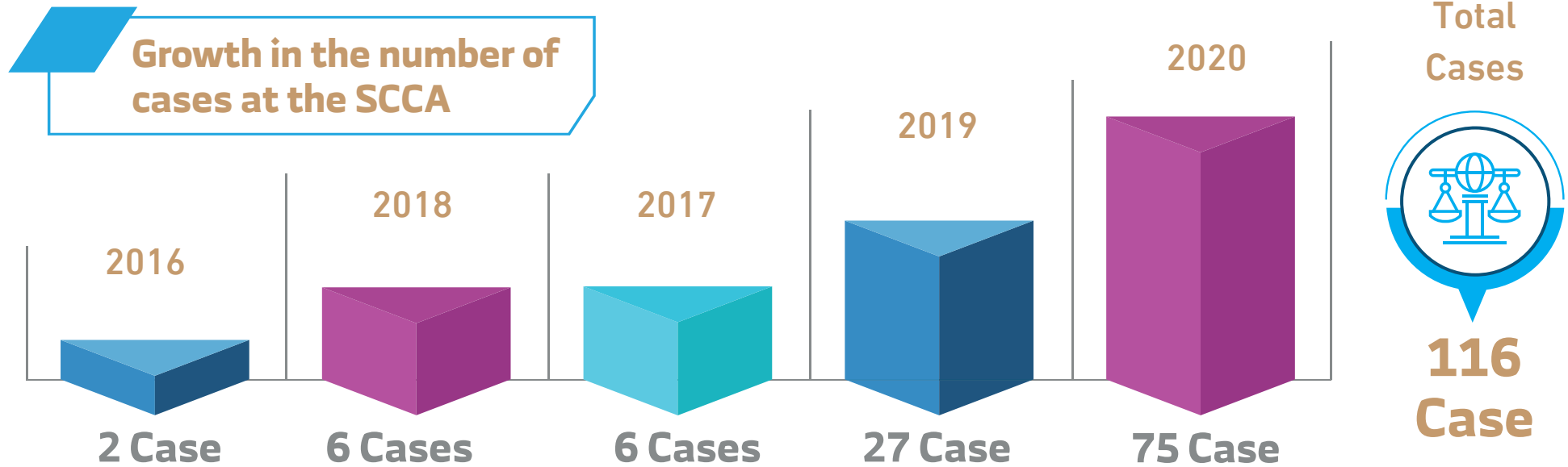
Contents

- 1 SCCA ADR Case track record
- 2 Review and update of Arbitration Rules Appendix 1
- 3 Review and update of Arbitration Charges and Fees
- 4 Development of Online Arbitration Platform and Protocol
- 5 Development and launch of COVID-19 Emergency Mediation Program
- 6 Development of Mediation Facilitation Service
- 7 Creation of International Advisory Committee Constitution
- 8 Creation and launch of the Committee for Administrative Decisions
- 9 **Update of Arbitrator Roster**
- 10 Development and launch of Arbitrator Selection and Appointment Services
- 11 Selection of arbitrators for Saudi Appellate Courts
- 12 Collection and analysis of Saudi case law on arbitration
- 13 Studies and research in partnership with sovereign bodies and representation of Saudi Arabia at UNCITRAL



Alternative Dispute Resolution

SCCA ADR Case track record since launch



SCCA's cases include



A la carte services

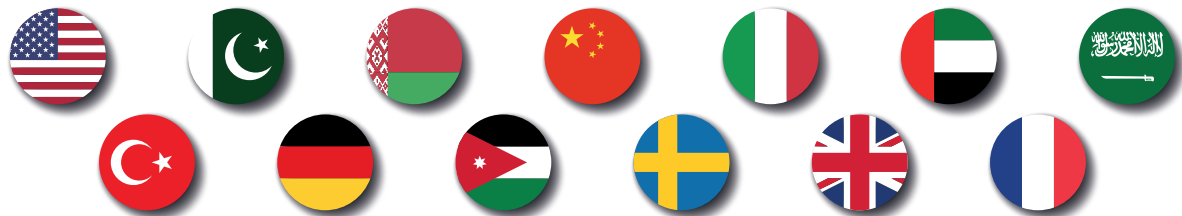


Commercial Arbitration



Mediation

Parties in cases registered with the SCCA represent diverse nationalities





1

Alternative Dispute Resolution: Breakdown of Registered Cases



18

Case
Categories

116

Cases
Registered

Top 3 Sectors

Construction
Sector

% 40

Banking & Financial
Services

% 8

Real Estate
Development

% 4

Other
Sectors

% 48



Auto
Dealerships



Franchising



Medical
Sector



Financial
Markets



Agriculture



Aviation



Education



Information
Technology



Technology



Insurance



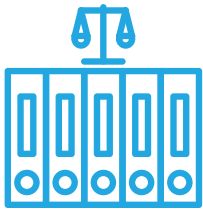
Intellectual
Property



Leisure

Alternative Dispute Resolution

Review and Improvement of SCCA Arbitration Rules Appendix I: Arbitration Costs and Fees



Pursuant to the best practice of leading international arbitration centers to continually update their arbitration rules and associated appendices, the SCCA solicited technical suggestions from a number of business sectors and beneficiaries of its services about select provisions of the SCCA Arbitration Rules in Appendix I: Arbitration Costs and Fees, as part of its review.

Major technical review and analysis, and the resulting important outputs, include:



The ADR Department identified 14 principles for review.



A research concept paper on the project was written and presented to the SCCA International Advisory Committee.



SCCA conducted a comparative study of the topics under review against six leading international arbitration centers:



The most important changes were derived from the comparative study and incorporated into a draft appendix.



The proposed amendments were presented for review and comment by the International Advisory Committee and the CEO.



The final version was drafted in Arabic and English for SCCA Board approval.



American Arbitration Association-International Centre for Dispute Resolution



Hong Kong International Arbitration Centre



International Chamber of Commerce



London Court of International Arbitration



Arbitration Institute of the Stockholm Chamber of Commerce



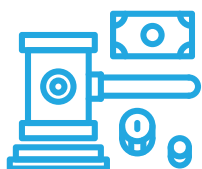
Singapore International Arbitration Centre



3

Alternative Dispute Resolution

Comprehensive Review of SCCA Charges and Arbitrator Fees



Pursuant to the best practice of leading international arbitration centers to continually update their institutional and arbitrator fees, the SCCA solicited suggestions from a number of target business sectors and beneficiaries of its services about reconsidering its fees, particularly in light of the COVID-19 pandemic and the resultant economic impacts, which necessitated a number of international arbitration centers altering their charges and fees. Consequently, the SCCA undertook and completed this project.

Major technical review and analysis, and the resulting important outputs, include:

1

Close study of the market and the nature of the beneficiaries and targets, compared against the SCCA's strategy for the short, medium, and long terms

2

SCCA conducted a comparative study of charges and fees at 10 regional and international arbitration centers:



International Chamber of Commerce



Dubai International Financial Centre-London Court of International Arbitration



Dubai International Arbitration Centre



Cairo Regional Center for International Commercial Arbitration



American Arbitration Association-International Centre for Dispute Resolution



Ad hoc arbitration fees in the local market



Arbitration Institute of the Stockholm Chamber of Commerce



Singapore International Arbitration Centre



Oman Commercial Arbitration Centre



Hong Kong International Arbitration Centre

3

Standard indicators were adopted to create formulas for re-costing fees, taking into account the SCCA's approaches to competition at the regional and international levels.

4

New models were produced and tested for various sizes and types of cases.

5

SCCA administrative fees and arbitrator fee schedules were reworked for all services (regular arbitration, expedited arbitration, online arbitration), accounting for the unique nature of each service.

Alternative Dispute Resolution

Online Dispute Resolution Platform and Protocol – Development & Launch



As digital technologies have become more ubiquitous, those technologies have been increasingly used to resolve commercial disputes. While traditional arbitration is an appropriate option for large disputes, it is often too elaborate and expensive for online commerce. To meet the latter need, in 2020 the SCCA developed an online arbitration platform and protocol for resolving small disputes **up to a value of SAR 200,000 (54,000 USD)**. The Online Dispute Resolution (ODR) platform provides fully virtual proceedings from initiation of the case to final award, without any in-person meetings or hearings.

Targets:



1

Entrepreneurs

2

Microenterprises

3

Small
Businesses

4

Online
Commerce

1 Disputes
resolved
quickly



2 Inexpensive



3 Suitable
for small
contracts



4 Adaptable to
the parties'
circumstances

Advantages:



Summary of 2020 efforts:

During 2020, the SCCA developed and updated the ODR protocol in line with international best practices, including a document from UNCITRAL. This involved completely rewriting the protocol, presenting it to the International Advisory Committee for its input, aligning this update with the ODR platform, and preparing to launch version 2.0 of the platform.



5

I

Alternative Dispute Resolution

COVID-19 Emergency Mediation Program (EMP) - Development & Launch



Developed and
launched in
just 3 weeks

The SCCA launched the Emergency Mediation Program to help limit the pandemic's impacts on business sectors and to enable parties in contractual relationships to both pre-empt commercial disputes that could arise from this crisis and resolve disputes that have already arisen. EMP operates through a modern platform designed to provide remote, fully digital mediation services, delivering highest levels of reliability for resolving disputes. The procedural rules provide for complete neutrality and superior efficiency and give the parties the opportunity for complete, effective participation in the mediation proceedings, thus ensuring a fair and amicable solution that ends with the parties obtaining an enforceable title. EMP clears the way to overcoming disagreements as quickly as possible in order to get back to business.



Global Recognition

as one of the most important international arbitration platforms



Named one of the 10 best

pandemic response programs
on a global scale



1. A service based on consensual resolutions and maintaining relationships, and the best choice for disputes resulting from such crises
2. Fully remote, in keeping with mandated health precautions
3. Minimal costs befitting the nature of the crisis, with fees reduced by up to 67%
4. Resulting settlements are final and convertible to an enforceable bond.
5. Conducted by highly qualified mediators with specialized training
6. Solid technical infrastructure with SCCA's mediation rules and a specialized technical team of case consultants

Alternative Dispute Resolution

Mediation Facilitation Service - Development & Launch



In keeping with the Commercial Courts Law and its implementing regulation, which were adopted in 2020 and include major support for mediation and conciliation, the SCCA developed the Mediation Facilitation Service. **The service assists parties in contacting the other side in their dispute and, through education, to convince them that mediation will be beneficial and effective in resolving disputes.**

Objectives



1

Attract a larger segment of parties and lawyers to make use of the SCCA and learn more about its other services

2

Bring in new financial resources

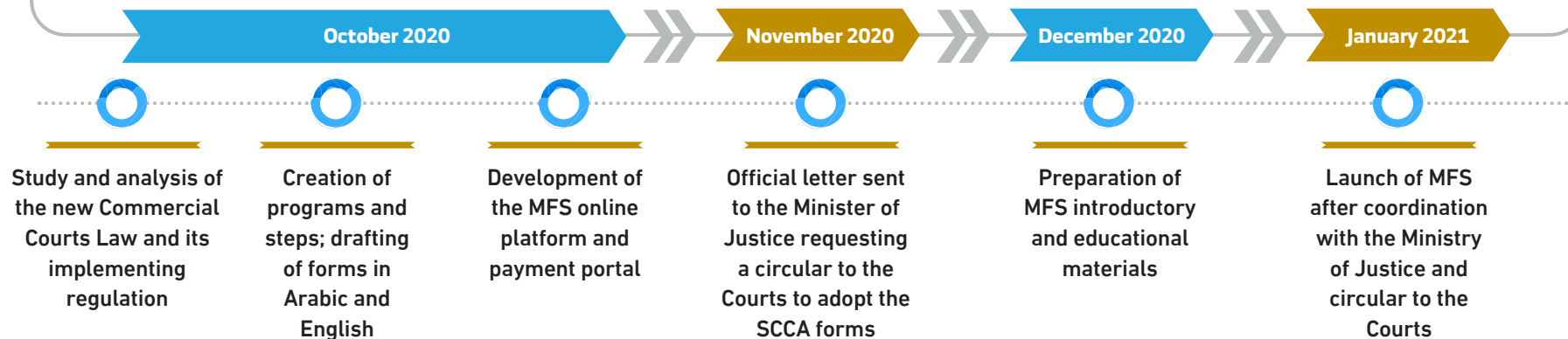
3

Enhance receptiveness to mediation services

4

Strengthen and solidify the relationship with the Ministry of Justice

Activities and outputs of this project are summarized below:



Alternative Dispute Resolution

International Advisory Committee Constitution - Creation & Launch

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration

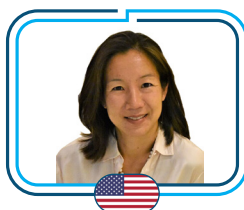


Members of the Saudi Center for Commercial Arbitration International Advisory Committee



Dr. Abdulaziz Al Nasser

Judge at the Court of Appeals in Riyadh



Ms. Chiann Bao

Independent Arbitrator and Mediator, Arbitration Chambers



Dr. Bernardo Cremades

Founding Partner, Cremades y Asociados



Mr. Ben Cowling

Partner, Clyde & Co.



Mr. Michael Patchett-Joyce

Counsel and Independent Arbitrator, Ely Place Chambers



Dr. Mostafa Abdel Ghaffar

Dr. Mostafa Abdel Ghaffar



Dr. Fahad Abuhimed

Managing Partner, Abuhimed Alsheikh Alhagbani, in co-operation with Clifford Chance



Dr. Georges Affaki

Independent Arbitrator, Professor of International Law at the University of Paris



Mr. Timothy Martin

Managing Director, Northumberland Chambers



Ms. Erin Miller Rankin

Partner, Freshfields Bruckhaus Deringer LLP



Mr. Richard Naimark

Principal, Naimark Dispute Resolution



Mr. Toby Landau QC

Counsel and Independent Arbitrator, Essex Court Chambers



Mr. Alec Emmerson

Independent Arbitrator and Mediator, ADR Management Consultancies



Prof. Franco Ferrari

Professor of Law, New York University School of Law

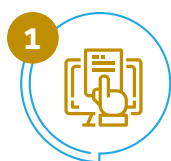


7

Alternative Dispute Resolution

International Advisory Committee Constitution - Creation & Launch

The International Advisory Committee grew out of the SCCA's commitment to alignment with the latest international best practices, and to enhance the SCCA's professional institutionalism, professionalism, and the global nature of its services. The Committee consists of 14 leading figures in the arbitration and ADR industry from around the world. Launched in October 2019, among its important achievements:



1 Advising the SCCA about its services and products to ensure their consistency with international best practices and standards



2 Providing guidance to the SCCA when it conducts any review of its technical rules, procedures, and associated appendices



3 Monitoring international developments and providing the SCCA with recommendations and advice about adding new products or services, or reviewing its existing products and services, so that it can learn from the Committee's expertise and knowledge of international arbitration and developments in the industry

The Committee Constitution details its mandate, scope of work, governance, meeting and decision-making processes, confidential handling of information, liability, and more. The ADR Department drafted the Committee Constitution in 2020 after a comparative study against a number of committees working in a similar space within the industry. It then gathered comments from the Committee's chairman and members, and refined the draft until it was ultimately ratified by the Committee.

The Committee held a number of meetings to work on improving Appendix 1 of the SCCA Arbitration Rules, developing the arbitration protocol, and other topics. Its important work is ongoing.

Alternative Dispute Resolution

Committee for Administrative Decisions - Creation and Launch



Established to give parties to arbitration cases access to a neutral and highly qualified expert decision-making authority to efficiently decide disputes that arise during arbitration proceedings



"CAD" Committee's function is to decide three types of requests:

- 1 **Arbitrator challenges**
- 2 **Disputes concerning the place of arbitration**
- 3 **Disputes concerning the number of arbitrators**

"CAD" Committee is comprised of up to five members, including three voting members and two SCCA executives.

"CAD" Committee serves parties to SCCA-administered institutional arbitration cases as well as ad hoc arbitration cases where the parties request the service.



Dr. Mohamed Abdel Raouf

International arbitrator; partner and head of the arbitration group at Abdel Raouf Law Firm (Cairo), Associate Professor at the University of Paris 1 Panthéon-Sorbonne; former Director of the Cairo Regional Centre for International Commercial Arbitration



Ms. Jennifer Kirby

International arbitrator; principal of Kirby, which specializes in international arbitration (Paris); former deputy secretary general of the ICC International Court of Arbitration



Mr. Christian P. Alberti

Chief of ADR and general counsel of SCCA; former assistant vice president at the International Centre for Dispute Resolution (AAA-ICDR)



Alternative Dispute Resolution

Updated roster of SCCA-endorsed arbitrators and mediators



The SCCA continued to develop and upgrade its **roster of arbitrators and mediators** given the roster's centrality to the arbitration process and the quality of that process, as well as its importance **in the nomination and appointment of arbitrators for Saudi Appellate Courts** among others.

The most important efforts made in this regard, and major achievements , are summarized here:



Study and analysis of similar rosters of arbitrators and mediators



Identification of key data to be collected from all those listed on the roster of arbitrators and mediators



Creation of a new database and a data collection infrastructure



Formation of an arbitral panel for major cases and an arbitral panel for construction cases



Relaunch and implementation of membership fees for the arbitrator and mediator roster, and of a payment policy for 2020/21

Alternative Dispute Resolution

Updated roster of SCCA-endorsed arbitrators and mediators



The SCCA's roster of approved arbitrators and mediators is highly diverse and comprehensive, as reflected in the following statistics:

Areas of expertise



20+

Arbitrators



238+



24

Nationalities
represented



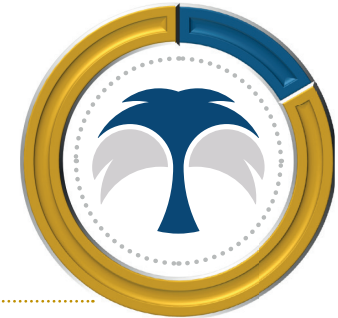
19

Languages
spoken

44 female
arbitrators
(16.60%)



221 male
arbitrators
(83.40%)



145 international
arbitrators
(54.72%)



120 local
arbitrators
(45.28%)



Alternative Dispute Resolution

Updated roster of SCCA-endorsed arbitrators and mediators

To further promote arbitration practices, the SCCA launched this package of services to support ad hoc arbitration cases where the parties to the dispute are administering the case themselves and need SCCA support at the arbitrator selection and appointment stage.

Targets:



1

Appellate Courts and competent Judicial Commissions

2

Ad hoc arbitration cases

List-Only Service

One or more parties can request the SCCA to provide a list of 5, 10 or 15 arbitrators from its SCCA Arbitrator Roster based on qualifications, expertise and other factors requested by the part(ies).

List-and-Appointment Service

The parties in dispute can authorize the SCCA to provide a list of 5, 10 or 15 arbitrators from which they can strike any names and rank the remaining names in order of preference. The SCCA then appoints the highest-ranked arbitrator(s), checks for conflicts, determines any challenges, and substitutes an arbitrator in case of a removal.

Administrative Appointment Service

The SCCA directly appoints one or more arbitrators in consultation with the parties but without further intermediary steps, checks for conflicts, determines any challenges, and substitutes an arbitrator in case of a removal.

For all levels of service... The parties to the dispute can request that the case be converted to institutional arbitration administered by the Saudi Center for Commercial Arbitration, in which case the fee paid for selection service will be applied toward the SCCA administrative fees.



Benefits of Selection & Appointment Services



Access to a list of diverse, expert arbitrators



Makes arbitral tribunal selection more efficient and reduces the time required for the case



Enhances arbitrator selection governance and transparency



Which in turn...

Fosters enhanced arbitration practices within the business and financial environment of Saudi Arabia & Region

Alternative Dispute Resolution

Selection of Arbitrators for Appellate Courts



The SCCA coordinated with the competent Appellate Circuits of the Riyadh Commercial Court to refer appointment applications from the Court to the SCCA with simplified procedures. This Pilot Project is evaluating the potential of such a partnership for the efficient, high-quality, and rapid accomplishment of this function.



Work on the project began in September 2019 and lasted approximately 15 months, until the end of 2020

Key benefits of the project for the entire judicial environment and the arbitration industry in Saudi Arabia:

Important statistics:

68
Cases



Nomination
of
arbitrators

2
business
days



Average
turnaround
time for
the SCCA
sending its
candida-
tes per the
Court's
request



Boosts foreign
investor confi-
dence in Saudi
Arabia's legal and
economic system,
thus achieving the
goals of Vision
2030



Increases satisfac-
tion among benefi-
ciaries of Saudi ju-
dicial services and
courts, which helps
promote further in-
vestment and ac-
celerates economic
development



Enhances Saudi Arabia's
arbitration industry as a
whole (especially ad hoc
arbitration), in particular
by accelerating and im-
proving the efficiency of
the appointment of more
experienced, specialized
arbitrators



Lessens the burden
on the Courts, thereby
reducing the time re-
quired for cases and
raising the proportion
of completed cases,
which improves Saudi
Arabia's ranking in
international reports

Alternative Dispute Resolution

Collection and analysis of Saudi case law on arbitration



The initiatives aims:



Understanding how the Saudi Judiciary really handles arbitration cases under the Saudi Arbitration Law

...in order to align SCCA arbitration services with the judicial practices of the competent appellate courts, in particular final arbitration awards issued in accordance with SCCA rules.



Observing and documenting judicial evolution, identifying best practices, and disseminating across diverse, relevant stakeholder groups – locally and internationally

...enhancing confidence in the Saudi Judiciary's handling of arbitration and to highlight the reality that Saudi Arabia boasts an ADR-friendly legislative and legal environment that supports local and international arbitration in every way.

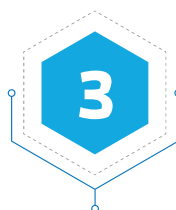
Activities and outputs summary:



Creation of a new database and a data collection infrastructure



Review and indexing of 220 judgments from 2018 to 2019



Uploading of Arabic-language judgments, English translations, and summaries to the database



Summarization of selected judgments



Identification of 32 important judgments that have been translated into English

Alternative Dispute Resolution

Specialized studies and research in partnership with sovereign bodies and representation of Saudi Arabia at UNCITRAL



1

The Council of Ministers decree establishing the SCCA provided that the SCCA would represent Saudi Arabia in the field of arbitration, both locally and internationally. And as Saudi Arabia's home of ADR expertise, the SCCA has carried out specialized studies and research, and has provided guidance on international best practices in ADR to a number of sovereign and governmental authorities within multi-agency task forces formed by Royal decree. SCCA's work contributing to the review and development of laws, regulations, ADR solutions, products, and more, involved its working closely with authorities such as the Bureau of Experts at the Council of Ministers, the Ministry of Commerce, the Ministry of Justice, the Ministry of Education, the National Competitiveness Center, the General Authority of Foreign Trade, and King Abdulaziz City for Science and Technology.



2

The SCCA undertook specialized studies and papers in preparation for discussing topics on which the SCCA officially represented Saudi Arabia, including meetings of the United Nations Commission on International Trade Law (UNCITRAL) in New York and Vienna.



United Nations
UNCITRAL



Business Development & Partnerships





1



Business Development & Partnerships: Overview

Because business development and partnership activities largely rely on in-person events such as meetings, visits, workshops, seminars, and conferences, the COVID-19 pandemic had a serious adverse impact on plans and activities, both local and international, that were programmed starting in the second quarter. Nevertheless, the SCCA worked hard to adapt its objectives and plans to the public health emergency, in keeping with precautions and for everyone's safety, to reap the greatest benefit from activities by holding them virtually.

Business development and partnership activities

1



Relations with the
governmental and
quasi-governmental
sector

2



Relations
with the private
sector

3



Relations with
local and
international
law firms

4



Relations with international
organizations and the
diplomatic corps

Business Development & Partnerships: Relationships with the governmental and quasi-governmental sector



Relationships
with the govern-
mental and qua-
si-governmental
sector



Major results:



1

Referrals, mandates,
or directives to enter
SCCA-administered
arbitration



2

Creation and enhan-
cement of integration
between the Courts
and arbitration



3

Beneficiaries in vari-
ous sectors connec-
ted to SCCA services

As part of its efforts to develop effective relations with the governmental and quasi-governmental sector, the SCCA initiated a number of constructive relationships in 2020 with **more than 30 entities**, such as ministries, authorities, public establishments and companies, and several professional bodies and quasi-judicial bodies, including:

More than

30

Governmental and
quasi-governmen-
tal entities

6

Cooperative projects
with major actors in
key sectors

وزارة التجارة
Ministry of Commerceوزارة الاستثمار
Ministry of Investmentوزارة المالية
Ministry of Financeوزارة المالية
Ministry of Financeالمملكة العربية السعودية
هيئة الخبراء
Bureau Of Experts At The Council Of Ministersهيئة الاتصالات وتقنية المعلومات
Communications & Information
Technology Commissionالهيئة العامة لعقارات الدولة
STATE PROSPECTS GENERAL AUTHORITYالهيئة العامة للجمارك
General Administration of Customsالهيئة العامة للصناعات العسكرية
General Authority for Military Industriesالهيئة العامة للتجارة الخارجية
Saudi General Authority of Foreign Trade

SCA

الهيئة السعودية للمقاولين
Saudi Contractors AuthoritySOCPA
الهيئة السعودية
للمقاولينمنشآت
monsha'at
الهيئة العامة للمنشآت الصغيرة والمتوسطة
Saudi Monsha'at General Authorityالمركز الوطني للتنافسية
NATIONAL COMPETITIVENESS CENTER
تيسير | TAYSEERالأكاديمية المالية
THE FINANCIAL ACADEMYمصالحة
mosalha

Business Development & Partnerships: With the governmental and quasi-governmental sector



:: Noteworthy projects ::



With the
governmental
and
quasi-govern-
mental sector



مصالحة
mosalha

Top areas of cooperation:

- SCCA licensed as a Registered Conciliation Office, and qualified SCCA staff licensed as Registered Conciliators by the Ministry of Justice.
- SCCA-issued Settlement Agreements recognized as Enforceable Bonds.
- Several mediation cases referred from the Ministry of Justice to the SCCA.
- Specialized training in arbitration for Judges, offered with the Judicial Training Institute.
- Arbitrator Selection Service for Commercial Appellate Courts (in ad hoc arbitration cases).



Top areas of cooperation:

- Support and coordination on the COVID-19 Emergency Mediation Program, accomplished through communications between H.E. the Minister of Commerce and various ministries and government authorities.
- Cooperative implementation of the Royal Decree directing the launch of a National Awareness Campaign on ADR.



Top areas of cooperation:

- Study given to incorporating the SCCA model arbitration clause into State properties contracts.



المركز الوطني للتنافسية
NATIONAL COMPETITIVENESS CENTER
تيسير | TAYSEER

Top areas of cooperation:

- Coordination in connection with UNCITRAL-related work.
- SCCA formally included among the government agencies that review pending laws and regulations to give observations



Top areas of cooperation:

- Model arbitration clause incorporated into franchising agreements.
- ADR support for the Commercial Franchising Center



الهيئة العامة للصناعات العسكرية
General Authority for Military Industries

Top areas of cooperation:

- SCCA model arbitration clause incorporated into military procurement model contracts.
- GAMI staff trained on ADR and how to benefit from it within their scope of work.
- Cooperative awareness-raising among GAMI partners (Ministry of Interior, Ministry of Defense, Presidency of State Security, etc.) about SCCA services and how to access them.

Business Development & Partnerships: Relations with the private sector



Relations
with the
private
sector

One of the most important targets of SCCA services is the business sector, and in 2020, the SCCA communicated directly with **more than 100 entities** from the private sector, including in the banking, construction, oil, military, and technology industries among others. The SCCA was also in contact with several Chambers of Commerce, business councils, and related committees. Some of the most prominent included

More than

100

Private-sector
entities

Major results:



1

Adoption of arbitration clause providing for SCCA-administered arbitration



2

Analysis of contracts for suitability of SCCA-administered arbitration



3

Inclusion of SCCA model ADR clauses in contract drafting guides

أرامكو السعودية
saudi aramco



SAR
الشركة السعودية للخطوط الحديدية

تبادل
TABADUL

مجلس الغرف السعودية
Council of Saudi Chambers

موبايلي
mobily

البريد السعودي
Saudi Post

المياه الوطنية
CWSN



SAMI
الشركة السعودية للصناعات العسكرية
Saudi Arabian Military Industries

المراعي

طاقة
TAQA

Schlumberger

بن زقر
binzagr
SINCE 1881

Most significant target sectors

1

Oil and gas /
Energy/
Manufacturing

2

Banks /
Islamic
banking /
Finance

3

Aviation /
Defense /
Security

4

Real
estate

5

Communi-
cations and
technology

6

Maritime
sector

7

Hospitality
sector

8

Construction

9

Transportation



5



Business Development & Partnerships: Relations with local and international law firms



Relations with
local and in-
ternational
law firms

The SCCA has active, productive relationships with all the leading international and local law firms in Saudi Arabia and many abroad – involving meetings with more than 700 experienced partners, counselors, and attorneys. These relationships have involved various site visits and introductory meetings, along with extensive panel discussions and joint workshops.



Noteworthy results:



1

Recommendation to their clients to use an arbitration clause providing for SCCA-administered arbitration



2

Increased awareness of new SCCA services



3

Institutional arbitration challenges addressed

Business Development & Partnerships:

Relations with international organizations and the diplomatic corps

:: IV ::



Relations with
international
organizations
and the diplo-
matic corps

The SCCA held more than 15 meetings and events with various key international organizations and relevant departments in embassies and commercial attaché offices. It did so in order to fulfill the SCCA's role, as provided in its Council of Ministers-issued statute, as Saudi Arabia's official representative in the field of arbitration locally and internationally. These meetings and events also promoted awareness of ADR-related legislation and other reforms in Saudi Arabia – to apprise foreign investors of the consequential evolution in the Saudi judicial environment and thus encourage them to include the SCCA's arbitration clause in their contracts.

More than
15
Meetings,
visits, and
events



Embassy of Belgium
in Saudi Arabia



US Embassy & Consulates in
Saudi Arabia



United Nations
UNCITRAL



ArbDB Chambers
ARBITRATORS, MEDIATORS
& DISPUTE BOARD MEMBERS
London, Dubai (Associate Office) & Kuala Lumpur



**Noteworthy
results:**



1 Stronger contacts
with the foreign
diplomatic sector
and commercial
attachés



2 Foreign inves-
tors familiari-
zed with SCCA
services



3 Enhanced
investor confi-
dence in Saudi
ADR

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration





Training & Professional Development



Training & Professional Development: Arabic Moot

As part of its mandate to prepare young people to practice international commercial arbitration, coupled with the importance of Arabic-speaking youth in advancing the arbitration industry in the region, the SCCA developed and launched the world's first Arabic-language student arbitration moot competition, the SCCA Arabic Moot.

Organizing partner



CLDP
COMMERCIAL LAW DEVELOPMENT PROGRAM



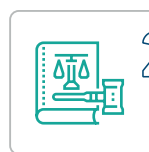
United Nations
UNCITRAL

The competition's aims:



1

Familiarization with international arbitration rules and procedures



2

Practical application of studies to a real-world scenario



3

Strengthening preparation and advocacy skills for arbitration sessions



4

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



5

A better, professionalised, more specialized future for the arbitration industry (especially institutional arbitration) in the Region



6

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

Training & Professional Development: The inaugural Arabic Moot - 2019-2020

Experts and coaches

The SCCA recruited a spectrum of experts from five different countries, including prominent international Judges and arbitrators, as well as Saudi and international lawyers with experience in the Vienna-based Willem C. Vis International Commercial Arbitration Moot to serve as coaches and offer training programs and workshops for the participating teams. This had a profound impact on preparing and qualifying the students for the competition.

Partners in success

Diamond Sponsor

التميمي و شركاه
AL TAMIMI & CO.
Advocates & Legal Consultants للمحاماة والاستشارات القانونية

Gold Sponsor

LATHAM & WATKINS LLP
WHITE & CASE

Knowledge Sponsor

UEA University of East Anglia
CIArb
evolving to resolve

Competition stages

The SCCA Arabic Moot is divided into two major stages

Stage 1:

Written submissions



After publication of the case, the participating teams prepare memoranda for the claimant and the respondent in light of the defenses raised in the case. The teams submit their memoranda electronically by the deadlines published at www.Arabic-Moot.sadr.org.

Stage 2:

Oral arguments



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

2



Training & Professional Development: Arabic Moot

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



منافسة التحكيم
التجاري الطلابية
SCCA Arabic Moot



Participating universities



Inaugural competition - 2019-2020

SCCA Arabic Moot (Saudi edition):



18
cities



24
universities



39
teams



278
participants

17



22



Completed



Watch a video report on
the training program at
this [Link](#).



Training & Professional Development: Arabic Moot



منافسة التحكيم التجاري الطلابية
SCCA Arabic Moot
النسخة الخليجية GCC Edition

Participating universities



SCCA Arabic Moot (Gulf edition):



26

(Arabian Gulf)



36

universities



54

teams



294

participants

In progress



26



22



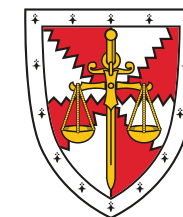


Training & Professional Development: International Fellowship in Commercial Arbitration

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



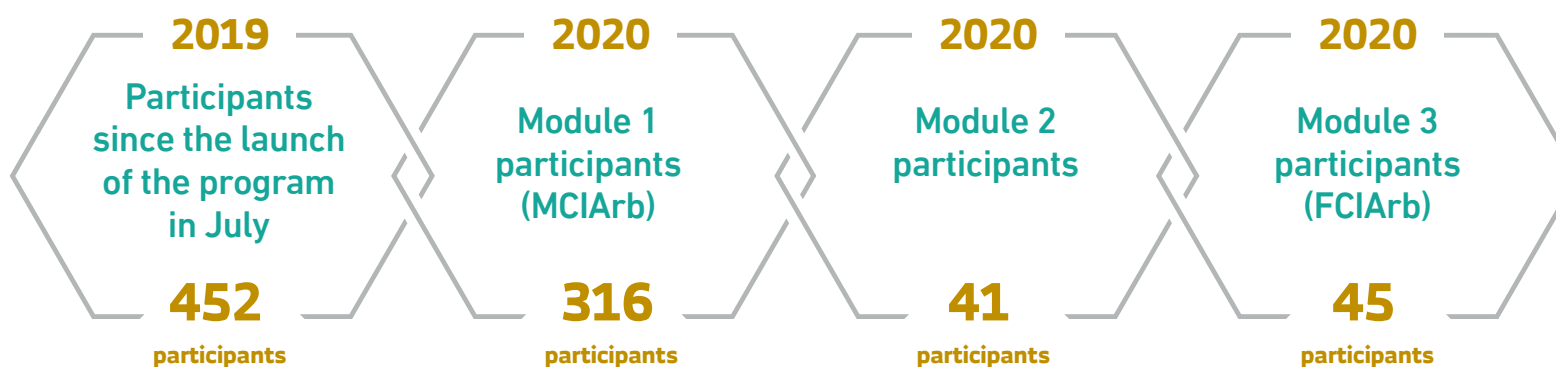
Within the framework of its continuous efforts to build capacities among neutral parties, the SCCA concluded a strategic agreement with the U.K.'s Chartered Institute of Arbitrators (CIArb), which for more than 100 years has been internationally renowned for its long-standing and sound arbitrator training programs in more than 37 countries around the world. CIArb's worldwide membership of more than 16,000 members represents a broad cross-section of jurists, professionals, and academics. Fellowship-track programs with CIArb are available locally for the first time in Saudi Arabia, and are provided in Arabic, a first in CIArb history.



CIArb
evolving to resolve

The program was launched in July 2019 in all three major commercial areas of Saudi Arabia (Riyadh, Jeddah, and Dammam) in Arabic and English. It also was held in an entirely virtual form in response to the coronavirus pandemic.

In 2020, the program was met with great success, as indicated by the statistics:





IV

EVENT

Events



IV

Events

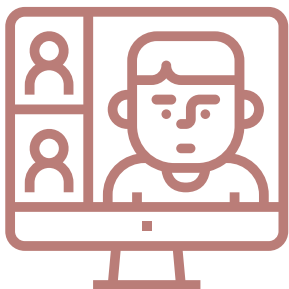
General summary



The SCCA maintained ongoing communication with key business and legal sector leaders in order to familiarize them with the SCCA, the value it adds through management of their disputes, and its various services aligned with the industries in which they operate. The SCCA also increased the number of entities that incorporate the SCCA model arbitration clause into their contracts and agreements, along with raised awareness about ADR and the relevant legislative, regulatory, and technical reforms and developments in Saudi Arabia.

This was achieved through SCCA-led events of varying size, type, and objective, for local and international audiences, in partnership with Saudi and foreign organizations.

The SCCA also built and deepened its international relationships and ties with entities and figures in the international arbitration and mediation industry, and it acted as an effective spokesperson and representative, focusing on the impacts of the COVID-19 pandemic starting at the beginning of the second quarter.

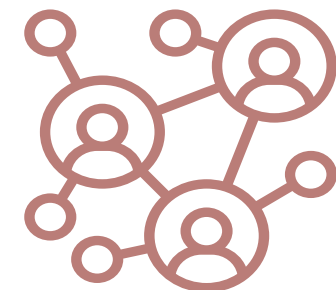


More than **20** Events

Including workshops, meetings, forums, and panel discussions, both in-person and remotely

76,620

Total interactions with SCCA events **Attendance, viewing, and participation**



Events

2020 Events

2 IV

Sponsorship Remote Working paper Booth In Arabic In English

Remarks at seminar on "Mediation: An Ideal Solution for Commercial Disputes Amid the Coronavirus Pandemic"



04 Ar

En 01

Speech at the Marcus Evans 11th Annual MENA Legal & Compliance Conference in Dubai



Speech and participation at the 2020 Saudi Accountants Forum in Riyadh



05 Ar

En 02

Speech at the Abu Dhabi Global Market Mediation Conference



Speech at Arizona State University's Second Annual Schiefelbein Conference



"Stories and Experiences With Mediation in Commercial Disputes in the Kingdom" – SCCA Seminar held in partnership with the Saudi Bar Association



06 Ar

En 03



3

IV

Events 2020 Events

Sponsorship Remote Working paper Booth In Arabic In English



"The History, Background, and Future of the Singapore Convention on Mediation" – Symposium held in partnership with UNCITRAL with the participation of the Ministry of Commerce



10 En

Ar 07

"The Role of Mediation and Conciliation in Resolving Commercial Disputes Amid the Coronavirus Pandemic" – SCCA Seminar held in partnership with the Ministry of Justice, the Conciliation Center, the National Competitiveness Center, and the Council of Saudi Chambers



Remarks in seminar on "Arbitration and Resolution of Commercial Disputes Amid the Coronavirus Pandemic," organized by the Makkah Chamber of Commerce



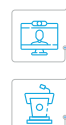
11 Ar

En 08

"Dispute Resolution in Saudi Arabia and the Middle East: What's New?" – Seminar held in partnership with The Legal 500



The
LEGAL
500



Remarks in seminar on "Applications of Mediation in the MENA Region," organized by the Chartered Institute of Arbitrators (CI Arb)



Chartered
Institute of
Arbitrators

CI Arb

12 En

Ar 09

Remarks in seminar on "The Tourism Lodging Sector in Medina, Impacts, and Solutions," organized by the Medina Chamber of Commerce



الغرفة التجارية الصناعية بالمدينة المنورة

2

IV

Events

2020 Events



Sponsorship



Remote



Working paper



Booth



In Arabic



In English



“The Role of Institutional Arbitration in the New Government Tenders and Procurement Law” – SCCA Seminar held in partnership with the Ministry of Finance

16

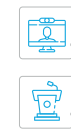
Ar

En

13

وزارة المالية
Ministry of Financeمركز التواصل والمعرفة المالية
Communications and Financial Knowledge Center
a.k.a. HAFIمركز تحقيق
كفاءة الإنفاق
Center of Spending Efficiency

“CISG and Other Uniform Law Tools for Contractual Risk Mitigation” – Seminar held in partnership with UNCITRAL

United Nations
UNCITRAL

“The Latest Developments in Institutional Arbitration in the Kingdom: Advanced Services for a Promising Market” – Seminar held in partnership with the Council of Saudi Chambers

17

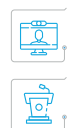
Ar

En

14

مجلس الغرف السعودية
Council of Saudi Chambers

Speech at the 2020 Al-Yamamah University Law Forum: “The role of the law in achieving the Vision 2030 goals”

جامعة اليمامة
Al Yamamah University

“The ADR Environment in Saudi Arabia and Updates For the Belgian-Luxembourg Business Community” – Seminar held in partnership with the Ministry of Investment, the Belgian Embassy in Riyadh, and the Arab-Belgian-Luxembourg Chamber of Commerce

18

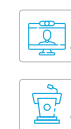
Ar

En

15

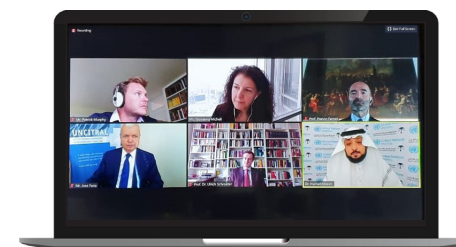
وزارة الاستثمار
Ministry of InvestmentEmbassy of Belgium
in Saudi ArabiaABLCC
Arab-Belgian-Luxembourg
Chamber of Commerce
الغرفة التجارية العربية
البلجيكية اللوكسمبورجية

“Arbitration and Mediation in Saudi Arabia & MENA Region” – Seminar held in partnership with ArbDB Chambers

ArbDB Chambers
ARBITRATORS, MEDIATORS
& DISPUTE BOARD MEMBERS
London, Dubai (Headquarters Office) & Kuala Lumpur

Events

2020 Events – selected event photos





V

Marketing & Public Relations





1

V

Marketing & Public Relations Objectives and strategies

An integrated implementation plan for 2020 was created based on the target audiences, communications tools, and strategic messages identified in the communication strategy the SCCA created in 2019.

The implementation plan had five main objectives:

1

National Icon



The SCCA should be synonymous with the national ADR industry

2

International Partner



The SCCA should be the best international partner in the region

3

Normative Authority



The SCCA should be the Arab normative authority for model procedures and rules in the arbitration industry

4

Arbitration Clause



The SCCA should ensure that major companies in the region incorporate its arbitration clause into as many of those companies' model contracts as possible

5

Cultural Vanguard



The SCCA should be at the forefront of promoting the right culture for arbitration across various digital platforms in Arabic



1

V

Marketing & Public Relations Objectives and strategies

SCCA objectives include offering its services to local and foreign investors in all sectors and communicating the SCCA message to them through various means, with a focus on direct media and public relations activities that are precisely targeted and impactful. Accordingly, the SCCA Marketing and Public Relations Department has undertaken all activities with the following goals:



Dissemination of concepts and in- formation

around institutional
arbitration and ADR



**Infographics
series** 35 on com-
mercial arbitration,
with about 35 info-
graphics published
during 2020



Webinars held with
a number of local and
international organizati-
ons, in both face-to-face
(in person) or virtual
(remote) form



**Enhancing
SCCA's
image**



**Promotional cam-
paigns** to promote SCCA
services and products, and
its increasingly impressive
record of professional insi-
tutional activities





2

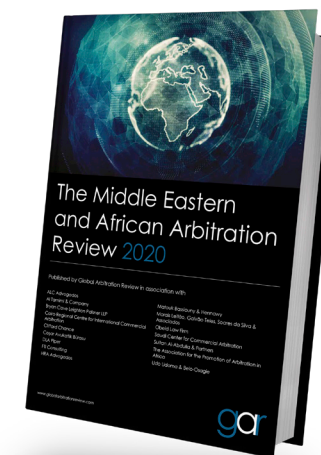
V

Marketing & Public Relations

Presence in the commercial arbitration international trade press



A key SCCA communication goal: secure sustained trade press coverage highlighting the quantum leap underway in Saudi Arabia's arbitration and ADR industry.



2020 highlights include:

1

Collaboration and publication of articles in the arbitration industry's most important international media platform, Global Arbitration Review (GAR)

2

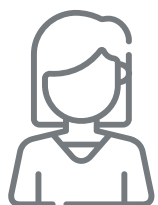
GAR published detailed coverage of the SCCA's COVID-19 Emergency Mediation Program.

3

The COVID-19 Emergency Mediation Program made GAR's list of the 10 best international initiatives nominated for a pandemic response award.

4

In GAR's Middle East and African Arbitration Review 2020, the SCCA wrote a full chapter on the ongoing evolution of arbitration and ADR in Saudi Arabia.



The chapter reflected Saudi Arabia's strategic vision for developing the entire system of arbitration and sustained support for dispute resolution, providing capacities and preparing the infrastructure, working toward alignment with international best practices, investing in the future, developing human resources in accordance with best standards, and achieving diversity in all respects while highlighting the monumental strides from the standpoint of the empowerment of women in the industry.

Marketing & Public Relations

Overview of campaign results

3

V

11

Promotional and publishing campaigns



Overall results



5,250,156
Impressions



1,623,023
Views



77,970
Clicks



30,140
Shares and interactions

Marketing content

38
Ad groups

57
Number of posts

25
posts



32
posts



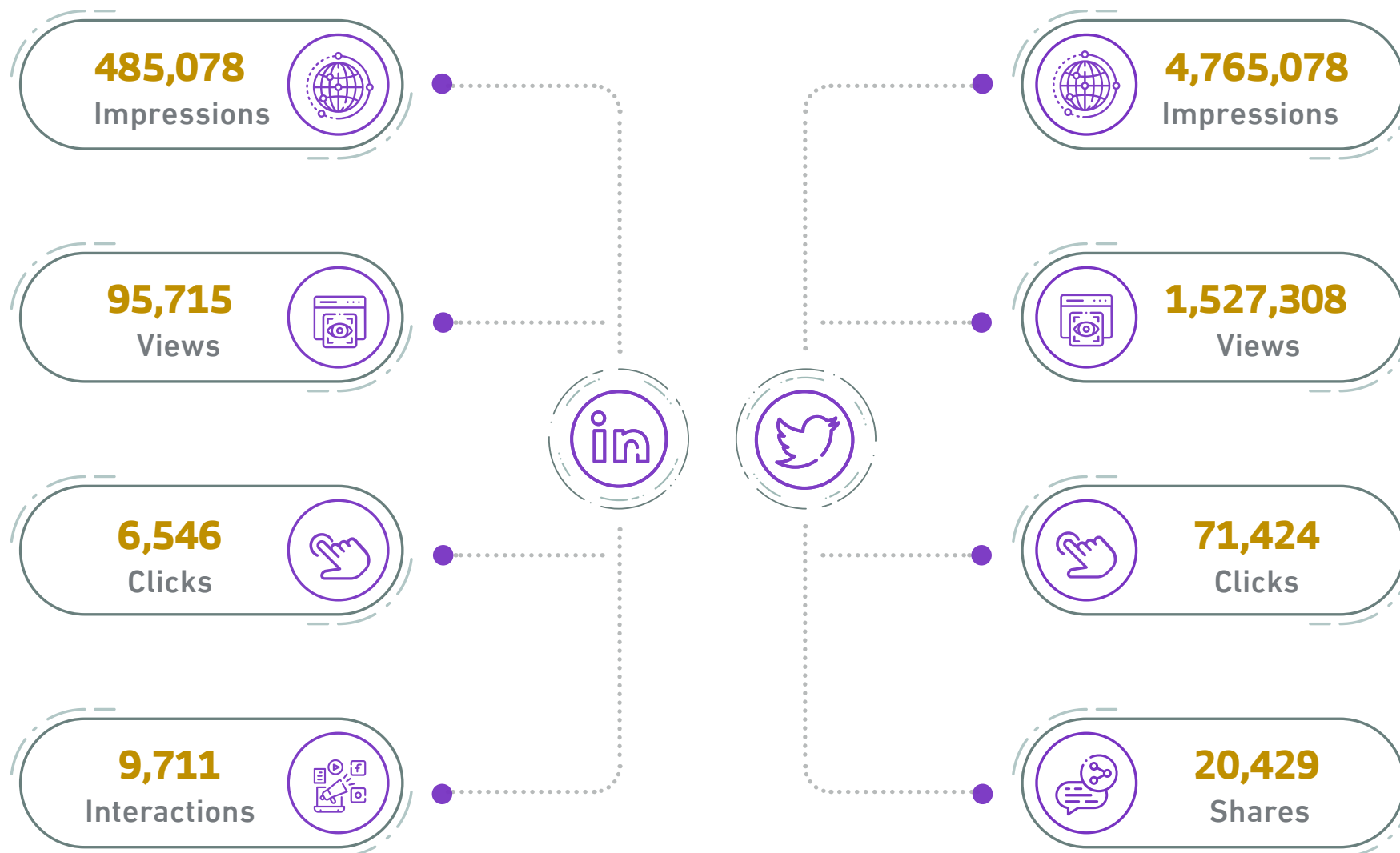


4

V

Marketing & Public Relations Platform details

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



VI

Operations &
Support Services



1

V

Operations & Support Services: King Salman Energy Park (SPARK)

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



The SCCA branch in the Eastern Province was opened in the first quarter of 2020 at the temporary headquarters of King Salman Energy Park (SPARK), located in Zamil Towers in Khobar.

spark
مدينة الملك سلمان للطاقة
King Salman Energy Park



Objectives for the SCCA Branch include:

- Realize Saudi Arabia's Vision 2030 by creating an attractive investment environment
- An environment that attracts parties wishing to invest in the Eastern Province, including both domestic and foreign investment
- Meet investors' needs when they seek to manage and resolve disputes
- The SCCA will resolve commercial disputes by ensuring that its services are delivered in accordance with international best practices, with a focus on companies in the oil and gas sector, a priority for the SCCA.



2

V

Operations & Support Services: Overview of campaign results



The SCCA has always sought to develop a regulatory and practical environment that ensures the best outcomes, enhances organizational performance, and provides for continuous progress. It also strives to establish its own internal rules, policies, and procedures that keep pace with the evolution of the labor market and the professional services environment, especially among arbitration centers, in light of accelerating developments and changes in Saudi Arabia. This has required the rapid establishment of internal policies and procedures where none existed previously, and the improvement of some policies already in place.

A

Most important new policies:

Leave
policy

1

Employee
evaluation policy

3

Hiring
policy

2

Salary and
benefits ladder

4

B

Updated and improved policies:

Fiscal and
accounting policy

1

Attendance
procedures

3

IT
policy

2

Workplace hygiene
procedures for staff

4



3

V

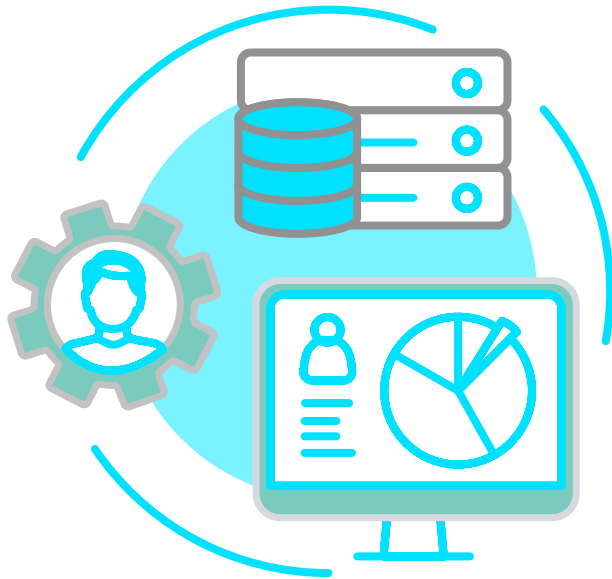
Operations & Support Services:

Implementation of ZenHR human resources management system

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



ZenHR is the latest software program for facilitating the range of human resources management tasks. This program offers many advantages for the Human Resources and Employee Affairs Department.



Work on programming, setup, testing, and operation of this software took approximately 150 hours.





4

V

Operations & Support Services: Overview of campaign results

The SCCA strives to continuously develop and improve the quality of its services, and to keep abreast of changes, challenges, and new technology. This requires cultivating human resources and improving staff performance by creating specialized training plans and programs.

Staff training is one of the most important elements of progress that is reflected in the quality of an organization and the services it provides. To that end, the SCCA instituted an integrated staff training plan which reflected its objectives and future needs.

A diverse training package has been prepared for all staff, including:



1

Project Scheduling Professional course for Project Management Institute (PMI) certification

This course, lasting four hours per week for eight weeks, was delivered for department managers.



2

Persuasion Code course

This program was presented by one of the region's leading specialists, Dr. Saleh Al-Ahmar, who specializes in enterprise development, human resources development, and skill development.



3

Internal training program presented by the ADR Department to all SCCA employees

This program was delivered in English by Chris Alberti, chief of ADR and general counsel, with ADR Department staff (Rahaf Al Hamawi, Rahaf Zaini, Dua Al Attas).



4

International Fellowship in International Commercial Arbitration

The SCCA supported four employees by paying their training and test fees to secure their Fellowships.

المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration





المركز السعودي للتحكيم التجاري
Saudi Center for Commercial Arbitration



sadr.org
+966 920003625

