

Report of the first edition of UNCITRAL Days in the Arab States

The role of UNCITRAL in the modernization of international trade law in the Arab States

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Introduction

1. This report highlights the objectives, inputs, deliverables and outcomes of the first edition of the UNCITRAL Days in the Arab States.
2. First, the report provides background information on the UNCITRAL Days in general and on the specifics of the UNCITRAL Days in the Arab States. It is followed by a snapshot of the first edition of the UNCITRAL Days in the Arab States that demonstrates the extent of regional participation and the salient features of that first edition.
3. The Annex provides a brief description of each activity held.

Background of the UNCITRAL Days series

4. “UNCITRAL Days” are a flagship annual series of regional events that the secretariat of the United Nations Commission on International Trade Law (UNCITRAL) co-hosts with partner institutions of higher learning (hereinafter, “partner institutions” or “institutions”).
5. It is conceived as an annual celebration of the establishment of UNCITRAL by United Nations General Assembly resolution 2205 (XXI) on 17 December 1966. The events are organised by the partner institutions, and they are usually held during the last quarter of each year, with the support of the UNCITRAL secretariat.
6. The UNCITRAL Days aim at increasing awareness of UNCITRAL texts generally, and at fostering study, research and discussions by the participants on topics related to UNCITRAL’s work. They are aimed at, and involve, young legal scholars, law students and young legal professionals, i.e. the next generation of legal practitioners, academics and policymakers, who in their respective capacities may well become essential participants in, contributors to, and proponents of the work of UNCITRAL in the future.
7. Participation to the UNCITRAL Days is free. The activities held in the UNCITRAL Days context are academic in nature. The partner institutions who take the lead in organizing the activities typically focus for each edition on an area of commercial law identified as being of significant importance in the region, under an overarching theme suggested by and coordinated with the UNCITRAL secretariat.
8. The UNCITRAL Days were first launched as a regional event in 2014 by the UNCITRAL Regional Centre for Asia and the Pacific. These have been known as “the AP Days”. Given the success of, and increasing participation in the AP Days, an inaugural series for Latin America and the Caribbean was launched in 2020 (“the LAC Days”). In 2022, the first edition of the UNCITRAL Days in Africa was launched. Following several expressions

of interest received from Arabic-speaking jurisdictions from the Middle East and North Africa regions, the first edition of the UNCITRAL Days in the Arab States was successfully launched in 2024, after a pilot in 2023.

9. The UNCITRAL Days initiative in the 4 regions have reached, and continues to reach, many thousands of participants (students, professors, researchers, practitioners and sometimes even government officials). Many of them noted that the deliverables (lectures, presentations, focused workshops, etc.) have had a positive impact in terms of capacity-building provided to public and private stakeholders with the ultimate result of increasing awareness of UNCITRAL work and of international trade law issues in general. The annual UNCITRAL Days have also led to an increased participation to UNCITRAL's work by States of these four regions and assisted them in their consideration of UNCITRAL texts.

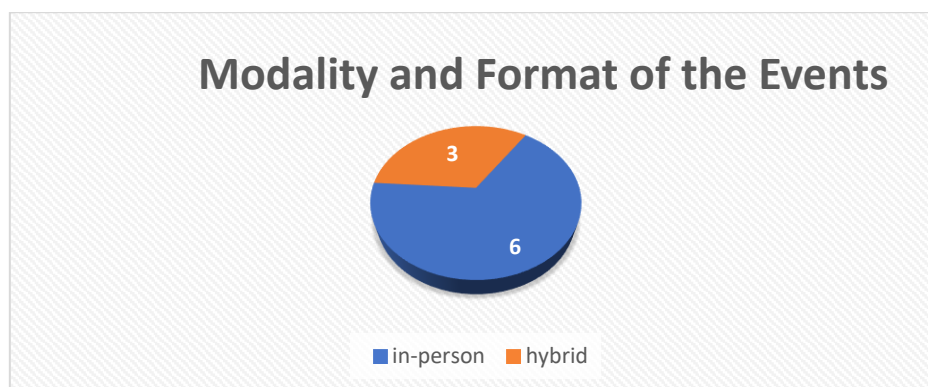
The first edition of the UNCITRAL Days in the Arab States: key highlights

List of Events, Hosting Institutions and Countries

Ref#	Country	Partner organization	Dates	Topic	Language
1	Bahrain	University of Bahrain	22 October	Insolvency	Arabic
2	Egypt	Ain Shams University	16 October	Mediation	Arabic
3	Jordan	University of Jordan	12 November	Insolvency	Arabic
4	Libya	Libyan Center for International Commercial Arbitration	26 November	Alternative Dispute Resolution	Arabic/English
5	Qatar	Hamad Bin Khalifa University,	24 September	Dispute Resolution in the Digital Economy	English
6	Qatar	Qatar University	7 October	International Sale of Goods, Electronic Commerce	Arabic/English
7	Tunisia	University of Carthage	28 November	UNCITRAL, Investor-State Dispute Settlement (ISDS) reform	French
8	United Arab Emirates	Middlesex University Dubai	9 November	International Arbitration, Transparency Standards	English
9	United Arab Emirates	Sorbonne University Abu Dhabi	9 December	Insolvency, Arbitration	English

Format of the events and support of the UNCITRAL secretariat

10. The format of the UNCITRAL Days in the Arab States activities ranged from two- or three-hour events to half- or one-day in-person or hybrid conferences, depending on the technological capacities, preferences of the hosting institutions and available funding.



11. The UNCITRAL secretariat provided support to all UNCITRAL Days in the Arab States activities, both in terms of participation in the events and by providing *ad hoc* support for the organisation of the activities. Legal officers from the UNCITRAL secretariat in Vienna delivered presentations related to specific subject areas of UNCITRAL's work, based on topics identified by the hosting institutions as being of special interest to them and their students.

12. In several events, the UNCITRAL secretariat delivered a general presentation about UNCITRAL covering its mandate, composition, work methods, instruments and ongoing work. Such general presentation allowed participants to obtain background information on processes leading to the adoption of UNCITRAL texts and their wide acceptance as offering solutions appropriate to all countries regardless of their stage of economic development.

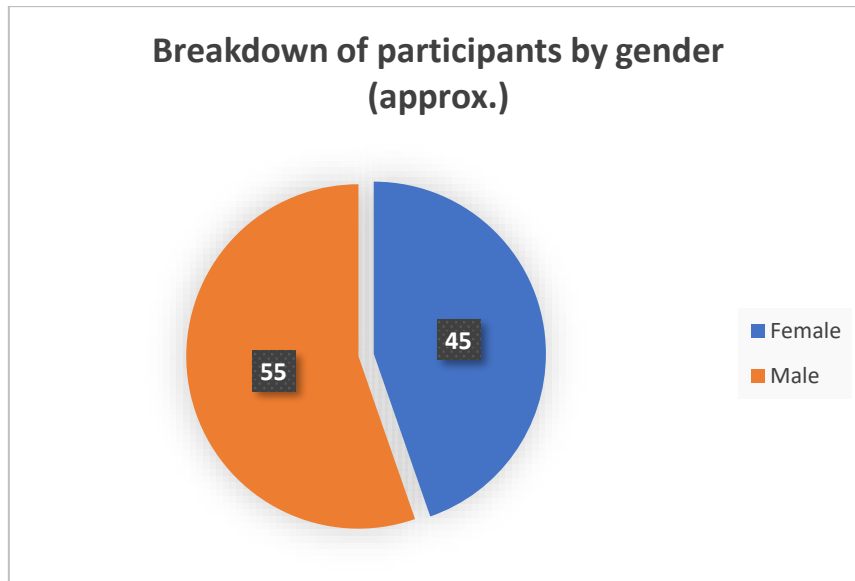
13. In most events, participating students were informed about the various existing UNCITRAL online courses,¹ so that they could deepen their knowledge and understanding of UNCITRAL texts covered by those courses after participating to the events.

14. On a total of nine events, three were held in Arabic, three in English, two in Arabic and English and one in French. The UNCITRAL secretariat was able to provide support in all those languages directly or through assistance of experts, with the result of enhancing regional accessibility and multilingualism of the UNCITRAL Days in the Arab States.

¹ <https://uncitral.un.org/en/onlinecourses>.

Participation, audience diversity and gender parity

15. Altogether, the nine activities of the UNCITRAL Days in the Arab States reached over 1070 synchronous participants (some events were livestreamed on separate platforms and therefore it is difficult to assess the exact number of total participants). Based on statistics provided by the hosting institutions, where in particular a gender breakdown was available, the public reached was diverse, with 45% of the participants being women overall.



16. While most activities were geared towards law students and academic community in the hosting institution, some events were live broadcasted or were recorded and were made available afterwards on social media platforms, thus allowing a broad audience to be reached, including from students, academia or others interested from other countries.

17. The events gathered experts (from academic and legal practitioners to government representatives) from Arab States at different stages of economic development, thereby ensuring that diverse perspectives could be represented, mirroring the variety of situations and contexts across both Middle East and North Africa.

Main takeaways from events held during the first edition

18. The chosen overarching theme for the first edition of the UNCITRAL Days in the Arab States was: “*The role of UNCITRAL in the modernization of international trade law in the Arab States*”. The theme provided sufficient flexibility for participants to discuss the impact of UNCITRAL texts in different areas in the Arab States where they have been implemented or are being considered for adoption. The need for updating existing laws with most recent UNCITRAL instruments was also discussed, as well as the value of explanatory and pedagogical materials being made available by UNCITRAL secretariat to further common

understanding and harmonized approach of UNCITRAL texts, that are available in Arabic language.

19. The following trends can be observed from the discussion held during the first edition of the UNCITRAL Days in the Arab States:

- a. Several jurisdictions in the Arab States are considering the recent texts adopted by UNCITRAL on dispute resolution, including the UNCITRAL Model Clauses on Specialised Express Dispute Resolution (SPEDR),² and are actively following the current work of UNCITRAL Working Group II on dispute resolution in the digital economy.³
- b. The importance of UNCITRAL Transparency Standards and the UNCITRAL Code of Conduct for Arbitrators in International Investment Dispute Resolution in the context of dispute resolution centres established throughout the Middle East and North Africa, to handle investment disputes.⁴
- c. The work of UNCITRAL Working Group III on ISDS reform⁵ is relevant to several Arab States that actively seek to attract foreign investments and to the States in North Africa that are in the process of ratifying the Investment Protocol of the African Continental Free Trade Area (AfCFTA) Agreement.
- d. UNCITRAL texts such as the United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980) (CISG) and part five of the UNCITRAL Legislative Guide on Insolvency Law on insolvency law for micro- and small enterprises are used as starting point for domestic legislative reforms. The importance of explanatory texts and digests of case law (available also in the Arabic language) was highlighted.
- e. Several participants called for additional awareness-raising activities about UNCITRAL in Arabic language. Expected availability of UNCITRAL online courses in Arabic and organization of other editions of the UNCITRAL Days in the Arab States in the future may allow for reaching that objective.

Supporting progress towards achieving Sustainable Development Goals

20. Electronic commerce, insolvency law, international sale of goods, ISDS reform and alternative dispute resolution were in the focus of the first edition. Considering UNCITRAL's work in those areas and the objective of the UNCITRAL Days initiative to raise awareness of international commercial law among the next generation, the events during the first edition

² <https://uncitral.un.org/en/texts/arbitration>.

³ https://uncitral.un.org/working_groups/2/arbitration.

⁴ <https://uncitral.un.org/en/texts/isds>.

⁵ https://uncitral.un.org/en/working_groups/3/investor-state.

supported UNCITRAL's contribution towards achieving the Sustainable Development Goals (SDGs), in particular Goals 1, 2, 4-12, 16 and 17.⁶



Conclusions and way forward

21. The UNCITRAL secretariat is grateful to all organisers and participants, and to all those who supported the organization of the first edition of the UNCITRAL Days in the Arab States, for the level of interest and enthusiasm which the events have attained, including on social media and in the local news.

22. It is the hope of the UNCITRAL secretariat that the next edition of the UNCITRAL Days in the Arab States, with its planned focus on the end-to-end trade digitalization and upcoming international convention on negotiable cargo documents,⁷ will be equally well received and further disseminated across the Middle East and North Africa.

23. For institutions interested in co-organizing an UNCITRAL Days' activity, please contact the UNCITRAL secretariat at uncitral@un.org, to explore collaboration opportunities.

⁶ For more information on how UNCITRAL supports SDGs, see <https://uncitral.un.org/en/about/sdg>.

⁷ For more information, see the fact sheet prepared by UNCITRAL secretariat on the project (A/CN.9/WG.VI/WP.113) at https://uncitral.un.org/en/working_groups/6/negotiablecargodocuments.

Annex: Summary of Events

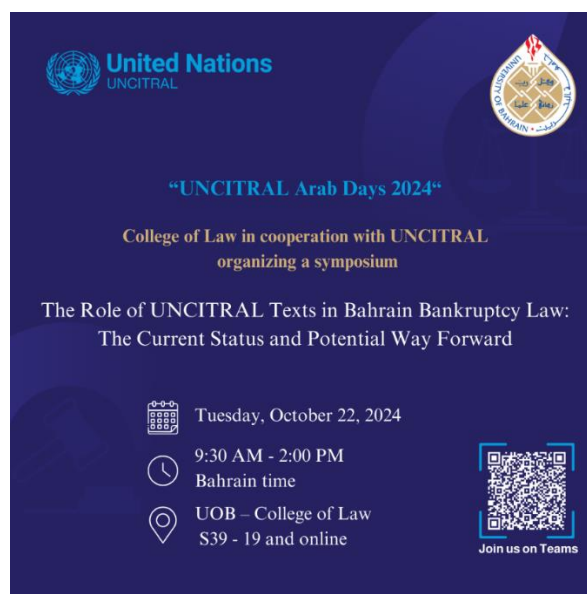
University of Bahrain (Bahrain)

(Manama, 22 October 2024)

The event held by the University of Bahrain on 22 October attracted about 250 participants, with 100 persons attending physically at the College of Law of the University of Bahrain, and 150 persons attending through the livestream. Discussions focused on the existing legal framework for insolvency in Bahrain and reform prospects.

Technical assistance activities on the draft amendments to the bankruptcy law of the Kingdom of Bahrain as regards a simplified insolvency regime for micro- and small enterprises and a dedicated legal framework for enterprise group insolvency were undertaken following the conference.

From the organizers: *“The event was beneficial and fruitful for students, particularly postgraduate students and researchers in this field. The presence of practitioners, including lawyers and bankruptcy trustees, enriched the event with insights into practical aspects and suggestions for improving current legislation. The contributions of UNCITRAL representatives and experts, who provided information about available UNCITRAL texts, was well received in the context of the ongoing reform in this area within the Kingdom of Bahrain. As a result, academics from the college were invited to a discussion session at the Bahraini Shura Council to present their opinions on developing bankruptcy law.”*



Ain Shams University (Egypt)

(Cairo, 16 October 2024)

The conference organized by Ain Shams University on 16 October in Cairo gathered around 90 in-person participants, a majority of them being women.

The conference was dedicated to UNCITRAL mediation framework, and means to establish a favourable environment for dispute settlement through mediation, with a specific focus on the UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation and the United Nations Convention on International Settlement Agreements Resulting from Mediation (New York, 2018) (the "Singapore Convention on Mediation"). In addition, a comparative study of mediation laws in other Arab States (e.g., UAE and Qatar), was presented.

The challenges faced to make mediation a means of dispute settlement as well as comparative advantages of mediation vis-à-vis arbitration were mentioned. Furthermore, the role of the Investors Disputes Settlement Centre established at the Egyptian General Authority for Investment and Free Zones, in solving disputes through mediation was discussed. The recommendation of the seminar was that more awareness raising events about mediation should be organized. It was highlighted that Egypt needed to have a commercial mediation law and to ratify the Singapore Convention on Mediation in order to enhance the use of mediation as a disputes settlement mechanism.



University of Jordan (Jordan)

(Amman, 12 November 2024)

The conference organized by the University of Jordan on 12 November gathered over 200 in-person participants. The conference was held under the theme “The Jordan Insolvency Law: Understanding, Assessing and Forecasting”.

The conference was attended by experts from the academic, the courts and the bar. Speakers shared their experience with the implementation of the 2018 Jordan insolvency law. As regards cross-border insolvency, it was said that the differences between national legal systems, technological impediment, lack of judgments available to judges and limited number of judges trained on cross-border insolvency was causing delay in proceedings having a cross-border dimension. As regards domestic insolvency aspects, stigmatization over insolvency filing was said to remain an issue in Jordan. Some participants expressed the desire to raise awareness among businesses in Jordan that insolvency proceedings could be a means to resolve financial issues at an early stage of distress instead of looking at it as a way to liquidate failed businesses.

Among the recommendations made by the participants, it was considered important to hold additional awareness-raising activities for the judiciary and insolvency experts (e.g., insolvency representatives and lawyers) through workshops and trainings. It was also suggested to consider an update of the 2018 Jordan insolvency law with the need to take into account the opinions of all the relevant stakeholders. Eventually, the need to consider part five of the UNCITRAL Legislative Guide on Insolvency Law on a simplified insolvency regime for micro- and small enterprises was stressed.

From the organizers: *“It was very useful event because the audience was informed of Jordan insolvency law and learned about other foreign insolvency laws, but also of Jordan and foreign case-law relevant to insolvency. Moreover, the audience has been informed of the more recent UNCITRAL texts on insolvency.”*





Libyan Center for International Commercial Arbitration (Libya)

(Benghazi, 26 November 2024)

The event gathered approximately 150 participants, primarily from Libya, including representatives from the Ministry of Justice and the Ministry of Investment.

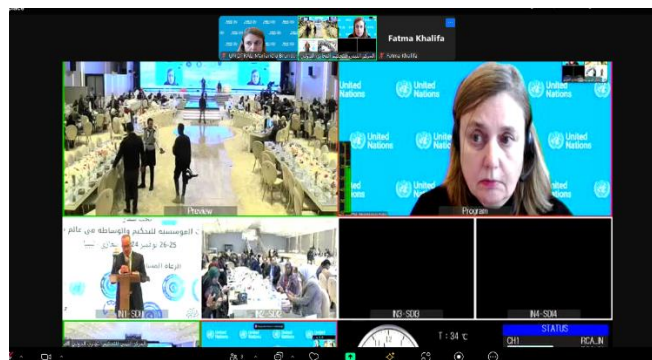
Several speakers called for a reform of the Libya Arbitration Act, for it to be in compliance with the UNCITRAL Model Law on International Commercial Arbitration, and for Libya to join the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (the "New York Convention") to facilitate enforcement of arbitral awards. This was also considered relevant to attract foreign investment, that was critically needed in a post-conflict State.

On a longer term, the adoption of the Singapore Convention on Mediation was considered important but not sufficient to foster a mediation-friendly environment. It was important to have institutional capacity, a broader enabling legal framework, and clear accreditation rules for mediators.

Organizing more events similar to UNCITRAL Days in the Arab States with relevant stakeholders (students, practitioners, judges) was suggested.

From the organizers: *"I want to extend my heartfelt thanks for the exceptional contribution by the UNCITRAL representative and her valuable perspectives during the session. Her insights on the UNCITRAL instruments' role were particularly impactful and resonated strongly with the audience. I am delighted to share that the feedback from participants in Libya has been overwhelmingly positive."*

I would also like to take this opportunity to thank the entire UNCITRAL team for the follow-up and coordination, and for their continuous support and contributions. Their patience, understanding, and joint efforts from initiation to execution played a pivotal role in the success of this event in Libya, and their collaboration is deeply appreciated."



Hamad Bin Khalifa University (Qatar)

(Qatar, 24 September 2024)

This event took place in hybrid form, with approximately 30 in-person participants being present at Hamad Bin Khalifa University (HBKU).

After a presentation on the recent work of UNCITRAL in the area of dispute resolution, speakers discussed the evolving landscape of dispute resolution in the region. While the uptake of technologies such as smart contracts, blockchain and non-fungible tokens were mentioned, the discussions centred on the issues regarding the use of artificial intelligence (AI) in dispute resolution. Caution was raised as to the adverse impact that the use of AI might have on the decision-making process, and the corresponding need for ethical standards was stressed. During the ensuing discussions, it was pointed out that there would be challenges in enforcing ethical standards on the adjudicators, such as arbitrators.

The press release and the summary of the event prepared by HBKU is available at: <https://www.hbku.edu.qa/en/news/international-trade-law-for-mena-seminar>.



Qatar University (Qatar)


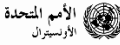
(Qatar, 7 October 2024)

The roundtable organized by Qatar University on 7 October 2024 gathered 50 participants, both online and in-person. The roundtable focused on the role of UNCITRAL texts in accompanying the economic diversification of Qatar. In addition to law students, representatives of the Law Faculty of Qatar University, visiting researchers and scholars, representatives from the Ministry of Commerce and Industry, and Qatar Chamber of Commerce affiliates participated to the event.

Three major areas were subsequently considered: international sale of goods, digital economy and alternative dispute resolution. More specifically, CISG, the UNCITRAL/UNIDROIT Model Law on Warehouse Receipts (2024), the UNCITRAL Model Law on Electronic Transferable Records (2017) and UNCITRAL texts on arbitration and mediation were presented, as Qatar is positioning itself as a regional and global hub for dispute resolution and digital economy, but also for the transit of goods between Africa, Asia and Europe.

The Press release issued by the University of Qatar is available at <https://www.qu.edu.qa/en-us/NewsRoom/Pages/newsdetails.aspx?newsid=12847>.

The recording of the roundtable is available at <https://shorturl.at/rseVF>.




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يسر كلية القانون بجامعة قطر دعوتكم لحضور الطاولة المستديرة بعنوان:
تأثير القوانين النموذجية للأمم المتحدة في دعم التنوع
الاقتصادي لدولة قطر

يوم الإثنين 7 أكتوبر 2024
الساعة: 01:50 – 12:30 م (بتوقيت الدوحة)
المكان: عن بُعد ومبنى كلية القانون 109، قاعة المؤتمرات B114



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Qatar University Law and UNCITRAL invite to the Roundtable on:
**How UNCITRAL Model Laws Promote the
Economic Diversification of Qatar**

Date: Monday, October 7, 2024
Time: 12:30 PM - 01:50 PM (Doha Time)
Location: Online and at QU Law 109, Conference Room B114



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University of Carthage (Tunisia)

(Tunis, 28 November 2024)

The conference organized by University of Carthage on 28 November 2024 on the overarching theme “The negotiation” featured one panel on the methods of work of UNCITRAL and the current work of UNCITRAL Working Group III on ISDS reform, with the testimony of a delegate about her experience with intergovernmental negotiations in Working Group III and in the context of the negotiation of the Protocol on Investment to the AfCFTA Agreement.

The panel gathered 60 in-person participants and was livestreamed on social media platforms. It was followed by a lively Q&A session. It is expected that a summary of the conference will be published in 2025.



Middlesex University Dubai (United Arab Emirates)

(Dubai, 9 November 2024)

The UNCITRAL Days in the Arab States event organized at Middlesex University Dubai was a highly engaging and well-attended gathering, with 120 in-person attendees. The event featured presentations from UNCITRAL experts who participated online, ensuring a seamless exchange of knowledge on key legal issues. This format allowed for an interactive experience, fostering valuable discussions and insights on international trade law and arbitration practices within the Arab region.

The press release issued by MDX is available at: <https://www.mdx.ac.ae/news/uncitral-day-for-arab-states-2024-hosted-at-middlesex-university-dubai>.

According to the organizers: *“Hosting the UNCITRAL Days for the Arab States at Middlesex University Dubai was an invaluable experience that underscored our commitment to advancing legal education and fostering dialogue on international arbitration. The event provided our students and stakeholders with a unique opportunity to engage directly with global experts, gaining fresh insights into the evolving dynamics of transparency, ethics, and professionalism in arbitration.*

This collaboration with UNCITRAL has enriched our academic community and strengthened our role as a hub for legal excellence in the region. We are especially appreciative of UNCITRAL’s support and expertise provided by UNCITRAL secretariat, which enriched the discussions and made the event memorable for all involved.”





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JOIN US FOR
UNCITRAL DAY
FOR ARAB STATES
AND HELP SHAPE THE FUTURE OF
INTERNATIONAL ARBITRATION

9 NOVEMBER 2024
9AM-2PM (GST)
DUBAI KNOWLEDGE PARK



Sorbonne University Abu Dhabi (United Arab Emirates)

(Abu Dhabi, 9 December 2024)

The event organized by Sorbonne University Abu Dhabi was attended by 40 in person-participants, with UNCITRAL secretariat representatives participating online. The event covered UNCITRAL texts on arbitration and insolvency and their use in the United Arab Emirates (UAE), in particular in the context of special economic zones established in the UAE, where some UNCITRAL texts are enacted (Abu Dhabi Global Market, Dubai International Financial Centre (DIFC)).

Two panels of experts, that included judges at the DIFC courts and lawyers specialized in insolvency and arbitration, discussed the interaction between the different jurisdictions and laws (federal, state and special economic zones). Issues of recognition, enforcement, applicable law and coordination were emphasized. Innovations brought by the newly enacted insolvency law in the UAE as regards asset tracing and recovery in insolvency, directors' obligations in the period approaching insolvency and avoidance were assessed against the current and recent work of UNCITRAL.

During the ensuing Q&A session, the need for enhanced coordination between jurisdictions and between stakeholders (e.g., insolvency representatives, arbitrators) was highlighted.



