

Post-Event Report: New York Convention Roadshow, Bahrain, 3-5 May 2014

The May 2014 ICCA New York Convention (NYC) Roadshow for the Middle East, hosted in the Kingdom of Bahrain, marks the start of a series of spin-of dialogues in the region and the publication of ICCA's first regional guide on the NYC.

The ICCA Judicial Dialogue on the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, held in Manama, Bahrain from 3 to 5 May 2014, was attended by members of the Supreme Courts, Courts of Appeal and Cassation Courts from the region, representing in total thirteen Arab countries and comprising 51 judges.

The ICCA Dialogue -- dubbed the "MEJD" -- was held under the patronage of the Kingdom of Bahrain's Supreme Judicial Council, with the support of the Arab League. The organization of the MEJD was led by Marike Paulsson (member of ICCA's Judicial Committee and Director of the International Arbitration Institute in Miami) and Nassib Ziade (ICCA member, visiting professor in Miami and CEO of the Bahrain Chamber for Dispute Resolution), with the invaluable support of the BCDR.

Marike Paulsson:

"Efforts to bring ICCA's Judicial Dialogues to the Middle East commenced in 2011. Removing various obstacles in the preparation for the event proved a challenge. It was with the support of the Kingdom of Bahrain, the BCDR and in particular Nassib Ziadé that ICCA was able to hold its first dialogue in the Middle East. Like the role played by Mauritius in the African region, the Dialogue in Bahrain is now the first in a series of regional dialogues for the Middle East."

The Dialogue was inaugurated on the evening of May 3rd 2014 by His Excellency the Minister of Justice and Islamic Affairs, Shaikh Khalid Bin Ali Al-Khalifa, Jan Paulsson (ICCA's former President) and His Highness Prince Dr. Bandar Bin Salman Al-Saud (the Counsellor of the Custodian of the Two Holy Mosques and Head of the Saudi Arbitration Center), as well as Nassib Ziadé. The Opening Ceremony was also attended by Her Excellency the Minister of Culture, Shaikha Mai Bint Mohammed Al-Khalifa.

The two-day Dialogue was led by Nassib Ziadé, Dr. Hamza Haddad, Dr. Mohamed Abdel Raouf (Chairman of the Cairo Regional Centre for International Commercial Arbitration and ICCA's Vice President and member of ICCA's Judicial Committee) and Judge Dr. Yousif Al-Akyabi.

According to Nassib Ziade:

"The judges' discussions during the two days were vibrant. Judges of one country that has not yet joined the New York Convention informed the attendees at the end of the Conference that in the light of the discussions it was preparing to request its Government to ratify the New York Convention. Judges requested that similar meetings take place in the future using the same format, with a preference that they take place in Bahrain."

Remarking on participant's enjoyment of the Dialogue, His Highness Prince Dr. Bandar Bin Salman Al-Saud noted that "The Dialogue was a tremendous success, and it is hoped that it would be followed in the future by similar high-level meetings involving Arab judges".

RECOMMENDATIONS

Reflecting the aspirations of the participating Arab judges, the Dialogue was concluded by issuing the following recommendations:

- 1- To continue the holding of ICCA dialogue sessions among Arab judges on international commercial arbitration issues on a periodic basis under institutional sponsorship.
 - 2- To launch a website, in collaboration with ICCA, through the BCDR which will compile judgments rendered in Arab countries regarding the recognition and enforcement of foreign arbitral awards in these countries. This website will rely on material provided by Arab judicial entities and other relevant bodies.
 - 3- To stress the importance of coordination among Arab judicial entities towards the creation of a unified judicial approach to the recognition and enforcement of foreign arbitral awards.
 - 4- To reach out to legislative entities in Arab countries with a view to coordinating on the removal of any contradictions with respect to the applicable regimes concerning the recognition and enforcement of foreign arbitral awards.
 - 5- To invite non-signatory Arab countries to consider joining and ratifying the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958.
 - 6- To call for the accreditation of the Arabic language as an official language with respect to international treaties and agreements related to international commerce and international arbitration centres.
 - 7- To highlight the flexible nature of Islamic Shari'a and its integration of arbitration rules and commercial transactions.
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EVENT PHOTOS



Dialogue participants



Panel Discussion



Opening ceremony with Mr. Nassib Ziade, His Excellency the Minister of Justice and Islamic Affairs, Shaikh Khalid Bin Ali Al-Khalifa, and His Highness Prince Dr. Bandar Bin Salman Al-Saud, and Professor Jan Paulsson



Panel Discussion

