

Republic of Tunisia
Local and International Arbitration Center
"AL-INSAF"

RUE DE LA MOSQUEE CITE TAIEB M' HIRI AL OUINA
 ROUTE DE LA MARSA -2045 TUNISIA
 REPUBLIC OF TUNISIA
 SITE WEB : www.al-insaf.com.tn



Statistical table of basic arbitral court cases pronounced by arbitral local and international courts belonging to the institute of the centre of local and international arbitration "AL-INSAF" according to law, amounting to **92%**, till the end of **December 2010**. Enforceable litigations pronounced on the main suit in application of the "rules of law and in conformity with the contractual clauses" of the parties, as well as of the formula of enforceability for internal arbitration as defined at the paragraph 4 of article 33 of the arbitration code, or the recognition of international arbitration sentences, whether at the request of either party, or following a rejection of recourse formulated against those sentences pronounced by the competent jurisdictions, in conformity with articles 78-80 of the same code, and leading, consequently to the enforceability formula, amounting to **76%**, all that independently of certain arbitral decisions and sentences, that remained "as they are" following a rejection of recourse relating thereto, or the nullity of procedures, or disappearance of the object following their filing without follow up as long as a demurrer wasn't pronounced against some of them, amounting to **06%**, and in all cases, after deposit of these decisions and sentences rendered on the main suit at the secretariat of the competent judicial courts, enclosed with copies of the arbitration convention within the legal time-limits.

Case number	Date of engagement in dealing with the case	Adjudication date	Adjudication period (in days)	Method of resolution	Date of case filing at the competent court	The competent court's decision on the enforcement formula or the recognition of the arbitral judgments and decisions rendered in the main suit and their mandatory implementation
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 1996-1997.						
03	24/09/1996	28/12/1996	34	By the rules of law	22/01/1997	By forced execution
04	14/02/1997	30/05/1997	106	By the rules of law	05/06/1997	By forced execution
05	14/05/1997	14/05/1997	01	By the rules of law	23/05/1997	By forced execution
06	03/06/1997	03/06/1997	01	By the rules of law	05/06/1997	By forced execution
08	04/07/1997	04/07/1997	01	By the rules of law	11/07/1997	By forced execution
09	08/08/1997	08/08/1997	01	By the rules of law	16/08/1997	By forced execution

10	15/08/1997	30/04/1998	258	By the rules of law	06/05/1997	By forced execution
11	23/08/1997	13/09/1997	20	By the rules of law	17/09/1997	By forced execution
12	20/08/1997	20/08/1997	01	By the rules of law	25/08/1997	By forced execution
13	23/08/1997	06/09/1997	13	By the rules of law	10/09/1997	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 1998.						
15	06/12/1997	20/04/1998	135	By the rules of law	23/04/1998	By forced execution
16	23/01/1998	23/03/1998	60	By the rules of law	27/03/1998	By forced execution
17	20/04/1998	20/05/1998	30	By the rules of law	28/05/1998	By forced execution
18	08/06/1998	18/06/1998	10	By the rules of law	26/06/1998	By forced execution
19	10/07/1998	10/07/1998	01	By the rules of law	20/07/1998	By forced execution
20	19/08/1998	19/08/1998	01	By the rules of law	24/08/1998	By forced execution
21	05/11/1998	01/12/1998	26	By the rules of law	05/12/1998	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 1999.						
22	20/05/1999	27/05/1999	07	By the rules of law	07/06/1999	As such
23	31/12/1999	31/12/1999	01	By the rules of law	14/01/1999	By forced execution
25	13/02/1999	20/02/1999	07	By the rules of law	26/02/1999	By forced execution
26	06/03/1999	17/04/1999	42	By the rules of law	24/04/1999	By forced execution
27	06/03/1999	05/06/1999	92	By the rules of law	17/06/1999	By rejection
30	25/03/1999	25/03/1999	01	By the rules of law	02/04/1999	As such
31	05/04/1999	05/04/1999	01	By the rules of law	24/04/1999	As such
32	30/04/1999	08/06/1999	68	By the rules of law	16/06/1999	By forced execution
33	20/05/1999	27/05/1999	07	By the rules of law	07/06/1999	By forced execution
34	20/05/1999	05/06/1999	35	By the rules of law	16/06/1999	By forced execution
35	12/06/1999	12/06/1999	01	By the rules of law	16/06/1999	By forced execution
36	12/06/1999	12/06/1999	01	By the rules of law	16/06/1999	By forced execution
37	09/07/1999	16/07/1999	05	By the rules of law	30/07/1999	By forced execution
39	09/07/1999	06/08/1999	27	By the rules of law	17/08/1999	By forced execution
40	16/08/1999	10/09/1999	24	By the rules of law	20/09/1999	By forced execution
41	23/09/1999	20/10/1999	27	By the rules of law	04/11/1999	By forced execution
42	23/09/1999	20/10/1999	27	By the rules of law	04/11/1999	By forced execution
43	06/10/1999	11/10/1999	05	By the rules of law	20/10/1999	By forced execution
45	23/11/1999	25/01/2000	63	By the rules of law	31/01/2000	By forced execution
46	17/12/1999	17/12/1999	01	By the rules of law	23/12/2000	As such
47	17/12/1999	17/12/1999	01	By the rules of law	23/12/2000	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2000.						
48	10/01/2000	10/01/2000	01	By the rules of law	14/01/2000	By forced execution
49	11/01/2000	11/01/2000	01	By the rules of law	14/01/2000	By forced execution
50	10/01/2000	25/01/2000	15	By the rules of law	31/01/2000	As such
51	20/01/2000	25/01/2000	05	By the rules of law	31/01/2000	By forced execution
52	14/03/2000	15/04/2000	02	By the rules of law	28/04/2000	By forced execution
53	13/05/2000	08/06/2000	25	By the rules of law	13/07/2000	By forced execution
56	13/06/2000	24/06/2000	12	By the rules of law	30/06/2000	As such
57	13/06/2000	13/06/2000	01	By the rules of law	26/06/2000	As such
58	06/07/2000	02/08/2000	26	By the rules of law	05/08/2000	As such
59	20/07/2000	31/07/2000	11	By the rules of law	05/08/2000	By forced execution
60	20/08/2000	26/09/2000	36	By the rules of law	28/09/2000	As such
61	26/08/2000	26/08/2000	01	By the rules of law	31/08/2000	By forced execution
62	23/09/2000	11/10/2000	18	By the rules of law	12/10/2000	By forced execution
63	07/10/2000	04/11/2000	27	By the rules of law	06/11/2000	By forced execution
64	16/09/2000	25/09/2000	09	By the rules of law	28/09/2000	By forced execution
65	21/10/2000	24/10/2000	03	By the rules of law	30/10/2000	By forced execution
66	28/10/2000	31/10/2000	03	By the rules of law	14/11/2000	By rejection
67	11/11/2000	11/11/2000	01	By the rules of law	14/11/2000	By forced execution
68	22/12/2000	25/12/2000	03	By the rules of law	05/18/2000	By forced execution

69	16/12/2000	16/12/2000	01	By the rules of law	21/12/2000	As such
70	23/12/2000	23/12/2000	01	By the rules of law	25/12/2000	By forced execution
71	25/12/2000	04/01/2001	09	By the rules of law	05/01/2000	As such
72	23/12/2000	23/12/2000	01	By the rules of law	25/12/2000	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2001.						
75	27/02/2001	27/03/2001	30	By the rules of law	11/04/2001	As such
76	10/03/2001	13/03/2001	03	By the rules of law	15/03/2001	By forced execution
77	10/03/2001	13/03/2001	03	By the rules of law	15/03/2001	By forced execution
78	16/03/2001	23/03/2001	07	By the rules of law	06/04/2001	By forced execution
79	16/03/2001	04/04/2001	18	By the rules of law	06/04/2001	By forced execution
80	04/04/2001	05/05/2001	31	By the rules of law	17/05/2001	By forced execution
81	17/04/2001	05/05/2001	18	By the rules of law	17/05/2001	By forced execution
82	21/04/2001	10/05/2001	29	By the rules of law	17/05/2001	By forced execution
84	25/04/2001	05/05/2001	10	By the rules of law	08/05/2001	By forced execution
85	15/05/2001	23/05/2001	08	By the rules of law	24/05/2001	By forced execution
87	10/07/2001	16/07/2001	06	By the rules of law	30/07/2001	By rejection
88	10/07/2001	06/10/2001	88	By the rules of law	19/10/2001	By forced execution
89	10/09/2001	22/09/2001	12	By the rules of law	24/09/2001	By forced execution
90	10/09/2001	22/09/2001	12	By the rules of law	24/09/2001	By forced execution
91	13/09/2001	13/09/2001	01	By the rules of law	17/09/2001	By forced execution
92	17/09/2001	25/09/2001	08	By the rules of law	02/10/2001	As such
93	22/09/2001	06/10/2001	14	By the rules of law	10/10/2001	By forced execution
94	01/11/2001	01/11/2001	01	By the rules of law	03/11/2001	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2002.						
83	08/05/2002	05/01/2002	47	By the rules of law	21/01/2002	By rejection
95	27/11/2002	04/01/2002	25	By the rules of law	15/11/2002	By forced execution
96	12/01/2002	09/02/2002	28	By the rules of law	15/02/2002	By forced execution
97	28/02/2002	30/03/2002	30	By the rules of law	01/04/2002	By forced execution
98	28/02/2002	23/03/2002	24	By the rules of law	01/04/2002	By forced execution
99	06/04/2002	06/04/2002	01	By the rules of law	06/04/2002	By forced execution
100	23/04/2002	03/05/2002	11	By the rules of law	06/05/2002	By forced execution
101	18/04/2002	18/04/2002	01	By the rules of law	19/04/2002	By forced execution
102	11/05/2002	10/10/2002	29	By the rules of law	14/10/2002	As such
103	18/04/2002	23/11/2002	50	By the rules of law	02/12/2002	By forced execution
104	11/05/2002	11/05/2002	01	By the rules of law	14/05/2002	By forced execution
105	08/06/2002	21/06/2002	14	By the rules of law	06/07/2002	By forced execution
107	27/07/2002	27/07/2002	01	By the rules of law	01/08/2002	By forced execution
108	10/08/2002	28/09/2002	50	By the rules of law	02/10/2002	By forced execution
109	10/08/2002	14/08/2002	33	By the rules of law	02/10/2002	As such
110	24/08/2002	24/08/2002	01	By the rules of law	29/08/2002	By forced execution
111	07/09/2002	05/10/2002	34	By the rules of law	14/10/2002	By forced execution
112	23/09/2002	31/10/2002	31	By the rules of law	31/10/2002	By forced execution
113	26/10/2002	13/11/2002	19	By the rules of law	15/11/2002	By forced execution
114	22/10/2002	26/10/2002	05	By the rules of law	31/10/2002	By forced execution
115	09/11/2002	09/11/2002	01	By the rules of law	12/11/2002	By forced execution
118	21/12/2002	21/12/2002	01	By the rules of law	25/12/2002	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2003.						
116	21/12/2003	31/12/2003	11	By the rules of law	05/01/2004	By forced execution
117	17/12/2003	04/01/2004	20	By the rules of law	09/01/2003	By forced execution
119	14/02/2003	21/02/2003	08	By the rules of law	03/03/2003	By forced execution
120	21/12/2003	04/01/2003	15	By the rules of law	09/01/2003	By forced execution
121	29/03/2003	19/04/2003	22	By the rules of law	28/04/2003	As such
123	11/04/2003	11/04/2003	01	By the rules of law	14/04/2003	By forced execution
124	05/04/2003	05/04/2003	01	By the rules of law	14/04/2003	By forced execution

125	26/04/2003	01/07/2003	05	By the rules of law	05/07/2003	By forced execution
126	11/04/2003	03/05/2003	22	By the rules of law	05/07/2003	By forced execution
127	16/04/2003	22/04/2003	06	By the rules of law	07/05/2003	By forced execution
128	26/04/2003	13/05/2003	18	By the rules of law	28/04/2003	By forced execution
129	21/04/2003	21/04/2003	01	By the rules of law	21/04/2003	By forced execution
130	30/07/2003	08/11/2003	19	By the rules of law	24/11/2003	By forced execution
132	18/06/2003	21/06/2003	04	By the rules of law	27/06/2003	By forced execution
133	28/06/2003	01/07/2003	04	By the rules of law	05/07/2003	By forced execution
134	28/06/2003	01/07/2003	04	By the rules of law	05/07/2003	By forced execution
135	07/06/2003	30/06/2003	23	By the rules of law	05/07/2003	By forced execution
136	18/07/2003	04/10/2003	79	By the rules of law	10/10/2003	By forced execution
137	30/07/2003	16/08/2003	18	By the rules of law	02/09/2003	By forced execution
138	20/09/2003	20/09/2003	01	By the rules of law	28/09/2003	By forced execution
140	18/11/2003	06/12/2003	19	By the rules of law	24/12/2003	As such
141	22/11/2003	22/11/2003	01	By the rules of law	24/11/2003	By forced execution
142	16/12/2003	27/12/2003	12	By the rules of law	03/01/2003	By forced execution
143	16/12/2003	20/12/2003	05	By the rules of law	03/01/2003	By forced execution

Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2004.

144	24/01/2004	20/02/2004	27	By the rules of law	04/03/2004	By forced execution
147	24/01/2004	10/02/2004	15	By the rules of law	18/02/2004	By forced execution
145	12/02/2004	08/03/2004	24	By the rules of law	30/03/2004	As such
146	28/01/2004	09/10/2004	20	By the rules of law	21/10/2004	By forced execution
148	06/03/2004	19/03/2004	13	By the rules of law	30/03/2004	By forced execution
139	29/03/2004	03/04/2004	05	By the rules of law	22/04/2004	As such
150	08/04/2004	08/04/2009	01	By the rules of law	22/04/2004	As such
151	08/06/2004	12/06/2004	04	By the rules of law	24/06/2004	By forced execution
152	08/06/2004	12/06/2004	04	By the rules of law	21/06/2004	By forced execution
153	10/06/2004	03/07/2004	23	By the rules of law	09/07/2004	By forced execution
156	28/06/2004	05/07/2004	01	By the rules of law	07/07/2004	By forced execution
155	06/07/2004	20/07/2004	15	By the rules of law	30/07/2004	As such
157	27/07/2004	27/07/2004	01	By the rules of law	28/07/2004	By forced execution
159	04/08/2004	04/08/2004	01	By the rules of law	06/08/2004	By forced execution
160	07/08/2004	27/08/2004	21	By the rules of law	09/09/2004	By forced execution
161	05/11/2004	18/11/2004	04	By the rules of law	16/11/2004	By forced execution
164	25/12/2004	25/12/2004	01	By the rules of law	31/12/2004	By forced execution

Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2005.

158	24/07/2004	15/06/2005	58	By the rules of law	07/07/2005	By forced execution
165	15/01/2005	25/01/2005	10	By the rules of law	05/02/2005	As such
166	11/02/2005	19/02/2005	09	By the rules of law	10/03/2005	As such
167	26/03/2005	26/03/2005	01	By the rules of law	31/03/2005	By forced execution
168	26/04/2005	03/05/2005	08	By the rules of law	06/05/2005	As such
169	26/04/2005	26/04/2005	01	By the rules of law	06/05/2005	As such
171	03/05/2005	03/05/2005	01	By the rules of law	06/05/2005	By forced execution
173	29/10/2005	29/10/2005	01	By the rules of law	10/11/2005	By forced execution
174	14/10/2005	22/10/2005	09	By the rules of law	10/11/2005	By forced execution
175	28/10/2005	12/11/2005	15	By the rules of law	22/11/2005	By forced execution
176	27/07/2005	27/07/2005	01	By the rules of law	28/07/2005	By forced execution
178	10/11/2005	21/11/2005	12	By the rules of law	22/11/2005	By forced execution
179	25/11/2005	01/12/2005	07	By the rules of law	14/12/2005	By forced execution
183	13/12/2005	17/12/2005	04	By the rules of law	28/12/2005	By forced execution

Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2006.

177	10/11/2006	02/02/2006	11	By the rules of law	02/02/2006	By forced execution
180	08/12/2006	09/02/2006	63	By the rules of law	09/02/2006	By forced execution

182	05/01/2006	19/01/2006	15	By the rules of law	19/01/2006	By forced execution
184	01/02/2006	09/02/2006	08	By the rules of law	09/02/2006	By forced execution
185	12/01/2006	02/02/2006	21	By the rules of law	02/02/2006	By forced execution
186	13/02/2006	23/02/2006	11	By the rules of law	23/02/2006	By forced execution
187	02/03/2006	02/03/2006	01	By the rules of law	02/03/2006	By forced execution
188	14/03/2006	26/06/2006	42	By the rules of law	26/06/2006	By forced execution
189	31/03/2006	12/08/2006	32	By the rules of law	20/09/2006	By forced execution
190	26/05/2006	03/06/2006	09	By the rules of law	13/06/2006	By forced execution
191	30/05/2006	10/06/2006	11	By the rules of law	13/06/2006	By forced execution
192	29/07/2006	08/08/2006	11	By the rules of law	08/08/2006	As such
193	29/07/2006	03/08/2006	06	By the rules of law	08/08/2006	By forced execution
194	03/08/2006	23/11/2006	10	By the rules of law	25/12/2006	By forced execution
195	12/09/2006	20/10/2006	42	By the rules of law	26/10/2006	By forced execution
196	29/09/2006	29/09/2006	01	By the rules of law	04/10/2006	By forced execution
197	21/10/2006	21/10/2006	01	By the rules of law	26/10/2006	By forced execution
199	16/11/2006	25/11/2006	10	By the rules of law	05/12/2006	By forced execution
200	09/12/2006	09/12/2006	01	By the rules of law	11/12/2006	By forced execution
201	12/12/2006	12/12/2006	01	By the rules of law	13/12/2006	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2007.						
198	19/12/2006	09/01/2007	21	By the rules of law	13/01/2007	By forced execution
202	03/02/2007	27/02/2007	25	By the rules of law	06/03/2007	By forced execution
203	09/01/2007	09/01/2007	01	By the rules of law	10/01/2007	By forced execution
204	09/01/2007	09/01/2007	01	By the rules of law	10/01/2007	As such
205	26/01/2007	26/01/2007	01	By the rules of law	05/02/2007	By forced execution
206	12/04/2007	12/04/2007	01	By the rules of law	16/04/2007	By forced execution
207	05/04/2007	05/04/2007	01	By the rules of law	06/04/2007	By forced execution
208	19/04/2007	19/04/2007	01	By the rules of law	20/04/2007	By forced execution
209	22/05/2007	22/05/2007	01	By the rules of law	31/05/2007	By forced execution
210	20/06/2007	20/06/2007	01	By the rules of law	21/06/2007	By forced execution
211	10/07/2007	10/07/2007	01	By the rules of law	11/07/2007	By forced execution
212	14/07/2007	14/07/2007	01	By the rules of law	17/07/2007	By forced execution
213	11/08/2007	27/08/2007	17	By the rules of law	31/08/2007	By forced execution
214	20/08/2007	08/09/2007	20	By the rules of law	24/09/2007	By forced execution
215	22/09/2007	22/09/2007	01	By the rules of law	24/09/2007	By forced execution
216	24/10/2007	24/10/2007	01	By the rules of law	29/10/2007	By forced execution
218	09/11/2007	26/11/2007	17	By the rules of law	27/11/2007	By forced execution
219	09/11/2007	16/11/2007	08	By the rules of law	19/11/2007	As such
221	24/11/2007	26/11/2007	03	By the rules of law	27/11/2007	By forced execution
222	22/12/2007	28/12/2007	07	By the rules of law	04/01/2007	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2008.						
217	27/10/2007	24/05/2008	50	By the rules of law	27/05/2008	By forced execution
220	24/11/2007	17/05/2008	18	By the rules of law	20/05/2008	By forced execution
223	19/01/2008	19/01/2008	01	By the rules of law	23/01/2008	By forced execution
224	02/02/2008	16/02/2008	15	By the rules of law	18/01/2008	By forced execution
225	19/01/2008	16/02/2008	28	By the rules of law	18/02/2008	By forced execution
226	16/01/2008	16/01/2008	01	By the rules of law	29/01/2008	By forced execution
227	25/01/2008	02/02/2008	08	By the rules of law	05/02/2008	By forced execution
228	02/02/2008	23/02/2008	24	By the rules of law	04/03/2008	By forced execution
229	02/02/2008	02/02/2008	01	By the rules of law	05/02/2008	By forced execution
230	16/02/2008	08/03/2008	18	By the rules of law	14/03/2008	As such
231	09/02/2008	16/02/2008	08	By the rules of law	18/02/2008	As such
232	16/02/2008	16/02/2008	01	By the rules of law	18/02/2008	By forced execution
233	23/02/2008	01/03/2008	07	By the rules of law	04/03/2008	By forced execution
234	23/02/2008	08/03/2008	14	By the rules of law	17/03/2008	By forced execution

235	01/03/2008	08/03/2008	08	By the rules of law	14/03/2008	By forced execution
236	08/03/2008	14/03/2008	07	By the rules of law	17/03/2008	By forced execution
237	15/03/2008	21/04/2008	37	By the rules of law	06/05/2008	By forced execution
238	19/04/2008	19/04/2008	01	By the rules of law	29/04/2008	By forced execution
239	19/04/2008	14/05/2008	26	By the rules of law	16/06/2008	By forced execution
240	25/04/2008	14/05/2008	20	By the rules of law	20/05/2008	By forced execution
242	24/04/2008	24/01/2008	01	By the rules of law	29/04/2008	By forced execution
246	19/06/2008	05/07/2008	17	By the rules of law	23/07/2008	By forced execution
248	30/07/2008	02/08/2008	04	By the rules of law	04/08/2008	By forced execution
249	19/07/2008	19/07/2008	01	By the rules of law	23/07/2008	By forced execution
250	30/07/2008	02/08/2008	04	By the rules of law	09/08/2008	By forced execution
251	30/07/2008	02/08/2008	04	By the rules of law	09/08/2008	By forced execution
252	19/08/2008	30/08/2008	12	By the rules of law	03/09/2008	By forced execution
253	19/08/2008	23/08/2008	05	By the rules of law	28/08/2008	By forced execution
254	06/09/2008	06/09/2008	01	By the rules of law	09/09/2008	By forced execution
255	15/09/2008	19/09/2008	05	By the rules of law	20/09/2008	By forced execution
256	04/10/2008	04/10/2008	01	By the rules of law	06/10/2008	By forced execution
257	21/10/2008	25/10/2008	05	By the rules of law	27/10/2008	By forced execution
258	25/10/2008	25/10/2008	01	By the rules of law	27/10/2008	By forced execution
259	25/10/2008	25/10/2008	01	By the rules of law	27/10/2008	By forced execution
260	13/12/2008	13/12/2008	01	By the rules of law	15/12/2008	By forced execution
261	20/12/2008	20/12/2008	01	By the rules of law	23/12/2008	By forced execution
262	20/12/2008	20/12/2008	01	By the rules of law	23/12/2008	As such
264	20/12/2008	20/12/2008	01	By the rules of law	23/12/2008	By forced execution
267	27/12/2008	30/12/2008	04	By the rules of law	19/01/2009	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the hear 2009.						
241	25/04/2008	14/11/2009	72	By the rules of law	17/11/2009	By forced execution
244	26/04/2008	28/03/2009	94	By the rules of law	02/04/2009	By forced execution
245	14/06/2008	27/06/2009	60	By the rules of law	13/07/2009	By forced execution
263	20/12/2008	31/01/2009	43	By the rules of law	02/02/2009	By forced execution
265	17/01/2009	17/01/2009	01	By the rules of law	19/01/2009	By forced execution
266	31/10/2009	14/02/2009	15	By the rules of law	16/02/2009	By forced execution
268	31/10/2009	14/02/2009	15	By the rules of law	16/02/2009	By forced execution
269	25/03/2009	25/04/2009	31	By the rules of law	06/05/2009	By forced execution
270	25/03/2009	25/04/2009	31	By the rules of law	06/05/2009	By forced execution
271	25/03/2009	25/04/2009	31	By the rules of law	06/05/2009	By forced execution
272	04/04/2009	04/04/2009	01	By the rules of law	06/04/2009	By forced execution
273	04/04/2009	27/06/2009	08	By the rules of law	20/04/2009	As such
274	04/04/2009	04/04/2009	01	By the rules of law	06/04/2009	As such
275	18/04/2009	18/04/2009	01	By the rules of law	21/04/2009	By forced execution
276	18/04/2009	25/04/2009	08	By the rules of law	29/04/2009	As such
277	09/05/2009	23/05/2009	15	By the rules of law	16/05/2009	As such
278	09/05/2009	09/05/2009	01	By the rules of law	12/05/2009	By forced execution
280	30/05/2009	06/06/2009	08	By the rules of law	08/06/2009	By forced execution
281	30/05/2009	06/06/2009	08	By the rules of law	08/06/2009	By forced execution
282	20/06/2009	11/07/2009	23	By the rules of law	13/07/2009	As such
283	27/06/2009	27/06/2009	01	By the rules of law	06/07/2009	By forced execution
284	27/06/2009	11/07/2009	15	By the rules of law	13/07/2009	By forced execution
285	11/07/2009	18/07/2009	07	By the rules of law	11/08/2009	As such
286	11/07/2009	11/07/2009	01	By the rules of law	13/07/2009	By forced execution
287	03/08/2009	08/08/2009	06	By the rules of law	11/08/2009	As such
288	15/08/2009	15/08/2009	01	By the rules of law	20/08/2009	By forced execution
289	22/08/2009	29/08/2009	07	By the rules of law	01/09/2009	By forced execution
290	22/08/2009	29/08/2009	07	By the rules of law	01/09/2009	By forced execution
291	10/10/2009	31/10/2009	22	By the rules of law	09/11/2009	As such

292	03/10/2009	26/12/2009	75	By the rules of law	26/12/2009	As such
293	17/10/2009	27/10/2009	11	By the rules of law	27/10/2009	By forced execution
294	24/10/2009	31/10/2009	08	By the rules of law	09/11/2009	As such
295	14/11/2009	25/11/2009	12	By the rules of law	03/12/2009	By forced execution
296	05/12/2009	05/12/2009	01	By the rules of law	14/12/2009	By forced execution
Various types of disputes that have been decided on by the internal and international arbitral tribunals under the Internal and International Arbitration Centre "AL-INSAF" in the main suit under law during the year 2010.						
279	30/05/2009	09/01/2010	54	By the rules of law	18/01/2010	By forced execution
297	02/01/2010	26/01/2010	22	By the rules of law	28/01/2010	By forced execution
298	02/01/2010	02/01/2010	01	By the rules of law	04/01/2010	By forced execution
299	02/01/2010	08/05/2010	31	By the rules of law	10/05/2010	By forced execution
300	06/03/2010	13/03/2010	08	By the rules of law	29/03/2010	By forced execution
301	06/03/2010	13/03/2010	08	By the rules of law	29/03/2010	By forced execution
302	13/03/2010	19/03/2010	07	By the rules of law	03/04/2010	By forced execution
303	24/04/2010	30/04/2010	07	By the rules of law	10/05/2010	By forced execution
304	08/05/2010	15/05/2010	08	By the rules of law	19/05/2010	By forced execution
305	08/05/2010	22/05/2010	15	By the rules of law	15/06/2010	By forced execution
306	12/06/2010	26/06/2010	15	By the rules of law	02/07/2010	By forced execution
307	12/06/2010	18/09/2010	15	By the rules of law	21/09/2010	By forced execution
308	12/06/2010	26/06/2010	15	By the rules of law	28/06/2010	By forced execution
309	26/06/2010	26/06/2010	01	By the rules of law	28/06/2010	By forced execution
310	03/07/2010	30/07/2010	28	By the rules of law	17/08/2010	By forced execution
311	21/07/2010	24/07/2010	04	By the rules of law	27/08/2010	By forced execution
312	07/08/2010	07/08/2010	01	By the rules of law	17/08/2010	By forced execution
313	11/09/2010	25/12/2010	30	By the rules of law	22/01/2011	By forced execution
314	04/09/2010	18/09/2010	15	By the rules of law	21/09/2010	By forced execution
315	04/09/2010	04/09/2010	01	By the rules of law	06/09/2010	By forced execution
316	11/09/2010	18/09/2010	08	By the rules of law	21/09/2010	By forced execution
317	18/09/2010	02/10/2010	15	By the rules of law	04/10/2010	By forced execution

The following table provides a summary of the provisional and preliminary awards delivered by the domestic and international competent arbitration courts working under the Centre of local and international arbitration « AL-INSAF », by rules of law, until the end of **December 2010**.

The table gives an indication of the year during which the case was submitted, the modes of enforcement used, that is « **deliberately** » executed by the party, amounting to **69%** , or under a court order for « **forced** » enforcement, amounting to **31%**, in pursuance of the provisions of article 19, par. 4, of the Code of Arbitration, in cases of domestic arbitration, and in pursuance of the provisions of article 62 of the same Code, in cases of international arbitration.

The number of temporary or provisional decision	Decision's subject	Year of adjudication	The number of the main suit	Implementation method
01	Technical test	1997	05	By forced execution
02	Technical test	1998	10	By spontaneous execution
03	Juraction	1997	14	By spontaneous execution
04	Technical test	1998	15	By spontaneous execution
05	Technical test	1999	45	By spontaneous execution

06	Technical test	2000	65	By forced execution
07	Technical test	2002	83	By spontaneous execution
08	Technical test	2002	88	By spontaneous execution
09	Technical test	2002	95	By spontaneous execution
10	Technical test	2002	99	By forced execution
11	Juration	2002	103	By spontaneous execution
12	Technical test	2002	102	By spontaneous execution
13	Technical test	2003	116	By spontaneous execution
14	Technical test	2003	125	By spontaneous execution
15	Technical test	2003	130	By spontaneous execution
16	Provisional Seizure	2004	144	By forced execution
17	Technical test	2004	146	By spontaneous execution
18	Technical test	2004	154	By spontaneous execution
19	Technical test	2004	158	By spontaneous execution
20	Technical test	2004	158	By spontaneous execution
21	Provisional Seizure	2005	158	By forced execution
22	Provisional Seizure	2005	168	By forced execution
23	Technical test	2005	177	By spontaneous execution
24	Technical test	2005	182	By spontaneous execution
25	Saisie conservatoire	2005	182	By forced execution
26	Technical test	2006	189	By spontaneous execution
27	Technical test	2006	188	By spontaneous execution
28	Technical test	2006	194	By spontaneous execution
29	Technical test	2007	217	By spontaneous execution
30	Technical test	2007	220	By forced execution
31	Technical test	2008	241	By forced execution
32	Technical test	2008	244	By spontaneous execution
33	Technical test	2008	245	By spontaneous execution
34	Technical test	2009	273	By spontaneous execution
35	Technical test	2009	279	By spontaneous execution
36	Technical test	2009	241	By forced execution
37	Technical test	2010	297	By spontaneous execution
38	Technical test	2010	307	By spontaneous execution
39	Technical test	2010	313	By spontaneous execution

Statistical table of arbitral sentences pronounced by domestic and international arbitration courts working under the centre "AL-INSAF" on the main suit, in virtue of "amicable settlement", amounting to **06%**, until **December 31st, 2010**, be it following amicable procedures implemented by the arbitration jurisdictions and the efforts undertaken to bring closer the points of view of parties, or in conformity with the agreement passed between them, or in virtue of a delegation made by them to the arbitral jurisdictions to define the conciliation rules putting an end to the dispute, in conformity with article 15 of the arbitration code and in the goal of safeguarding the business relations, and maintain the continuity of commercial relations and contractual process between parties, in a manner to ensure the execution of arbitral sentences and decisions in the scope of amicable settlement spontaneously by the parties, in conformity with the first paragraph of article 33 of the arbitration code and without need to cause the courts of

common law to intervene to obtain the forced execution order for the local arbitral sentences; nor confirm the ratification of the compulsory enforceability formula by the competent jurisdiction of common law on international arbitration in conformity with articles 78-80 of the same code, with the exception of some situations that necessitate the recourse to the competent judicial jurisdictions to apply for the order of forced execution, every time a party refuses the spontaneous execution, and in all cases, after legal deposit of all arbitral decisions rendered in the main suit enclosed with a copy of the arbitral convention at the secretariat of the competent judicial courts in the legal time-limits.

Case number	Date of engagement in dealing with the case	Adjudication date	Adjudication period (in days)	Method of resolution	Date of case filing at the competent court	The competent court's decision on the enforcement formula or the recognition of the arbitral judgments and decisions rendered in the main suit and their mandatory implementation
02	15/06/1996	15/06/1996	01	By amicable conciliation	15/06/1996	By spontaneous execution
07	05/06/1997	05/06/1997	01	By amicable conciliation	11/06/1997	By spontaneous execution
24	07/01/1999	07/01/1999	01	By amicable conciliation	26/02/1999	By spontaneous execution
28	08/03/1999	15/04/1999	38	By amicable conciliation	24/04/1999	By spontaneous execution
29	05/03/1999	19/03/1999	15	By amicable conciliation	02/04/1999	By spontaneous execution
38	09/07/1999	09/07/1999	01	By amicable conciliation	30/09/1999	By spontaneous execution
54	25/05/2000	25/05/2000	01	By amicable conciliation	02/06/2000	By spontaneous execution
74	01/03/2001	10/03/2001	10	By amicable conciliation	15/03/2001	By spontaneous execution
86	06/06/2001	06/06/2001	01	By amicable conciliation	07/06/2001	By spontaneous execution
106	29/06/2002	06/07/2002	08	By amicable conciliation	17/07/2002	By spontaneous execution
122	29/03/2003	26/04/2003	28	By amicable conciliation	07/05/2003	By spontaneous execution
131	17/05/2003	24/05/2003	08	By amicable conciliation	04/06/2003	By spontaneous execution
149	17/05/2004	10/06/2004	25	By amicable conciliation	30/03/2004	By spontaneous execution
154	17/05/2004	10/06/2004	25	By amicable conciliation	21/04/2004	By spontaneous execution
162	27/11/2004	04/12/2004	08	By amicable conciliation	15/12/2004	By spontaneous execution
163	23/12/2004	29/12/2004	07	By amicable conciliation	31/12/2004	By spontaneous execution
170	24/05/2005	30/05/2005	07	By amicable conciliation	06/06/2005	By spontaneous execution

				conciliation		
143	03/05/2008	10/05/2008	08	By amicable conciliation	20/05/2008	By spontaneous execution
247	12/07/2008	22/07/2008	11	By amicable conciliation	23/07/2008	By spontaneous execution

Statistical table of arbitration litigations pronounced by the domestic and international court working under the centre “AL-INSAF” on the main suit in application of the “rules of justice and equity” until **December 31st, 2010**, amounting to **01%**, without being bound by law nor by the conditions put by the parties in contractual or non contractual relation, or in agreement between parties, or in virtue of a delegation agreed upon by them at the arbitration instances of the centre, resulting from efforts of arbitrators to bring closer the point of view of parties in the aim of precise the rights of each of them, in conformity with article 14 of the arbitration code, despite the complexity of the legal rules in a manner of their implementation with more flexibility, and to simplify the procedures, by the adoption of an approach founded on the uses close to the conciliation rules, with an objective of limiting the disputes between parties on the one hand, safeguarding the contractual or non contractual relationships between human beings, and ensuring on the third part the continuity of their conventions, on the other hand.

Consequently, the arbitral sentences and decisions, pronounced in the main suit will be from the principle point of view enforced spontaneously by the parties, without need of recourse before the national courts to ensure their forced execution or to recognize them on the two arbitration levels local or international, in conformity with articles 33-78 and 80 of the arbitration code, and in all cases, after deposit of sentences and decisions pronounced on the main suit, enclosed with a copy of the arbitration convention, before the competent judicial courts in the legal time-limits.

Case number	Date of engagement in dealing with the case	Adjudication date	Adjudication period (in days)	By rules of justice and equity	Date of case filing at the competent court	The competent court's decision on the enforcement formula or the recognition of the arbitral judgments and decisions rendered in the main suit and their mandatory implementation
01	21/05/1995	21/05/2005	01		22/05/1995	By forced execution
14	04/11/1997	13/04/1998	177		11/06/1997	By forced execution
171	03/05/2005	03/05/2005	01		06/05/2005	By forced execution

Statistical table of arbitration suits until **December 31st, 2010**, amounting to **1%**, in which it was decided to interrupt the examination, of arbitration “**procedures suspended**” and to interrupt the time-limit following the appearance of prejudicial questions that have a direct link with the object of the arbitration dispute, or in the framework of the stipulations of article 7 of the code of penal procedures, or by reason of other prejudicial questions out of the competence of the arbitration instances, in

conformity with article 27 of the arbitration code, for the local arbitration and with article 61 of the same code for the international arbitration.

Case number	Year of adjudication engagement	Settlement basis	Litigation outcome
44	1999	By the rules of law	By suspension of judgement
73	2000	By the rules of law	By suspension of judgement

* * * * *

In the Name of God, The Clement, the Merciful

Explanatory Notes of the symbols included in statistics related to the different settlement measures, locally and internationally, of arbitration court cases coming originally from arbitration courts belonging to the institute of the centre of local and international arbitration called "AL-INSAF" till the end of December, 2010.

May God receive our expression of gratitude for having guided us to this modest work achieved for the first time by the first Arbitration Centre in Tunisia and in the African Continent, with a view to spread justice and the culture of arbitration and go further, in this context, on the track of understanding and tolerance among those parties submitting their cases to the Centre, thus contributing to the preservation of human relationships and keeping transactions within a spirit of understanding and concord between all parties involved, as preached by God: "...seek conciliation among your brothers should you have faith in God....".

This is the path indicated by the Tunisian legislator in articles 1458 and subs. of the Code of Obligations and Contracts enacted in 1906 or as contained in article 15 of the Tunisian Code of Arbitration enacted under the law N°93-42 of 1993, convinced of the advantages involved in conciliation and of its efficiency as the ideal solution. Indeed, conciliation must be at the core of any and all awards, whether delivered by courts of arbitration or by courts of justice.

Convinced of the nobleness of this tool towards settlement of disputes, the Arbitration Centre "AL-INSAF" has always offered conciliation to the parties involved in disputes, whether contract based or not. This allowed to reach the percentage rate indicated in the statistical chart and the Centre has been making efforts to further increase this rate, without prejudice of the parties' will and taking into account their legitimate and legal interests.

The words "**by the application of the law**" designate the percentage rate of disputes settled in strict accordance with the provisions of the law and with the terms agreed upon by the parties.

The words "**pending**" shall designate those disputes which required the suspension of the arbitration procedure until the settlement of fundamental issues, whether those provided for under article 27 of the Tunisian Code of Arbitration, where domestic arbitration is involved, or those considered under article 7 of the Tunisian Code of Penal Procedures and article 61 of the same Code, where international arbitration is involved, or in pursuance of the provisions of article 23 of the same Code and the relevant provisions of article 241 of the Tunisian Code of Civil and Commercial Procedures, as applicable to both domestic and international arbitration.

The words "**according to the principles of justice and equity**" shall designate those cases settled without application of the principles of the law and the terms agreed upon by the parties whether in accordance to their agreement or by the recourse to the arbitration court, in pursuance of the provisions of article 14 of the Code of Arbitration.

Literal transcription of the articles mentioned in the explanatory notes

Article 1458 : Tunisian Code of Obligations and Contracts :

The compromise is a contract under which the parties put an end to or prevent a dispute through the renunciation by each of the parties of part of his/her claims or the assignment of a right or value to the other party.

Article 15: Tunisian Code of Arbitration:

(i) If during the arbitration process, the parties agree on a compromise solution, then the arbitration proceedings shall cease immediately. In such a case, the arbitrators shall **adopt the settlement reached by the parties**.

(ii) The arbitration award is delivered in accordance with the provisions of articles 30 and 75 of the arbitration rules. The award shall be deemed as an award in the substance and shall produce its full effects accordingly.

Article 27: Tunisian Code of Arbitration:

If a suspending issue is raised during the arbitration process, then **the proceedings shall be suspended immediately until the competent court considers the issue. In such a case, the deadline for the settlement of the dispute shall be suspended until the competent court considers the issue.**

Article 23: Tunisian Code of Arbitration:

The dispute brought before the arbitration committee shall not be affected by the death or default of any of the arbitrators.

In such a case, the deadline fixed for the settlement shall be suspended until the arbitration process is resumed and the parties to the dispute shall be called upon to attend the award session.

Failing such a call and in the event the party concerned doesn't inform that he/she would attend the hearing within six months, then the dispute shall be considered as nil.

Article 241: Code of Procedures in Civil and Commercial Matters:

The proceedings may be interrupted and the file may be closed under a transient measure in case of death of one of the parties or if any of the parties is deprived from the capacity to go to court or in case of death of the legal representative of one of the parties or his/her deprivation from such capacity, unless the case is in a state to be judged, in which case the court may give a verdict.

The case is "in a state to be judged" when all the parties involved have concluded and a hearing is fixed for the defence speech.

Article 7: Tunisian Code of Penal Procedures:

The right to civil action shall be reserved to each individual personally affected by a damage resulting directly from the crime.

The civil action may be introduced concomitantly with the public action or separately before the civil court. **In this case, the proceedings of the civil action shall be suspended until the public action is considered and judged.**

Any party who introduced a civil action before the competent court may not refer the case to the penal court unless the public prosecutor's department had already submitted the case to the court before the civil court gives a ruling on the substance.

Article 61: Tunisian Code Arbitration :

The arbitration court rules on the issue of its competence and on any objection relating to the existence or validity of the arbitration agreement. To this effect, the compromise clause, contained in the contract, shall be considered as distinct from the other clauses of the contract. Should the court certify the nullity of the contract, this will not necessarily entail the nullity of the compromise clause.

Exception of the incompetence of the arbitration court shall be raised, at latest, the day when the defence conclusions with respect to substance are filed. The fact, for one party, to have designated an arbitrator or to have participated to such designation, shall not deprive the same party from raising this exception.

Where the exception is based on the fact that the issue of litigation is beyond the powers of the arbitration court, this shall be raised as soon as the issued alleged to be beyond the powers of the court is raised during the arbitration proceedings. The arbitration court may, in any of the two cases, accept an exception raised after such term, where it believes that the delay is due to a valid cause.

3. Where the arbitration court rules, under a partial decision, on an exception as provided for under paragraph 2 of this article, any of the parties may, within 30 days from notification of such decision, apply for a decision on this issue before the court of appeal of Tunis, in accordance with the provisions of article 78 of this Code.

The court shall give a ruling as soon as practical and in any cases within a maximum of three months from the date the application was filed.

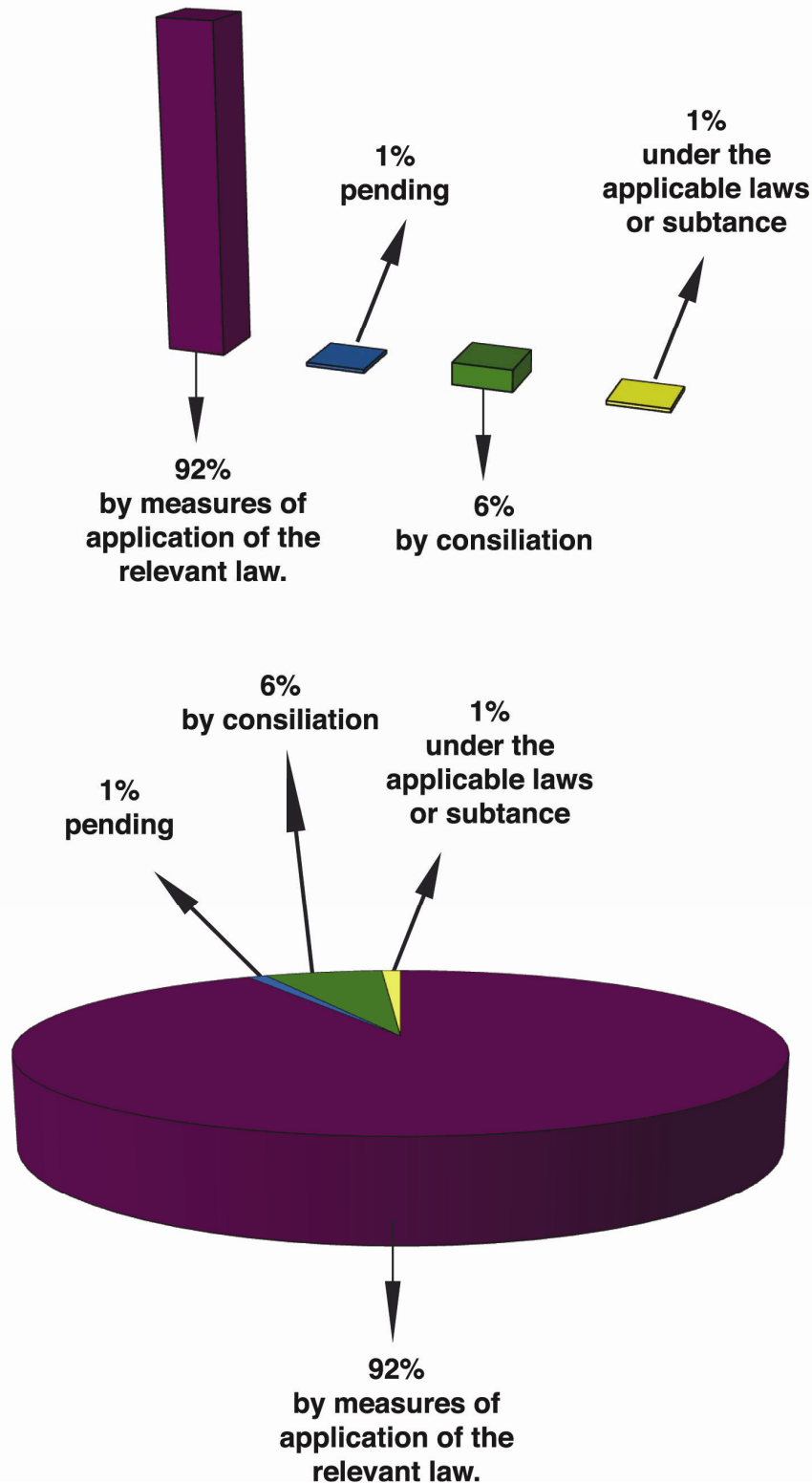
Resumption of the proceedings will depend on the outcome of the decision related to the recourse. Where the exception is raised after an award is delivered with respect to the recourse, the issue shall be considered with the substance.

Article 14: Tunisian Code of Arbitration:

Unless otherwise requested by the parties, the arbitrators must comply with the laws in force. If so requested by the parties, the arbitrators might act in a way to find a compromise solution based on **the principles of justice and equity**, without strict application of the legal texts in force.

* * * *

Explanatory Notes of the symbols included in statistics related to the different settlement measures, locally and internationally, of arbitration court cases coming originally from arbitration courts belonging to the institute of the center of local and international arbitration called "AL-INSAF" till the end of December 2010.



Explanatory Notes on the Statistical Chart related to the enforcement procedures of the provisional or preliminary awards delivered by the Arbitration courts belonging to the institute of the centre of local and international arbitration called "AL-INSAF" until the end of December 2010.

The following chart provides some clarifications related to the provisional or preliminary awards delivered by the arbitration bodies within the institute of the centre of local and international arbitration called «AL-INSAF" till the end of **December 2010**. In relation to the disputes submitted to the Centre for consideration and settlement, whether in terms of seizure of property or reservations according to the provisions of article 19 of the Tunisian Code of Arbitration or hearing of witnesses or conducting of surveys and determination of facts which the court of arbitration deems useful to determine the truth, in pursuance of the provisions of article 28 of the same Code, all these being the same procedures followed by the Arbitration Centre "AL-INSAF" in pursuance of the provisions of article 62 of the same Code, on the one hand, and without prejudice of the terms agreed upon by the parties under the clause of arbitration or under their agreement related to arbitration or at the occasion of the determination of the arbitration procedures.

For further clarification "**spontaneous enforcement**" shall designate the results of the practical measures related to the rules of performance of the missions assigned to the servers of arbitration courts in a spontaneous manner or, in other words, without any opposition from any of the opponents, as well as the "**spontaneous enforcement**" of arbitration measures and awards delivered in the substance, whether by tacit approval or by the compliance with the provisional or preliminary measures by the parties involved in the dispute, without any recourse to the competent national justice for forced enforcement and without any assistance from the national courts of justice to reach such objectives in pursuance of the provisions of article 62 referred to above. This made it possible to reach a rate of **69%** in terms of spontaneous enforcement, while the awards having required an order for enforcement from the justice courts merely reached the low rate of **31%**.

* * * *

Literal transcription of the articles mentioned in the explanatory notes.

Article 19 : Tunisian Code of Arbitration:

Should any party bring the case before the courts while the same case is considered by an arbitration body under an arbitration agreement, the court involved shall reject any application related to the case.

Unless the arbitration agreement is explicitly annulled, the court shall reject the case even if consideration of the cause by the arbitrators has not started yet.

However, as long as the arbitrators have not started consideration of the cause, the court shall be entitled to order any provisional measures it may seem appropriate.

But, should the arbitrators have started consideration of the cause, then any provisional measures shall be ordered by the same arbitrators.

The president of the district / county court of the place of arbitration shall ensure enforcement of any provisional measures ordered by the arbitrators.

Article 28: Tunisian Code of Arbitration:

It is the business and task of the arbitration committee to conduct any investigations and initiate any inquiries in order to be informed about the facts related to the dispute.

Any member of the arbitration committee may be requested to communicate any evidence available to him with respect to the matter under consideration and settlement.

The members of the arbitration committee shall be entitled to hear any persons and parties with respect to the dispute.

The members of the arbitration committee may also resort to the judicial bodies for any purpose in relation with the award to be delivered.

Article 62: Tunisian Code of Arbitration:

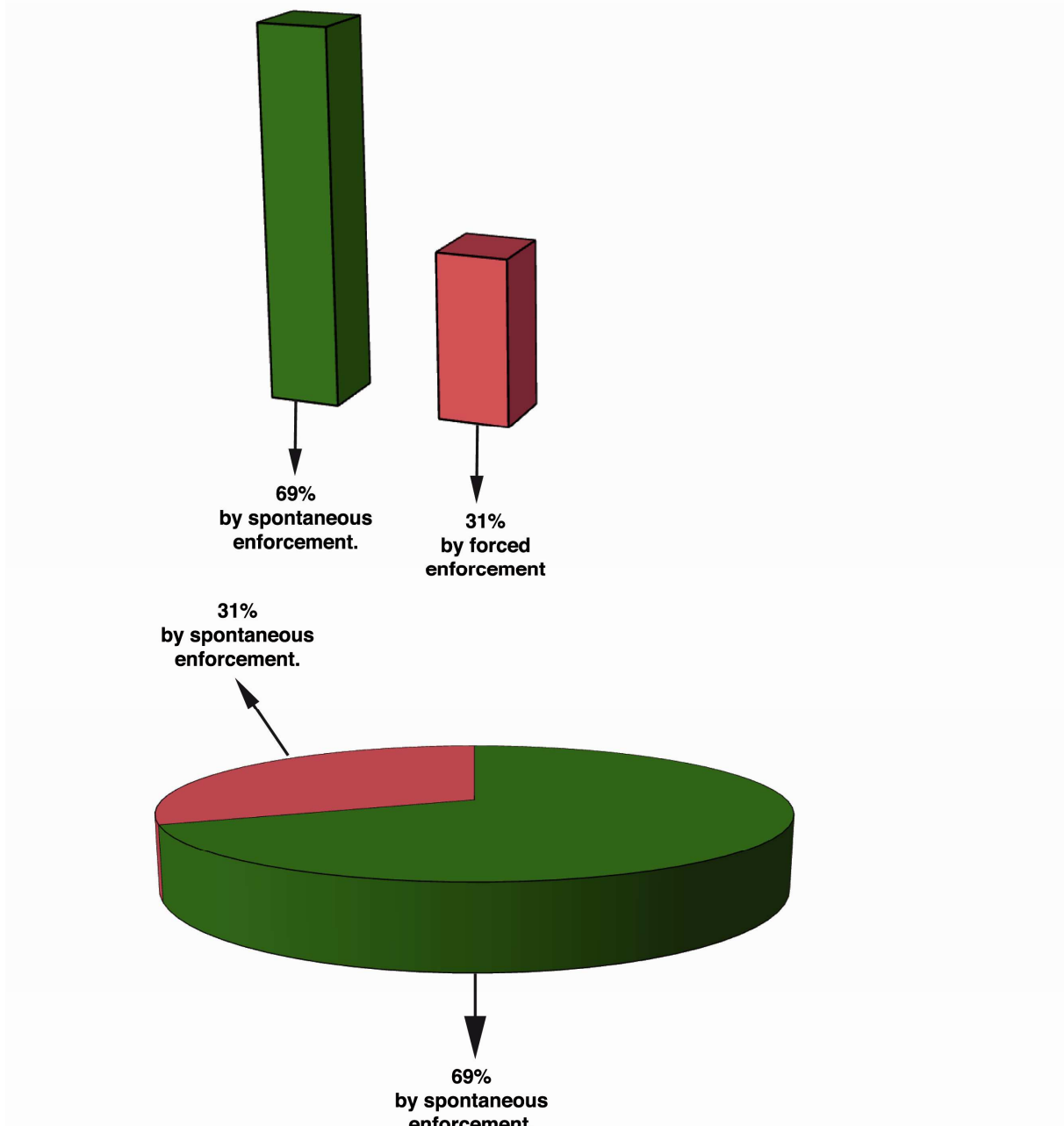
Unless otherwise agreed between the parties, the court of arbitration may, upon the request of one of the parties, **order any transient or protective measure.**

If the concerned party does not comply with such measure, the court of arbitration **may seek assistance from the first president of the court of appeal of Tunis.**

In any of the two cases referred to above, the arbitration court or the judge may demand from any of the parties an advance payment on the ground of the costs resulting from such measure.

* * * *

Explanatory Notes on the Statistic Chart related to the outcome of the enforcement procedures initiated by the Arbitration courts belonging to the institute of the center of local and international arbitration called "AL-INSAF" until the end of December 2010.



Explanatory Notes on the Statistical Chart related to the outcome of the enforcement procedures initiated by the Arbitration courts belonging to the institute of the centre of local and international arbitration called "AL-INSAF" until the end of December 2010.

The statistical Chart related to the disputes considered and settled by the arbitration bodies within the institute of the centre of local and international arbitration called "AL-INSAF" until the end of **December 2010**, comprises the different principles of settlement, whether contract based or not. It is for this reason that the chart includes a box designated as "**mode of settlement**" by reference to the strict application of the principles of law as applicable to disputes and to the terms of relationship and with all guarantees of law and fact of the rights of defence, as opposed to compromise settlements and cases where the dispute is settled under the rules of justice and equity as provided for under articles 14 and 15 of the Code of Arbitration.

For the purpose of further clarification of the words "forced enforcement", it is to point out that this measure doesn't lie within the scope of action of arbitration bodies. The words "**forced enforcement**", indeed, designate the measures ordered by the courts of justice with a view to confirm validity of the arbitration award or, in other words, to put the executor form on such arbitration award, within the framework of domestic arbitration, in accordance with the provisions of article 33 of the Code of Arbitration, and in pursuance of the provisions of articles 78 and 80 of the same Code, where international arbitration is involved.

The words "**by rejection**", appearing on the statistical chart, shall mean the rejection by the courts of justice of the application for the enforcement of arbitration decisions and awards or non-acceptance of part of the awards delivered by the Arbitration Centre "AL-INSAF" in the substance.

The words "**spontaneous enforcement**" shall mean the compromise and conciliation measures delivered by the arbitration body of the Arbitration Centre "AL-INSAF" in respect with arbitration disputes, whether contract based or not, which have been accepted by the parties involved, whether in total or in part, or until settlement of pending issues, in accordance with the provisions of article 289 and sub. of the Code of Obligations and Contracts and article 15 of the Code of Arbitration provided always that none of the parties to the compromise departs from the award, so that there is no need to recourse to the national competent justice to ensure enforcement of the arbitration award or acceptance thereof.

The words "**as such**" shall mean the absence of any need to apply before the courts for the executor form because of rejection or withdrawal of the case, invalidity of the procedures or disappearance of the causes of dispute, so that there is no need to recourse to the judge in charge of enforcement orders to obtain enforcement of the award in question.

These statistical studies are part of the work conducted by the administration of the Centre in order to ensure follow-up of the cases judged by the Centre with

a view to gather information on those inadequacies or insufficiencies that may rise and to act, when need be, to prevent their recurrence.

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Literal transcription of the laws mentioned in the explanatory notes.

Article 14 : Tunisian Code of Arbitration:

Unless otherwise requested by the parties, the arbitrators must comply with the laws in force. If so requested by the parties, the arbitrators might act in a way to find a compromise solution based **on the principles of justice and equity**, without strict application of the legal texts in force.

Article 15 : Tunisian Code of Arbitration:

(i) If during the arbitration process, the parties agree on a compromise solution, then the arbitration proceedings shall cease immediately. In such a case, the arbitrators shall **adopt the settlement reached by the parties**.

The arbitration award is delivered in accordance with the provisions of articles 30 and 75 of the arbitration rules. The award shall be deemed as an award in the substance and shall produce its full effects accordingly.

Article 33: Tunisian Arbitration Code:

The arbitration award is either complied with by the parties or enforced in pursuance of an order delivered by the president of the county court or the president of the district court, as the case may be, of the place of arbitration. However, if an appeal against the award was brought before the court of appeal, then any such order should be delivered by the president of the court of appeal.

A copy of the award shall be sent to the parties within 15 days from the date thereof and the original copy of the award with a copy of the arbitration agreement shall be filed within the same period of time with the clerk office of the competent court. Registration of arbitration awards is tax free.

The diligent party shall notify the other party in accordance with the provisions of the Civil and Commercial Proceedings' Act.

The diligent party may apply for the enforcement of the award. The order of enforcement shall be delivered by the president of the competent court of the place of arbitration.

The appeal against the award shall suspend any order of enforcement delivered in relation with the same dispute.

The original copy of the award remains with the clerk office of the competent court and copies of the same shall be issued in accordance with the regulations in force.

Should the president of the competent court reject the application for enforcement, then any such decision must be supported with evidence and the affected party shall be entitled to make an appeal against such decision.

Article 289: Tunisian of code Obligations and Contracts :

Notification of the creditor shall not discharge the debtor from his/her obligations

Should the object of the obligation be an amount of money, the debtor will have to make real offers and, if any such offers are rejected by the creditor, **the debtor shall be discharged by means of depositing the amount so offered in the place designated by the court**. Should the object of the obligation be a quantity of goods that are

likely to be consumed by utilisation or a specific body that is determined by its individuality, the debtor shall call upon the creditor to collect the goods in the place as determined in the contract or by the nature of the good or item and, should the creditor fail to receive the same, the debtor will be discharged from his obligations by means of consigning the goods in the location determined by the court of the place of execution, where the goods are likely to be consigned.

Article 78: Tunisie Arbitration Code:

1. Only appeals for nullity of the arbitration award shall be accepted. In such a case, the procedure to comply with shall be that provided for under paragraphs 2 and 3 of this article.

2. The court of appeal of Tunis may invalidate an arbitration award in the following cases, only:

I- When the applicant provides evidence of any of the following:

That a party to the arbitration agreement referred to in article 52 of this Code is subject to an "incapacity" measure imposed on him by virtue of the law, or that said agreement can not be effected under the jurisdiction to which the parties had submitted the case or, failing election of the applicable law, under the rules of the private international law.

That he/she has not been duly informed of the designation of an arbitrator or of the arbitration procedure or that it was impossible for him/her, for any other reason, to assert his/her rights.

That the arbitration award is related to a conflict which is not referred to in the compromise clause or that the arbitration court had ruled on issues which are not involved in the compromise or the compromise clause. However, if the provisions of the award which are related to those issues submitted for arbitration can be separated from those issues not submitted for arbitration, only the part of the award related to issues not submitted for arbitration may be invalidated.

That the composition of the arbitration court, or the arbitration procedure followed, did not comply with the provisions of any arbitration agreement in general, with any arbitration rules chosen, with the laws of any country said to be applicable or with the rules contained in the provisions of this chapter relating to the composition of the arbitration court.

II. Where the court believes that the arbitration award is inconsistent with the public order as defined under the private international law.

3. The application for nullity may not be filed after the expiry of a period of three months from the date when the applicant received the award or, where the application is made under article 77 of this Code, from the date when the arbitration court ruled on the application.

4. The court where the application for nullity is filed may, upon the request of one party, suspend the procedure for a period of time to be determined by the same court in order to give to the arbitration court the possibility to resume the

arbitration procedure or to take any measure likely to eliminate the reasons of nullity.

5. When the court to which the application for nullity was submitted, decides to quash the award, whether totally or partially, it may, upon the request of all parties, give a ruling on the substance; it will act as a conciliator as provided for under article 14 of this Code, if the arbitration court fulfils the conditions required.

The rejection of the application for nullity confers enforceability to the arbitration award in question.

6. Those parties who have no domicile, no main residence and no establishment in Tunisia may expressly agree to refrain from any recourse, whether total or partial, **against any decision of the arbitration court.**

Should they apply for the acceptance and enforcement in the Tunisian Territory of the arbitration award so delivered, the provisions of articles 80,81 and 82 of this Code will apply.

Article 80 : Tunisie Arbitration code:

1. The arbitration award, notwithstanding the country where such award is delivered, shall have the authority of the res judicata provided for under article 32 of this Code.

It shall be enforced upon a written application addressed to the court of appeal of Tunis, subject to the provisions of this article and articles 81 and 82 of this Code.

2. The party who avails of an arbitration award or requires the enforcement of the same shall produce the original duly authenticated or a certified copy as well as the original of the arbitration agreement referred to in article 52 of this Code, or a certified copy thereof. Both documents referred to under this article shall be supported, if need be, by an official translation in the Arabic language

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Explanatory Notes on the Statistical Chart related to the enforcement procedures of the provisional or preliminary awards delivered by the Arbitration courts belonging to the institute of the center of local and international arbitration called "AL-INSAF" until the end of December 2010

