


**Preventing and Managing International Commercial Disputes
Towards a Euro Med Alternative Dispute Resolution
Infrastructure**

**Regulatory Developments in Arbitration in the MEDA
Countries with special emphasis on Egypt**

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I- National Laws

- Three of the 8 Arab MEDA countries have already enacted arbitration laws based on the UNCITRAL Model Law. This is the case of:
 - **Tunisia** (Law No. 42 of the year 1993);
 - **Egypt** (Law No. 27 of the year 1994); and
 - **Jordan** (Law No. 31 of the year 2001).
- **Algeria:** Legislative Decree No. 93-09 of April 25, 1993 amending and completing Ordinance No. 64-154 of June 8, 1966, relating to the Algerian Code of Civil Procedure.
- **Lebanon:** Articles (762-821) of the Legislative Decree No. 90 of 1983 promulgating the new Lebanese Code of Civil Procedure, which entered into force on 1/1/1985.

National Laws (Ctd.)

- **Morocco:** Articles 306-327 of the Moroccan Code of Civil Procedure of 28/9/1974.
- **Syria:** Articles 506-534 of the Syrian Code of Civil Procedure of 28/9/1953.
- **Palestine (West bank & Gaza):** Arbitration Law No. 3 of 2000.
- **Turkey:** On 21 June 2001, the Turkish Parliament enacted the Turkish International Arbitration Law No. 4686. (inspired of both the UNCITRAL Model Law and the Swiss Arbitration Law)
- **Israel:** The law governing arbitration in Israel is the Arbitration Law of 1968.

II- International Conventions

- **New York Convention (Status of MEDA Countries in Alphabetical Order):**

	Ratification	Entry into Force
– Algeria:	7 February 1989	8 May 1989
– Egypt:	9 March 1959	7 June 1959
– Israel:	5 January 1959	7 June 1959
– Jordan:	15 November 1979	13 February 1980
– Morocco:	12 February 1959	7 June 1959
– Lebanon:	11 August 1998	9 November 1998
– Syria:	9 March 1959	7 June 1959
– Tunisia:	17 July 1967	15 October 1967
– Turkey:	2 July 1992	30 September 1992

International Conventions (Ctd.)

- **Washington Convention (Status of MEDA Countries in Alphabetical Order):**

	Ratification	Entry into Force
– Algeria:	21 February 1996	22 March 1996
– Egypt:	3 May 1972	2 June 1972
– Israel:	22 June 1983	22 July 1983
– Jordan:	30 October 1972	29 November 1972
– Lebanon:	26 March 2003	25 April 2003
– Morocco:	11 May 1967	10 June 1967
– Syria:	25 January 2006	24 February 2006
– Tunisia:	22 June 1966	14 October 1966
– Turkey:	3 March 1989	2 April 1989

III- Arbitration Infrastructure in Egypt

- **The Law:** (UNCITRAL Model Law with certain amendments relating to the scope [governs both domestic and international arbitrations]; Disputes arising out of administrative contracts [Law No. 9/1997]; challenge of arbitrators to be referred directly to state court [Law No. 8/2000]; the substantive law; the Appeal of the order granting the enforcement of the award [Article 58/3]).
- **The judiciary:** (Trends regarding the appointment and challenge of arbitrators; annulment [no appeal + no jurisdiction over awards rendered abroad] and enforcement of foreign awards [New York Convention]).
- **The Cairo Regional Centre:** (International organization established since 1979 - Applies UNCITRAL Arbitration Rules – Role in the settlement of Euro-Arab disputes).

Egypt (Ctd.)

- **The BITs:**

- **History of Egyptian BITs:** First BIT with Switzerland in 1973 and last BIT with Ethiopia in 2006.
- **Number of concluded Egyptian BITs:** (Statistics till June 2005) 110 Bits - ranked 6th after Germany, China, Switzerland, the UK and France
- **Ratification Status:** Out of the 110 BITs 37 BITs are not ratified and thus did not yet enter into force.

Egypt (Ctd.)

- Egypt's MEDA Partners: (7 Countries)

	Signature	Entry into force
● Algeria:	29 March 1997	3 May 2000
● Jordan:	8 May 1996	11 April 1998
● Lebanon:	16 March 1996	6 February 1997
● Morocco:	14 May 1997	1 July 1998
● Syria:	28 April 1997	5 October 1998
● Tunisia:	8 December 1989	2 January 1991
● Turkey:	4 October 1996	31 July 2002

- **ICSID Cases:** (10 Cases: Won three; lost three, amicably settled one case; the remaining three cases are still pending).