Article (1)
In the application of the provisions of these Rules, the following terms and expressions shall have the meanings assigned to them herein unless the context otherwise requires:

Centre: The Commercial Arbitration Centre for the States of the Co-operation Council for the Arab States of the Gulf.


Secretary General: Centre’s Secretary General.

Tribunal: Arbitral Tribunal formed in accordance with the Rules.

Arbitration Agreement: Arbitration Agreement made by the parties in writing for reference to arbitration whether prior to the dispute (arbitration clause) or thereafter (arbitration stipulation).

Panel: List of the names of arbitrators at the Centre.

Article (2)
1. An Arbitration Agreement made in accordance with the provisions of these Rules before the Centre shall preclude the reference of the dispute before any other authority or it shall also preclude any challenge to arbitration award passed by the Arbitral Tribunal.

2. In case of reference to arbitration, it is proposed that the following text be included in the Arbitration Agreement:

“All disputes arising from or related to this contract shall be finally settled in accordance with the Charter of the Commercial Arbitration Centre for the States of the Cooperation Council for the Arab States of the Gulf”.

Article (3)
All agreements and stipulations referred to arbitration before the Centre shall be presumed valid unless evidence is provided establishing the invalidity thereof.

Article (4)
Arbitration before the Centre shall take place pursuant to these Rules unless there is a provision to the contrary in the Arbitration Agreement. The parties may select further procedural rules for arbitration before the Centre, provided that such rules shall not affect the powers of the Centre or Arbitral Tribunal provided for in these Rules.
Article (5)
The Centre’s Tribunal shall ensure all rights of defense for all parties to the dispute and shall treat them on an equal basis. The Tribunal shall ensure each party in the proceedings has the full opportunity to present his case.

Article (6)
1. The Arbitral Tribunal shall determine the place of the Arbitration unless agreed upon by the parties.
2. The Arbitral Tribunal may, after consultation with the parties, conduct hearings and meetings at any place it considers appropriate unless otherwise agreed by the parties.
3. The Arbitral Tribunal may hold the deliberations in any place it deems appropriate.
4. In all cases, the award is considered passed in the place determined for arbitration and on the date mentioned therein.

Article (7)
In the absence of an agreement by the parties, the Arbitral Tribunal shall determine the language or languages to be used in the proceedings of arbitration taking into account the conditions of arbitration including the language of the contract.

Arbitral Tribunal
Article (8)
The Arbitral Tribunal shall be composed of a single arbitrator or three arbitrators as mutually agreed upon between the parties. In case there is no agreement, the Secretary General shall form the Tribunal with one arbitrator, unless he finds that the nature of the dispute requires to be formed by three arbitrators.

Submission of Applications and Reference to Arbitration
Article (9)
The Claimant shall submit a written application to the Secretary General containing the following:
1. His name, surname, capacity, nationality and address.
2. Name of the respondent, his surname, capacity, nationality and address.
3. Statement of the dispute, its facts, evidence thereof and specified claims.
4. Name of the elected arbitrator, if any.
5. A copy of the Arbitration Agreement and the documents relating to the dispute.
The Secretary General shall ensure that all the necessary documents are available for pursuing the arbitration proceedings. In case the required documents are not complete, the concerned party shall be given notice to produce them.

**Article (10)**

Upon receipt of the arbitration application and payment of fees, the Secretary General shall notify the Claimant, acknowledging receipt of his application, and shall notify the respondent by registered letter, with a copy thereof within seven days from the date of receiving such application.

**Article (11)**

The respondent shall submit within twenty days from the date of being notified of the application, a reply memorandum containing his defense pleas, counter claims, if any, and the name of his elected arbitrator supported by the documents available to him. The Secretary General may give him, upon his request, a grace of period not exceeding twenty days for this purpose.

**Article (12)**

1. If the Arbitral Tribunal consists of a single arbitrator, the parties shall agree on his appointment within the period fixed in the preceding Article, otherwise the Secretary General shall appoint an arbitrator from among the Centre’s Arbitrator’s Panel within two weeks from the expiry of such period. The Secretary General shall notify all parties of such appointment.

2. If the claimant fails to nominate the arbitrator he wishes to elect in his application, the Secretary General shall appoint the arbitrator within two weeks from the date of receiving the application.

3. If the respondent fails to nominate the arbitrator of his election during the period stipulated in the preceding Article, the Secretary General shall appoint an arbitrator within two weeks.

4. The Secretary General shall invite the arbitrators nominated by the two parties to elect a third arbitrator who shall be Chairman of the Tribunal. However, in case of failure to reach agreement within twenty days from the date of the invitation, the Secretary General shall appoint, within two weeks, the third arbitrator.

**Article (13)**

Where there are multiple parties, whether as claimant or as respondent and where the dispute is to be referred to three arbitrators, the multiple claimants jointly, and the multiple respondents jointly shall nominate an arbitrator.

If the parties fail to appoint arbitrators as mentioned hereinabove, the Secretary General shall appoint all the arbitrators including the Chairman of the Tribunal.
Article (14)
If either party disputes the validity of appointing one of the arbitrators, the Secretary General shall settle such dispute within two weeks by a final decision provided that this dispute on the validity shall be presented before holding the hearing fixed for considering the dispute.

Article (15)
If an arbitrator dies, declines appointment, or force majuere prevents him from carrying out his duties or the continuation thereof, a substitute shall be nominated in his stead in the same manner in which the original arbitrator was appointed.

Article (16)
The Secretary General shall refer the dispute file to the Tribunal within seven days from the date of forming it in the above said manner. The Tribunal shall proceed with carrying out its mandate within fifteen days from the date of notification thereof.

Challenge of Arbitrators
Article (17)
Either party may challenge the appointment of an arbitrator for reasons to be set out in his petition. The challenge shall be submitted to the Secretary General.

Article (18)
1. In case one of the parties seeks to challenge an arbitrator, the other party may agree to such challenge. Further, the arbitrator sought to be challenged may relinquish the hearing of the dispute and a new arbitrator shall be appointed in the same manner in which the said arbitrator was nominated.

2. If the other party does not agree to the plea for challenging the arbitrator and if the said arbitrator sought to be challenged does not relinquish the hearing of the dispute, the Secretary General shall settle the issue of the challenge within three days from receiving an application in this respect.

3. If the Secretary General decides to challenge the arbitrator, a new arbitrator shall be appointed in accordance with the Rule. The challenged arbitrator as well as the parties shall be notified of such decision.

Plea for Jurisdiction of the Arbitral Tribunal
Article (19)
Unless there is an express agreement to the contrary, an Arbitration Agreement shall be deemed as independent from the contract subject to the dispute. If the contract is invalidated or terminated for any reason the Arbitration Agreement shall remain valid and effective.
Article (20)

The Arbitral Tribunal shall have the power to rule on the issue relating to its non-jurisdiction. This shall include the pleas based upon the lack of an Arbitration Agreement, nullity of such Agreement, lapse thereof or its non-applicability to the issue in dispute. The said pleas shall be presented at the first hearing prior to examining the merits.

Hearings

Article (21)

The Tribunal shall hold, at the request of either party, at any stage of the proceedings, hearings for verbal pleadings or for hearing testimony from witnesses or experts. If neither party makes such a request, the Tribunal shall have the option either to hold such hearings or to go ahead with the proceedings on the basis of the papers and documents, provided that at least one hearing has already been held.

Article (22)

1. In case of verbal pleadings, the Tribunal shall notify the parties, within a sufficient period of time before the pleading’s hearing, of the date, time and place of hearing.

2. In case of providing proof by testimony of witnesses, the party upon whom the onus of proof rests shall notify the Tribunal and the other party, at least seven days before the testimony hearing, of the names of witnesses whom he plans to call to the witness stand, their addresses, the matters in respect of which the said witnesses shall testify and the language to be used for such testimony.

3. The Tribunal shall make the necessary arrangements for translation of verbal statements made at the hearing if such statements are in a language other than Arabic and the Tribunal shall prepare minutes of the hearing.

4. Pleading and testimony hearings shall be held behind closed doors unless the two parties agree to the contrary and the Tribunal shall be at liberty to decide the method of questioning the witnesses.

5. The Tribunal shall decide whether to accept or reject evidence and the existence of a link between the evidence and the issue of the case or lack of such linkage and the significance of the evidence provided.

Article (23)

1. If either party alleged that the documents submitted to the Tribunal have been forged, the Tribunal shall temporarily suspend the Arbitral proceedings.

2. The Tribunal shall refer the alleged forgery to the competent committee for investigating it and taking a decision in respect thereof.

3. If the forgery incident is proved to be true, the Tribunal shall pass a ruling for cancellation of documents proved to have been forged.
Article (24)
The Tribunal may, at any stage of the arbitration, request the parties to produce other documents or evidence, conduct an inspection of the premises subject to the dispute and make investigations it deems fit, including assistance by experts.

Article (25)
The parties to the dispute may authorize the Tribunal to settle the dispute between them by means of reconciliation. They may also request the Tribunal at any stage to confirm what has been agreed upon between them by way of a reconciliation or settlement, and it shall pass a ruling to that effect.

Article (26)
The Tribunal may, ex-officio or at the request of one of the parties to the dispute, decide at any time, after closing of the pleadings and prior to rendering the award, to open pleadings anew on the merits for material reasons.

Failure to Appear
Article (27)
If either party fails to appear at the hearings after receiving notification to appear from the Tribunal, and does not provide, during a period of time being fixed by the Tribunal, an acceptable excuse for his absence, such absence shall not bar proceeding with the arbitration.

Interim Measures
Article (28)
The Tribunal may take, at the request of either party, interim measures in respect of the subject matter of the dispute, including the measures for preservation of the contentious goods, such as ordering the deposit of the goods with third parties or sale of the perishable items thereof in compliance with the procedural rules in the country where the interim measure is adopted.

Applicable Law
Article (29)
The Tribunal shall settle disputes in accordance with the following:

1. The contract concluded between the two parties as well as any subsequent agreement between them.
2. The law chosen by the parties.
3. The law having most relevance to the issue of the dispute in accordance with the rules of the conflict of laws deemed fit by the Tribunal.
4. Local and international business practices.

Article (30)
The GCC regulations and resolutions as well as provisions of the Unified Economic Agreement and their interpretations shall be applicable to the disputes arising from the enforcement thereof.

Deliberations and Award

Article (31)
If there are several arbitrators and the pleadings have ceased, the Tribunal shall meet for deliberations and passing an award. The deliberations shall be held behind closed doors. However, if there is a single arbitrator on the Tribunal, he shall pass the award after ceasing the pleading.

Article (32)
If there are several arbitrators, the award shall be passed by a unanimous or a majority vote. In all cases, an award shall be passed within a maximum period of one hundred days from the date of referring the case file to the Tribunal unless the parties agree on another period for passing the award. The parties convenant with each other to enforce the award with immediate effect. In case an award is passed by a majority vote, the dissenting arbitrator shall note down his opinion in a separate paper to be attached to the award but the dissent shall not be deemed as an integral part thereof.

Article (33)
The period referred to in the preceding Article may be extended by a decision made by the Secretary General upon a grounded request from the Tribunal. If the Secretary General is not convinced of the reasons given by the Tribunal for the extension request, the Secretary General shall fix a deadline in consultation with the parties to the dispute and the Tribunal shall pass its ruling within such deadline and its mandate shall be ended upon the expiry of the said deadline.

Article (34)
The award shall be grounded and must contain the arbitrators’ names, their signatures, names of the parties, date of the award, place of issue, facts of the case, litigants’ claims, a summary of their defense pleadings, their defenses, replies thereto and the party who shall incur the costs and legal fees either in full or partially.
Article (35)

1. The Tribunal shall send a copy of the award to the Secretary General for the purpose of deposit and registration, if required, under the law of the State in which the award shall be enforced.

2. The Tribunal Secretariat shall send a copy of the award to each of the parties by registered letter with a note of receipt within three days from the date the award is passed.

Article (36)

1. An award passed by the Tribunal pursuant to these Rules shall be binding and final. It shall be enforceable in the GCC member States once an order is issued for the enforcement thereof by the relevant judicial authority.

2. The relevant judicial authority shall order the enforcement of the arbitration award unless one of the litigants files an application for the annulment of the award in the following specific events:

   (a) If it is passed in the absence of an Arbitration Agreement or in pursuance of a null Agreement, or if it is prescribed by the passage of time or if the arbitrator goes beyond the scope of the Agreement.

   (b) If the award is passed by arbitrators who have not been appointed in accordance with the law, or if it is passed by some of them without being authorized to hand down a ruling in the absence of others, or if it is passed pursuant to an Arbitration Agreement in which the issue of the dispute is not specified, or if it is passed by a person who is not legally qualified to issue such award.

Upon the occurrence of any of the events indicated in the above two paragraphs, the relevant judicial authority shall verify the validity of the annulment petition and shall pass a ruling for non-enforcement of the arbitration award.

Article (37)

The Tribunal may, ex-officio or at a written request from either party to be submitted through the Secretary General, correct any material and similar errors in the award after giving notice to the other party with respect to such request, provided that the correction request shall be submitted within fifteen days from the date of receiving the award. The correction shall be done and considered as an integral part of the award and notice thereof shall be given to the parties.

Article (38)

Either party may request the Tribunal, within seven days from the date of receiving the award, to interpret any ambiguity which may arise therein, provided that the other party shall be given notice of such request. The Tribunal shall provide the interpretation in writing within
twenty days from the date of receiving such application. The interpretation shall be deemed as an integral part of the award in all aspects.

**Fees and Costs**

**Article (39)**

The Centre shall charge a fee of (BD 50) or the equivalent thereof for every reference to arbitration.

**Article (40)**

1. The Centre shall charge fees for the services provided to the parties but such fees shall not, under any circumstances, be more than 2% of the amount in dispute.

2. The Secretary General shall propose a scale of fees for its services pursuant to the preceding Paragraph (1) and such scale of fees shall be effective upon approval by the Board of Directors of the Centre.

**Article (41)**

1. The Secretary General shall prepare a statement of temporary estimate of the arbitrators’ fees and other arbitration costs such as the travel expenses of the arbitrators and witnesses, fees of experts and translators and fees for the Centre’s services. Each of the parties to a dispute shall be instructed to deposit a certain equal amount as an advance on account of such costs. The parties may be instructed to make supplementary deposits in the course of arbitration proceedings.

2. If the required deposits are not made within thirty days from the date of receiving the instructions, the Secretary General shall notify the parties in this respect so that one of them shall pay the required amounts. In case the amount is not paid, the Tribunal may order the suspension or termination of the arbitration proceedings.

3. Once the Tribunal’s award is passed, the Secretary General shall submit a statement of the deposits and expenses and make a final settlement by refunding any surplus amount or collecting the amounts outstanding.

**Final Provisions**

**Article (42)**

The GCC Commercial Co-operation Committee shall have the right to amend these Rules and the Board of Directors of the Centre shall have the right to interpret them.

**Article (43)**

These Rules shall come into effect immediately upon their ratification by the GCC Commercial Co-operation Committee.