**(3)Guidelines for Mediating Trade Disputes**

**Between Egyptian and Chinese Companies**

The most effective way of solving trade disputes under the market economy is through international commercial practice of arbitration and legal approach, and the government should play the role of creating good business environment for the economy. The companies should do business strictly according to international trade rules, be responsible for their own economic activities, and bear the market risks on their own.

When trade disputes arise, it is wise of you to become more cooperative and flexible, and work for the best result through your own effort and wisdom, to negotiate with the Chinese company with enough sincerity and patience, in the hope to find a mutually acceptable solution, to reduce the loss of both parties to the minimum level.

The role our office can play is to MEDIATE through friendly negotiation, which has no legal force on any of the party. Mediation requires gaining the willingness of both parties to attend and participate, if any one party refuses to accept our mediation, the case should be submitted to our office.

There are two kinds of trade disputes, one is by negligence, the company which is legally registered in China with a valid Business License made some mistakes because of the negligence of the businessmen or the company, but they are responsible companies, and willing to seek support from our office to solve the dispute through the mediation. The other kind is by purpose, it is like commit an economic crime, it is often done by some illegal company or person who is playing tricks with you from the very beginning, and it must also be caused by your negligence in not qualifying the company or businessman carefully. In such case, you can only try to solve the problem through police or legal approach.

For the first kind of trade disputes, you are strongly recommended to contact the Mediation Center (<http://adr.ccpit.org/english/>) of China Council for the Promotion of International Trade (CCPIT) for a more direct and efficient solution, as they have a specialized mediation team to do the job, and CCPIT has direct contact with all the duly registered Chinese companies. You can visit their website, and submit your case through internet. If the case can’t be solved through mediation, CCPIT can guide you to further step of arbitration or legal approach.

If you have fulfilled your obligation of doing a good business, and followed the guidelines for doing business with China (as attached), and If **both sides** of you and the Chinese company are willing to accept mediation from our office, we can be involved based on the following document provided:

1. Business License of the Chinese company, which is indispensible for us to accept the case.
2. Provide your company registration certificate (with basic company information being translated into **English**, registered capital, business scope, etc.).
3. Fill in the attached complaint sheet **in English**, make sure the contact info is correct and effective, as we have no responsibility to verify the contact info if our letter does not reach them. Provide a very **brief** description of the disputes **in English**, and attach 2-3 pages of important document, e.g. sales contract, Proforma Invoice, C/O, or B/L.
4. Letter addressed to our office issued by the Chamber of Commerce your company belongs to.

We will contact the Chinese company within 10 days after receiving **complete set** of the above mentioned document from the Chamber of Commerce, and will keep you informed of what we received from the Chinese company. If the Chinese company does not reply within one week, which means they are not willing to accept our mediation, or there is possibility of deliberate fraud, then we will inform you in due time by email, and you need to solve the problem through other channels.

For the second type of disputes, you should contact the Commercial Crime Investigation Team under the Public Security Bureau where the company is located, and ask for help from the Embassy of the Arab Republic of Egypt in China.

For trade disputes with Hongkong companies, you are recommended to contact with Hong Kong Trade Development Council for assistance:

Mr. Perry Fung, Regional Director, Middle East & Africa

Hong Kong Trade Development Council

Tel.: +971 4 3298915

Fax: +971 4 3298916

E-mail: perry.fung@hktdc.org

http://[www.hktdc.org](http://www.hktdc.org)

**Some Useful Contact Information:**

Trade Secretary

Economic and Commercial Counselor’s Office

Embassy of P.R.China in Cairo

Tel.: +20 2 27367692, Fax: +20 2 27362094

E-mail: chinaegypttrade@yahoo.com

Website: [www.eg.mofcom.gov.cn](http://www.eg.mofcom.gov.cn)

CCPIT/CCOIC Mediation Center

Tel.: 0086-10-82217018/7081/7050/7080

Fax: 0086-10-82217099

E-mail: adr@ccpit.org, fllixiao@ccpit.org, flwangfang@ccpit.org

Website: <http://adr.ccpit.org/english/>

China International Economic and Trade Arbitration Commission

Website: [www.cietac.org](http://www.cietac.org)

Egyptian Commercial Bureau in Beijing

Add.: 7th Floor, Unit 5, Building 1, Jianwai Diplomatic Building, Chaoyang District, Beijing, China.

Tel.: +86 10 65329335/6,

Fax: +86 10 65329337

E-mail: Beijing@ecs.gov.eg

Website: [www.ecs.gov.eg](http://www.ecs.gov.eg)

Egyptian Commercial Bureau in Shanghai

Add.: 17A Qihua Tower, 1375 Central Huaihai Road, 200031, Shanghai, China

Tel.: +86 21 64338485, 64336315

Fax: +86 21 64338924

E-mail: shanghai@ecs.gov.eg

**Form of Complaint**

 **Date：**

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| --- |
| 1、Egyptian Company |
| Company Name: |  |
| Registration No.: |  |
| Contact Person |   |
| Telephone Number: |   |
| E-Mail: |   |
| 2、Chinese Company |
| Company Name: |   |
| Registration No.: |   |
| Contact person |   |
| Telephone Number |   |
| E-Mail: |  |
| 3、Case Description |
| Quality not comply with contract □ | Short Weigh□ | Non delivery against payment □  | Fake C/O, CIQ document □ |
| Date of signing: |  | Contract volume: | USD |
| Name of commodity |  |
| Brief description of dispute (attach copy of contract, invoice and L/C document):   |