

Briefing Paper ٢٦

Dispute Resolution for Family Businesses in the GCC: Keeping the family united

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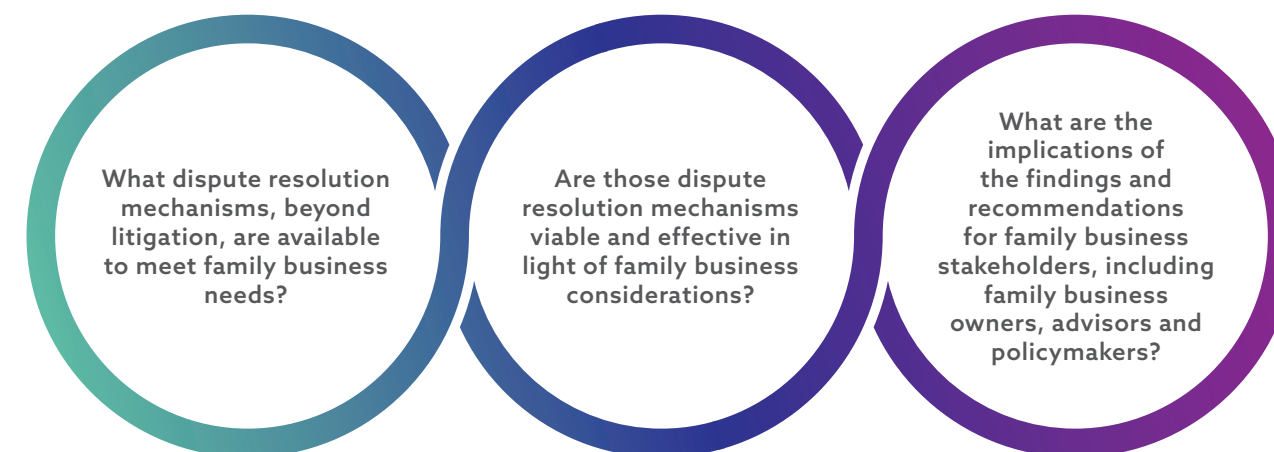
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Executive Summary

1. Executive Summary

Report objectives

The rationale behind this report is to understand and assess dispute resolution mechanisms available to family businesses in the Gulf Cooperation Council countries ('GCC'). The objectives are to understand three underlying questions:



The report concentrates on litigation and the two dominant forms of alternative dispute resolution: mediation and arbitration. The research methodology consists of primary and secondary research, including interviews with experts and stakeholders across the region and reviews of international best practices. Based on the interviews and the key findings, this report proposes a number of recommendations summarised below. This report's recommendations are grouped to aid the three audiences at which it is targeted: family businesses, legal professionals, and government bodies. As far as the authors are aware, this study is the first of its kind: no specific reports on dispute resolution solutions for GCC family businesses have been previously produced.

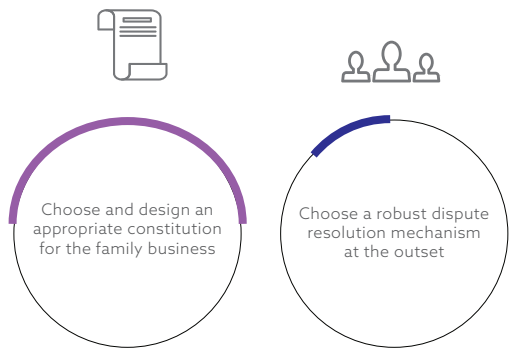
Key findings

The general consensus across stakeholders in different jurisdictions was that:

- Family business disputes are a form of dispute distinct from (but with elements of) family litigation, commercial litigation and business negotiation, but with intense interpersonal and familial relationships at their heart;
- the default form of dispute resolution, litigation, is not ideal for most family disputes;
- alternative forms of dispute resolution, principally mediation and arbitration, generally provide better frameworks for family businesses in disputes, for example affording greater flexibility over the resolution process, choice of arbitrator or mediator, and increased privacy and confidentiality;
- the current offering of alternative dispute resolution is inadequate. Courts, mediation and arbitration centers do not differentiate between family business disputes and other commercial disputes; and
- parties with interests in successful family business dispute resolution, including family businesses, legal professionals and government bodies, can take a number of steps to improve the GCC's family dispute resolution offering.

Summary of recommendations

Recommendations for family businesses:



i. Choose and design an appropriate constitution for the family business

Having a single agreement that identifies and aligns the family on the fundamental legal rights will usually reduce the likelihood of conflict arising in the future.

The constitution should cover essential relationships such as the corporate structure of the family business (e.g. a trust or private interest foundation, or a company with private or publicly listed shareholdings). The constitution allocates personal rights over assets such as interests in trust, property or shares, and it should provide for essential governance such as the shareholder exit mechanism, valuation, appointment and removal of managing executives and/or the board.

The constitution should be legally binding because a non-binding document, like a memorandum of understanding, will not guarantee any certainty over the legal relations between family members. Families should also consider incorporating codes of conduct into their constitutions, to provide guidelines for acceptable and unacceptable behavior that may diminish the chance of a dispute developing.

ii. Choose a robust dispute resolution mechanism at the outset

No family business wishes to end up in a dispute but, if it does, electing for a pathway for dispute resolution means that all parties should have clarity and certainty over the route to resolution. Fighting over the appropriate dispute resolution processes merely adds more expense and frustration and can ultimately be a barrier to ending conflict.

A robust mechanism may include a stepped dispute resolution clause that obliges family members to mediate in the first instance failing which, confidential arbitration under the rules of an existing arbitral institution and an appropriate curial seat will lead to the rendering of an award that can be enforced in the jurisdictions relevant to the family’s business or businesses.

Furthermore, families should periodically, review their elected dispute resolution mechanism to ensure it is still valid for the objectives and dynamics of their family business. A mechanism in a constitution drafted when the business operated in just one jurisdiction and the family members or shareholders lived locally may no longer be the best mechanism when the business has progressed to be cross-jurisdictional and now spans numerous sectors, with family members living around the world.

Recommendations for legal professionals (including judges and dispute resolution institutions):



i. Train and dedicate specialist practitioners for family business disputes

A common concern, particularly amongst respondents interviewed in the process of drafting this report is that family businesses often do not know to whom to turn for assistance in times of conflict. International law firms and counsel from non-Arab jurisdictions do not necessarily have the cultural and/or linguistic capabilities to mediate complicated family business conflicts. Respected elders from the local community, who would be considered authoritative by all sides of the dispute, are not always readily contactable; relying on ‘word-of-mouth’ is not an ideal solution.

It is recommended that dispute resolution institutions, governments and the legal professionals in the GCC design and deliver proper training and create a list of registered, experienced and recommended professionals and community figures whom parties may approach for dispute resolution services, both as mediators and/or arbitrators.

In particular, judges should go through specific mediation training given their knowledge and skills in dispute resolution. When disputes crystallise, parties should carefully consider their choice of arbitrator and/or mediator, based on factors including soft skills, legal and business experience, and cultural familiarity.

ii. Consider enforcing mandatory alternative dispute resolution in family business disputes

Lack of knowledge and education may lead parties in many GCC jurisdictions to commence litigation in the local courts when they do not necessarily need to (indeed, in many jurisdictions, if no alternative mechanism is expressly agreed, the default dispute resolution process is litigation). Litigation runs the risk of the dispute being fought in public and reported in the media; it also leaves the management of the dispute in the hands of the judge, which may be tied by court procedural rules and a heavy workload. Better knowledge of available options may draw parties away from the court, but too often, they are forced to rely on the consent of all the disputing parties.

A mandatory mediation process provision would require parties to move directly to mediation at the outset, as a pre-condition of instigating formal court proceedings. Such provision may lead to more disputes being resolved at an earlier stage, in a more inexpensive or less damaging way to the family business and, ultimately, the family itself. Mandatory mediation processes should also be considered, where mediations must last no less than one day unless settlement is reached, and where parties must turn up in person without delegating another to attend in their place. A mandatory arbitration provision may also be considered as an alternative to litigation if mediation fails to conclude the dispute.

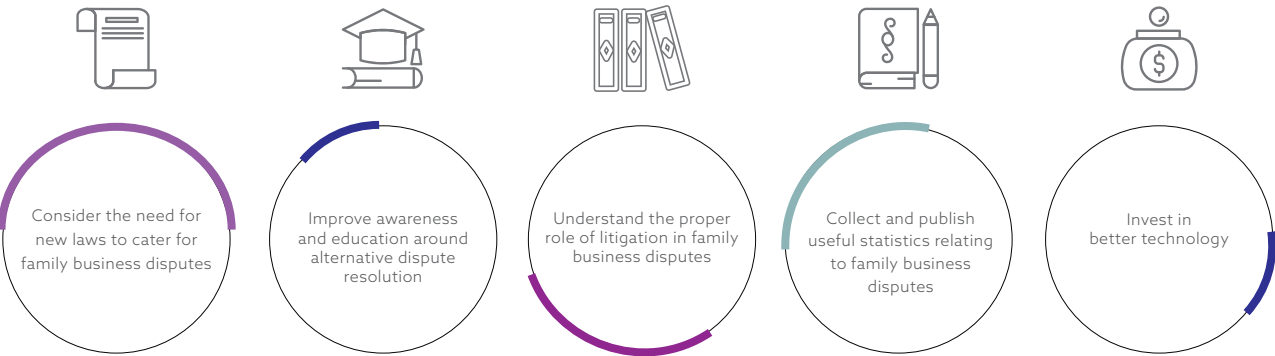
iii. Develop special rules for family disputes, including privacy and confidentiality safeguards

Ideally, different jurisdictions may want to set up tailor-made “forums dedicated exclusively to family dispute resolution”, as recommended by a legal expert from Bahrain. However, until those institutions are established, the processes of existing institutions can be adopted for the needs of family businesses.

Special rules of procedure should be developed for family disputes in for example courts, including fast-track processes and the ability to close proceedings that are generally open to the public. Other procedural formalities could be dispensed with, such as full documentary discovery and disclosure exercises. Rules of the court or arbitral institutional rules could be developed to allow the elements of a dispute relating to a family to be severed from a broader commercial dispute, or to join other family members to a dispute if the fair disposal of the proceedings required that step. Families do not want their private family matters exposed in the public.

However, that said, there are often uncertainties over the privacy of proceedings. Many courts in the GCC have open hearings and list cases but do not publish judgments widely and also do not name parties when they do publish judgments. The common law courts in the UAE and Qatar insist on a presumption in favour of public hearings and many court documents are freely available, however parties can apply for privacy orders to restrict hearings and seal documents to prevent them entering the public domain. It is recommended that legal professionals co-operate to develop safeguards in mediation, arbitration and litigation to improve the privacy of proceedings, perhaps through the development of a rebuttable presumption in favour of privacy.

Recommendations for government bodies:



i. Consider the need for new laws to cater for family business disputes

Most stakeholders did not specifically call for new laws for family business disputes. However, in jurisdictions such as Bahrain, practitioners believe new rules may be required and, in the case of Kuwait, model rules have already been drafted covering family constitutions, which make provision for family dispute resolution. It is recommended, in particular, that jurisdictions consider whether novel forms of legal vehicles could be introduced, such as trusts.

Governments can consider implementing legal frameworks that make family constitutions legally binding, for instance by providing a statutory presumption in favour of such documents being binding on their signatories to provide them with certainty. This presumption would still allow non-binding declarations of intention contained in, for instance, memoranda of understanding, to be produced as evidence that the parties did not intend to create justiciable rights.

ii. Improve awareness and education around alternative dispute resolution

This recommendation is principally for regulators of the legal profession and judiciary, but also applies to bodies responsible for family businesses such as regional departments for economic development and national ministries. This report recommends greater education for legal practitioners geared towards international best practices for alternative dispute resolution management. This includes ‘hard’ knowledge of facts like arbitral rules and accounting principles,

and ‘soft’ skills such as handling delicate family mediations. In particular, it is recommended that judges are ‘upskilled’ via dedicated training, especially given the recommendation that mediation be a compulsory pre-cursor to litigation. Families and their advisors should also be better educated in respect of their dispute resolution choices. In part, this will happen naturally as their legal advisors become more knowledgeable, but nothing should prevent regional and local trade departments from offering information to businesses, lawyers and other advisors and experts.

iii. Understand the proper role of litigation in family business disputes

The ultimate role of litigation is to assist in dispute resolution. This may mean, as an inherent part of the litigation process, that disputes be paused in order to allow mediation to take place (including court-managed mediation), or the switching of the dispute to another track, such as arbitration. Generally, the key advantage of litigation is the enforcement of any judgment issued. However, these are no longer advantages unique to litigation. It is recommended that government bodies explore how institutional structures and rules should be amended to guide family business disputes along with different, and potentially more successful paths. Arbitration awards are often more portable than court judgments: they can be employed in a greater number of foreign jurisdictions for enforcement against assets, and are normally simpler, faster and cheaper to process. Compulsory mediation is one option. One example is set by Bahrain is the Bahraini Trusts Law (Article 67 titled Competent Court, paragraph 1) where it expressly refers to the Bahrain Chamber of Dispute Resolution (BCDR) as the competent court “to rule in all matters arising out of this law in accordance with the provisions of the said Legislative Decree and its implementing regulations”.

iv. Collect and publish useful statistics relating to family business disputes

In order to develop a deeper understanding of family business disputes and their underlying causes, it is recommended that governments develop useful metrics drawn from sources such as courts, regulatory bodies, dispute resolution institutions, and surveys involving business families and practitioners. Accurate statistics can detect real trends, for example a dispute categorised as ‘commercial’ may in fact be a family dispute over a shareholding.

v. Invest in better technology

The new generation of family business leaders is accustomed to having easy access to ever-greater quantities of data. Dispute resolution is no different, and we recommend that government bodies, including court systems, lead the way to find new uses of technology, such as video-conferencing for hearings or meetings, the electronic production of documents and the creation of ‘smart’ or self-executing contracts, where information technology determines whether or not contract terms have been performed. These options are already available in common law courts like the ADGM and DIFC.

Regional snapshots

At the outset, this report highlights a number of ongoing efforts in the GCC to enhance the dispute resolution ecosystem for family businesses. Snapshots of recent developments in the six GCC jurisdictions follow below.

While there are variations across the jurisdictions, the general impression of the respondents is that even though there is a growing awareness of the importance of family businesses to local economies and the region as a whole, it is recognised that better dispute resolution processes are needed.

There is a discernible structural shift in the patterns of family businesses throughout the GCC as the first-generation founders and their children are passing the baton to the next generation. These new managers and owners join at a time when economic changes in the GCC coincide with the advent of new technologies. These factors naturally shape and influence the next generation’s attitude to dispute resolution.

This coincides with two major institutional trends in the dispute resolution space. Firstly, there has been a rise in the number of international commercial courts based in free zones that apply common law. These include the Courts of the Dubai International Financial Centre (‘DIFC’), the Abu Dhabi Global Market (‘ADGM’) and Arbitration Centre and the Qatar Financial Centre (‘QFC’), which were set up to mirror international business (by operating, for instance, in English) and attract investors. These courts are perceived to have greater international connectivity than the local courts of the GCC countries. The common law courts do not have a strict requirement of reciprocity when enforcing a foreign judgment, for instance, when compared with the local courts. Secondly, there has been a rise in the number of arbitral centres in the GCC. As of the time this report was prepared, Oman is the latest (and last) of the GCC countries to have a national arbitration centre with its own rules of procedure, and it is due to open soon.



United Arab Emirates (UAE)

The Dubai Courts’ Centre for the Amicable Settlement of Disputes, the Dubai Chamber of Commerce and Industry and the Dubai International Arbitration Centre (‘DIAC’) are developing a scheme to refer disputes before the Dubai Courts to alternative dispute resolution (‘ADR’) in an effort to reduce the Courts’ workload and provide more efficient and confidential dispute resolution.

In the DIFC Courts, litigating parties may request judge-led mediation, including parties in family business disputes.

In Abu Dhabi, the ADGM Courts are working to offer tailored mediation services to family businesses, providing a confidential platform for dispute resolution that can be Sharia-compliant when required. Access to the services will be irrespective of whether the parties are based in the ADGM or elsewhere.



Kingdom of Saudi Arabia (KSA)

Some of the most rapid changes in legal options in this area are occurring in Saudi Arabia. The ministry of Commerce and Investment in KSA is pushing for higher family business governance standards with regard to the publication of non-binding, model guidelines on family constitutions. The recently launched The National Centre For Family Businesses is a not-for-profit organisation specifically catering to the needs of family businesses, and it is expected it will play a greater role in family business dispute resolution.

In recent years, the Kingdom has seen an increased use of commercial alternative dispute resolution by family-run businesses in addition to the traditional, regional commercial disputes mechanism. Since 2016, the Saudi Center for Commercial Arbitration (‘SCCA’), an independent, not-for-profit arbitral institution with global reach, has been providing the full spectrum of alternative dispute resolution services with its own international standard rules for arbitration, mediation and other alternative dispute resolution mechanisms.



Bahrain

There is currently no forum exclusively dedicated to family business disputes. The Bahrain Chamber for Dispute Resolution may determine disputes related to family businesses if the dispute falls within its jurisdiction.



Kuwait

While, there is no specialist family business dispute resolution option in Kuwait, the Kuwait Centre for Commercial Arbitration (KCCA) have taken steps to provide special attention to resolving commercial disputes in family businesses. These include encouraging the inclusion of a provision of arbitration in family constitutions to protect confidentiality and resolve the dispute and providing free legal advice and services. In addition, KCCA is planning to host workshops and seminars led by experts in order to raise awareness of ADR among family businesses.



Qatar

Qatar has two well-established arbitral centres, one in its financial zone and one onshore in Doha. Both have mediation rules but neither of those sets of rules nor the arbitral rules make specific provision for family business dispute resolution.



Oman

Oman is very new to institutionalised dispute resolution outside of the court system. The country’s sole arbitral institution has only recently been formed following the enactment of national legislation. It has yet to hear any cases. Parties can choose to have their disputes dealt with by a mediation and conciliation committee formed by a decision of the Minister of Justice. The committee is usually headed by a judge and has either two or three members who are not judges but who are respected and well-known people with relevant technical or judicial expertise. The committee’s decision is enforceable in the Omani Courts.

8. References

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Succession Planning for GCC Family Businesses: The Future Is Now (April 2015)

Deloitte

The ties that bind - Managing family business conflict (Spring 2016)

A new age for family businesses in the Middle East - Managing change and expectations (2017)

Economist Intelligence Unit

Motivated by impact: a new generation seek to make their mark (2016)

McKinsey

Family businesses in the Gulf Cooperation Council – the journey to long-term sustainability (2015)

PWC

Family business shareholder exit strategies and valuation principles (2019)

Globe Family Business Survey – the values effect (2018)

Middle East Family Business Survey – Keeping it in the family: Family firms in the Middle East (2016)

The family factor: Professionalising the Middle Eastern family firm (2015)

Understanding family dynamics and family conflicts (2014)

Appendix A: Checklist

This checklist identifies a list of critical areas in conflict management for family business owners to consider, discuss and implement. It highlights the key activities for both conflict prevention and resolution to be taken by family businesses.

The implementation of this checklist is a process that will require time, energy and patience from the family, taking a staged approach to breaking down and tackling various issues.

This process can help reduce the risk of conflict and increase the odds of your family business growing with stability and security.

	Addressed in our family business (Yes/No)	If addressed, what stage of the undertaking to address specific issues		
		Planning & Drafting	Implementing	Revising & Updating
Family Business Governance				
Family Communication Our family enables open communication and constructive debate among family members (in a structured or organic way)				
Family Agreements (Constitution or Charter) Family business have a constitution or other fundamental agreement that clearly outlines policies and procedures to regulate matters of importance between the family and business in the following areas: <ul style="list-style-type: none">Family employment and remunerationShareholder exit and valuation methodFamily code of conductConflict of interest manual				
Enforceability Constitution or agreement legally enforceable across generations				

	Addressed in our family business (Yes/No)	If addressed, what stage of the undertaking to address specific issues		
		Planning & Drafting	Implementing	Revising & Updating
Corporate and Ownership Governance Family business has a coherent corporate legal structure in place with the following principles: <ul style="list-style-type: none">Corporate holding group structureSeparates ownership of corporate holding from family ownershipSeparates personal assets from corporate holding groupProfessionalized succession plan and nominees for future generationsFree of unlimited liability entities and dormant entities				
Dispute Resolution Mechanism				
Disagreement Management Family has a way to address disagreements before they escalate into a conflict (e.g. direction of a trusted community elder, trusted advisor, family coach, and a safe space for open communication)				
Dispute Resolution Policy and Mechanism Dispute resolution policy and mechanism is covered in the constitution or agreement that sets out the means and process for resolving conflict among family members				
Binding Dispute resolution mechanism binds all parties who may bring a dispute over their stake in the company (e.g. all family members)				
Jurisdiction Dispute resolution mechanism specifies the jurisdiction to which disputes will be subject				

	Addressed in our family business (Yes/No)	If addressed, what stage of the undertaking to address specific issues		
		Planning & Drafting	Implementing	Revising & Updating
Timeframe Dispute resolution policy and mechanism include a strict timeframe within each stage to be completed, to allow the parties to move to the next stage of dispute resolution if the timeframes are not respected				
Mediation				
Dispute resolution policy obliges family members to participate in mediation				
The following mediation practicalities are agreed on in the dispute resolution policy and mechanism:				
1. Language of mediation				
2. Location				
3. Selection of mediator (including eligibility criteria and process of selection)				
Mediated settlement is binding and enforceable				
Arbitration				
If mediation fails, dispute resolution mechanism obligates arbitration as a required next step				
The arbitration is binding through the following principles:				
1. Governing institutional rules such as DIFC-LCIA				
2. Seat of the arbitration				
The following arbitration practicalities are agreed on in the dispute resolution policy and mechanism:				

	Addressed in our family business (Yes/No)	If addressed, what stage of the undertaking to address specific issues		
		Planning & Drafting	Implementing	Revising & Updating
1. Venue for the arbitration				
2. Language				
3. Selection of arbitrators (including eligibility criteria and process of selection)				
4. Number of arbitrators				
5. Qualifications of arbitrators				
6. Governing law of the arbitration clause				
Any arbitral award rendered can be enforced				
Litigation				
In case of litigation, decide which jurisdiction is the most appropriate to hear all disputes relating to the constitution				
The family constitution or agreement makes all disputes subject to the exclusive jurisdiction of the most appropriate courts				
After the selection of the appropriate courts, parties can elect a track or process (e.g. the small claims tribunal or court of first instance)				
The chosen courts uphold the constitution's choice of governing law				
Any judgment or order rendered by the chosen court is enforceable				
Does the current family agreement and its dispute resolution provision include inputs and alignment from the next generation of family members?				

Appendix B: Alternative dispute resolution bodies in the GCC - As of September 2019

Name of institution	Point of contact for family business disputes, address and website details
Bahrain	
The Bahrain Chamber for Dispute Resolution (BCDR-AAA)	Contact: Nassib G. Ziadé and Ahmed Hussain Address: Suite 301 (3rd Floor), Park Plaza, Building 247 Road 1704, P.O. Box 20006, Diplomatic Area 317, Manama, Kingdom of Bahrain Telephone: 00973 17 511 311 Email: info@bcdr-aaa.org Website: www.bcdr-aaa.org
GCC Commercial Arbitration Centre	Address: Building 274, Road 3903, Block 939. Riffa / Alhajiyat, Kingdom of Bahrain. P.O .Box 28929 Telephone: 00973 17278010 E-mail: arbitrators@gccac.org Website: www.gccac.org/en/
Kingdom of Saudi Arabia	
Saudi Centre for Commercial Arbitration (SCCA)	Contact: Christian Alberti and Mosaad Al Kherb Address: 8th Floor, Council of Saudi Chambers Building, 7982 King Fahd Branch Road, Al Mutamarat, Riyadh 12711-4183, Saudi Arabia Telephone: 00966 920003625 Email: info@sadr.org Website: www.sadr.org
Kuwait	
Kuwait Commercial Arbitration Centre (KCAC)	Contact: Dr. Anas Al Tourah Address: Commercial Area No. 9, Al Shuhadaa Street, Kuwait City, Kuwait. PO Box 775, Safat, 13008, Kuwait. Telephone: 00965 180 5580 extension 555 Email: kcci@kcci.org.kw Website: www.kuwaitchamber.org.kw/echamber/website/index.jsp
Kuwait Mediation & International Arbitration Chamber (KMIAC)	Address: Al Qar building, Al Soor Street, Al Khaleej Street opposite Kuwait Towers, Kuwait City, Kuwait. Telephone: 00965 22409527 Email: kmiac.website@gmail.com Website: www.kmiac.net

Name of institution	Point of contact for family business disputes, address and website details
Oman	
Oman Commercial Arbitration Centre (OCAC)	Contact: Nasha Abdullah Al Wahaibi Address: Currently under establishment. Telephone: 00968 247 637 Email: nasha@chamberoman.com
Qatar	
Qatar International Centre for Conciliation and Arbitration (QICCA)	Contact: Minas Khashtadurian Address: PO Box 302, Doha, Qatar Telephone: 00974 44555804 Email: conferences@qicca.org Website: www.qicca.org
Qatar International Court and Dispute Resolution Centre (QIDRC)	Address: Qatar International Court and Dispute Resolution Centre, QFC Tower 2, Omar Al Mukhtar St, West Bay, PO Box 13667, Doha, Qatar Telephone: 00974 4496 8225 Email: info@qidrc.com.qa Website: www.qidrc.com.qa
United Arab Emirates	
Abu Dhabi Commercial Conciliation and Arbitration Centre (ADCCAC)	Contact: Aisha Qasoum Address: Abu Dhabi Chamber Building, Corniche Street, Abu Dhabi, PO Box 662, United Arab Emirates Telephone: 00971 26317599 Email: adccac@adcci.gov.ae Website: www.adccac.ae
Abu Dhabi Global Market Courts - ADGM Arbitration Centre	Contact: Linda Fitz-Alan Address: ADGM Arbitration Centre, Level 20, Al Maqam Tower, Abu Dhabi Global Market Square, Al Maryah Island, Abu Dhabi, United Arab Emirates Telephone: +971 2 333 8601 Email: enquiry@adgmac.com Website: www.adgmac.com
ADGM Court-Annexed Mediation	Address: ADGM Authorities Building, Abu Dhabi Global Market Square, Al Maryah Island, Abu Dhabi, United Arab Emirates. Telephone: +971 2 333 8976 Email: enquiry@adgmcourts.com

Name of institution	Point of contact for family business disputes, address and website details
Dubai Courts Centre for the Amicable Settlement of Disputes	<p>Contact: Sultan Naseeb Address: Centre for the Amicable Settlement of Disputes, 1st Floor, Wafi Mall, Umm Hurair 2, Dubai, United Arab Emirates</p> <p>Telephone: 00971 43347777 Email: info@dc.gov.ae <u>Website: www.dc.gov.ae/PublicServices/</u></p>
Dubai International Arbitration Centre (DIAC)	<p>Contact: Abdulaziz Anwar Address: Baniyas Road, Deira, P.O. Box: 1457, Dubai, United Arab Emirates</p> <p>Telephone: 00971 4 202 8343 Email: arbitrationcentre@dubaichamber.com <u>Website: www.diac.ae</u></p>
DIFC-LCIA Arbitration Centre	<p>Contact: Robert Stephen Address: Al Fattan Currency House Tower 2 Level 8 Dubai International Financial Centre Dubai United Arab Emirates PO Box 506870</p> <p>Telephone: 00971 4 364 5400 Email: info@difc-lcia.org <u>Website: www.difc-lcia.org</u></p>
Dubai International Financial Courts court-facilitated mediation (under Part 27 of the Rules of the DIFC Courts)	<p>Contact: Amna Al Owais Address: Dubai International Financial Centre Courts, Ground Floor, Building 4, The Gate District, PO Box 211724, Dubai, UAE</p> <p>Telephone: 00971 4 427 3333 Email: enquiries@difccourts.ae <u>Website: www.difccourts.ae</u></p>
Sharjah International Commercial Arbitration Centre (Tahkeem)	<p>Contact: Hamda Al Balooshi Address: P.O. Box: 1174, Sharjah, United Arab Emirates</p> <p>Telephone: 00 971 6 5304111 Email: info@tahkeem.ae <u>Website: www.tahkeem.ae</u></p>
Ras Al-Khaimah Centre for Reconciliation and Commercial Arbitration (RAK)	<p>Contact: Ibrahim M. Ali Address: RAK Chamber of Commerce and Industry, Al Jazah Road, Ras al Khaimah, United Arab Emirates</p> <p>Telephone: 00971 72070238 Email: ibrahem@rakchamber.ae <u>Website: www.rakchamber.ae/rakrcac/</u></p>

Name of institution	Point of contact for family business disputes, address and website details
International Islamic Centre for Reconciliation and Arbitration (IICRC)	<p>Contact: Rami Suliman Address: 107 Business Avenue Building, Port Saeed Road, Deira, P.O. Box: 182222, Dubai, United Arab Emirates</p> <p>Telephone: 00971 42949292 Email: info@iicra.com <u>Website: www.iicra.com</u></p>
Umm Al Quwain Chamber of Commerce and Industry - Conciliation and Arbitration Center	<p>Contact: Sultan Humaid Abdullah Address: Chamber of Commerce and Industry of Umm Al Quwain, Sheikh Ahmed Bin Rashid Al Moalla Street, Umm Al Quwain, United Arab Emirates</p> <p>Telephone: 00 971 6 7651111 Email: info@uaqchamber.ae <u>Website: uaqchamber-002-site7.btempurl.com/who-we-are/conciliation-and-arbitration-center/</u></p>
Ajman Chamber of Commerce Arbitration Centre	<p>Address: Ajman Chamber of Commerce, P.O. Box 662, Ajman, United Arab Emirates</p> <p>Telephone: 00971 800 70 Email: info@ajmanchamber.ae <u>Website: www.ajmanchamber.ae/en/ArbitrationCenter/Pages/What-is-Arbitration.aspx</u></p>

Appendix C: List of select international mediators

as of May 2020

Mediator	Additional Details
Spain	
Juan Luis Falc3n Aliaga	<p>Partner, Garrigues law firm</p> <p>+34 976 46 89 46 E-mail: juan.luis.falcon@garrigues.com</p> <p>Member of the Family Business and Mergers and Acquisitions Practice Groups in Garrigues and regular contributor to the Chair in Family Business at Universidad de Zaragoza</p>
United Kingdom	
Andrew Hildebrand	<p>Family Business Mediator, In Place of Strife</p> <p>+44 333 060 7930 E-mail: info@mediate.co.uk</p> <p>Recognized by Chambers and Legal 500 as leading mediator, solicitor, advocate of mediation, and author of multiple family business publications</p>
Beverly Anne-Rogers	<p>Mediator, In Place of Strife</p> <p>+44 333 060 7930 E-mail: info@mediate.co.uk</p> <p>Recognized as Legal 500 Hall of Fame 2020 edition for excellence as a mediator with extensive experience as chancery and commercial barrister in mediating disputes with high emotional content</p>
Jane Gunn	<p>Mediator, In Place of Strife</p> <p>+44 333 060 7930 E-mail: info@mediate.co.uk</p> <p>20 years of experience, specialised in highly complex emotive cases, former solicitor in the City, recognised by Legal 500 and Chambers and Partners, author of "How to Beat Bedlam in the Boardroom and Boredom in the Bedroom"</p>

Mediator	Additional Details
Mark Jackson Stops	<p>Mediator, In Place of Strife</p> <p>+44 333 060 7930 E-mail: info@mediate.co.uk</p> <p>Recognised as one of UK's most experienced mediators, conducted over 1,400 mediations, chartered surveyor, and non-executive director of several real estate companies</p>
Unites State of America	
Amy Wirtz, CEPA	<p>Consultant, Family Business Consulting Group</p> <p>+1 440 695 0941 E-mail: wirtz@thefbcg.com</p> <p>Certified collaborative lawyer, mediator, advocate of peaceful resolutions to complex issues and formerly practicing lawyer with 25 years of experience</p>
Ann E. Evanko	<p>Member, Former President and Managing Partner, Hurwitz & Fine, P.C</p> <p>+1 716 849 8900 E-mail: aee@hurwitzfine.com</p> <p>Mediator in board room and court room of complex disputes, extensive training through International Institute for Conflict Prevention & Resolution and identified as the "Power 100 Women" list of Western NY</p>
Brad Honoroff, J.D	<p>Principal, The Mediation Group, Inc.</p> <p>+1 617 277 9232 E-mail: bhonoroff@themediationgroup.org</p> <p>Mediated more than four thousand cases including family business. He has particular expertise in mediating highly charged and complex, multi-party conflicts</p>
David Lansky, Ph.D.	<p>Senior Advisor, Family Business Consulting Group</p> <p>+1 847 340 6645 E-mail: lansky@thefbcg.com</p> <p>Clinical psychologist and family therapist by training, helps facilitate growth in families, repair difficult relationships, and turn stagnant or struggling enterprises into thriving organizations</p>

Mediator	Additional Details
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About Us



About FBCG

The Family Business Council is a private, non-profit membership organization that aims to facilitate the continuity of GCC family businesses across generations by strengthening family business governance and next generation leaders. Through peer learning, education, impact-driven family business research, events, and networking, we seek to identify and address issues that are unique to this region. The council is governed by a Board of Directors, representing leading GCC family businesses, which steers and builds the organization. FBCG's board shares a common view that the continuity and prosperity of family businesses are vital not only for their families' legacy but also for the economic sustainability of the region. FBCG is a member of a worldwide organization - the Family Business Network International (FBN) representing leading family businesses all over the world. More information is available via www.fbc-gulf.org



About FBN

The Family Business Network is the world's leading organization of business families "by families, for families together across generations". Founded in 1989 and headquartered in Lausanne, FBN is a federation of Member Associations spanning 65 countries. A vibrant community, FBN brings together 4,000 business families encompassing 16,000 individual members of which 6,400 are Next Generation – through 750 activities, events organized annually. Read more about FBN at www.fbn-i.org

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