



# BIAC

Bangladesh International Arbitration Centre (BIAC)

*The Institution for Alternative Dispute Resolution*

Volume: 2 Number: 3

BIAC Quarterly Bulletin

Dhaka, July-September 2013

## Accreditation Course on Mediation commences in Dhaka

To facilitate the institutionalisation of ADR in the country, the Bangladesh International Arbitration Centre (BIAC) in collaboration with the Centre for Effective Dispute Resolution (CEDR), UK commenced training on Mediation in Dhaka. Mediation is one of the modern methods of alternative dispute resolution (ADR), and is widely practiced in developed countries to settle disputes, including commercial disputes. Often, it is a first step in the settlement of a commercial dispute; if it fails, parties usually go for arbitration.

It has been observed that the Government, over the last decade, has promoted settlement of disputes outside of courts. For instance, in several laws, mediation was initially optional – now, mediation has been made mandatory. It is clear that policy-makers are looking at mediation as a way of settling a wide variety of disputes. The Government's efforts have not yet proved very effective and people are not enjoying the benefits of these changes in our laws. One of the reasons for inadequate implementation is the absence of trained mediators in the country. BIAC is committed to providing service to businesses by creating physical and other facilities. In this context, BIAC has taken up a programme to train mediators, and also to create greater awareness of the opportunities available.

The Mediation Training was arranged for two groups; in view of the intensity of the training,



and the personalised attention required from the trainers, these groups were very small. The first group was covered from 26-29 August 2013 at Pan Pacific Sonargaon Hotel, while training of the second group took place from 31 August to 5 September 2013 at Ruposhi Bangla Hotel. In total, nineteen trainees from different professions, namely, government officers, lawyers, bankers, company executives, teachers, NGO representatives completed the programme. The participants included Abdul Mueed Chowdhury, Adviser to former Caretaker Government, Barrister Fida M. Kamal, Former Attorney General, Shireen Sheikh Mainuddin, MD of ASAAN, Kalipada Haldar, Member NBR, Mohammed Lakiotullah, Executive Director of Hajj Finance Company, Md. Ahsan-uz- Zaman, Additional MD of Mutual Trust Bank Ltd, Mohammed Hossain, Chairman & MD of Asset Management Limited, M. Shahjahan Bhuiyan, Former MD of United Commercial Bank Ltd., and others. International Finance Corporation (IFC) is supporting BIAC in implementing the programme.

At the closing ceremony, Law Minister Barrister Shafique Ahmed complimented BIAC for organising the internationally-recognised Accreditation Course on Mediation at Dhaka.

### Improved Vehicle Access to BIAC

Vehicular access to BIAC has improved, as a result of new opening of entry to Suvastu Tower from Pantha Path. Limited reserved parking can also be arranged, on request.



This training course will complement government's efforts to implement recent amendments in our laws making mediation mandatory. He emphasised that mediation is less expensive, expeditious and conducive to maintaining good business relationships.

While presiding over the Concluding Session, Mr. Mahbubur Rahman, Chairman of BIAAC and President ICC-B emphasised that trained manpower is essential to make ADR successful in the country. The three business chambers: ICC-B, DCCI and MCCI have established BIAAC with an objective to facilitate the resolution of commercial disputes through ADR. Our court system is already

overburdened with cases, number of which is increasing everyday- he observed. He expressed his gratitude to IFC for supporting BIAAC.

Important statements were made by two participants Shireen Sheikh Mainuddin and Abdul- Muyeed Choudhury. Among others, Andy Grossman, Director of CEDR, who came from London for the training, BIAAC's Chief Executive Dr. Toufiq Ali and Dr. Masrur Reaz of IFC, Dhaka also spoke on the occasion. Dr. Toufiq Ali requested the Law Minister to engage Accredited Mediators from BIAAC's Panel by referring cases for mediation. Dr. Masrur Reaz of IFC thanked BIAAC for its pioneering role in institutionalising ADR in the country.

## **BIAAC Presentation on Arbitration at State University of Bangladesh (SUB)**

The Department of Law of State University of Bangladesh in collaboration with Bangladesh International Arbitration Centre (BIAAC) organised a seminar on "Arbitration" at the SUB Seminar Hall on Monday 2nd July, 2013.

Dr. Toufiq Ali, the Chief Executive of BIAAC, made the presentation in the seminar.



Among the students at the Department of Law of State University of Bangladesh, BIAAC observed a knowledgeable group, eager to learn more about arbitration and its popularity around the world. The Presentation from BIAAC gave them a useful perspective on ADR and how it may help to lessen undue delay and cost of commercial suits, apart from securing confidentiality of the parties.

Professor Dr. Asif Nazrul, Adviser, Department of Law, SUB was the Chief Discussant while Professor Iftekhhar Ghani Chowdhury, Vice Chancellor of the university presided over the seminar. The Registrar, Treasurer, faculty members of the Department of Law, BIAAC officials and around 60 students from Law Department attended the seminar.

## BIAC's Presentation for the members of FICCI

On 27 August 2013, Dr. Toufiq Ali, the Chief Executive of Bangladesh International Arbitration Centre (BIAC) made a presentation on arbitration, ADR facilities developed at BIAC and services offered by BIAC at Westin Hotel. The function, which was organised by the Foreign Investors' Chamber of Commerce and Industry (FICCI) was well attended by Members and Guests.



## BIAC Dialogue "Saying YES to Arbitration" held.

As the syllabus of our law schools do not adequately include ADR - more precisely arbitration and mediation – it becomes very difficult for young lawyers to obtain training and pursue such techniques effectively. To overcome this gap, the Bangladesh International Arbitration Centre (BIAC) has been organising training of young lawyers and professionals in arbitration in collaboration with the International Law Institute (ILI) in Washington, DC. Trainers from ILI have given basic and advanced training, and have also trained trainers in arbitration.

In order to encourage those who have received the training, and to create a broader awareness of the opportunities, BIAC has organised a dialogue session on Saturday, 21st September at Ruposhi Bangla Hotel entitled **"Saying YES to Arbitration"**. Dr. Toufiq Ali, Chief Executive of BIAC described the objectives of organising the Dialogue and the overall format of the event at the outset. BIAC has picked four of the trainees: Jaharat Adib Choudhury, Manal Mohammed, Nabil Ahsan and Margub Kabir and each were given a topic to speak under the broad theme of the Dialogue. He hoped that the audience would see for themselves the quality of the young lawyers and feel encouraged

to consider arbitration for dispute settlement.

The event was moderated by eminent jurist Dr. Kamal Hossain, who supplemented the discussion with his insight and comments. Given that, among the lawyers in Bangladesh, he has the greatest experience in international arbitration, the views he provided, were invaluable.

Chairman of BIAC Mahbubur Rahman thanked the moderator, discussants, participants and distinguished guests for attending the event and thereby promoting arbitration in the country. Senior lawyers, Barrister Rokanuddin Mahmud and former Attorney General Barrister Fida M Kamal, made important statements as discussants. Former Chief Justice Md. Tofazzul Islam attended by special invitation. Among others, representative of IFC Washington Nina Mocheva, Mohiuddin Ahmed of University Press Ltd, Altafur Rahman of ICB Islamic Bank spoke on various aspects of the topic.

The audience comprised of representatives of law chambers, junior or mid career lawyers, representatives of companies and media, etc.



## Eid Reunion for users of BIAC services

BIAC arranged a working lunch with former Chief Justices, Justices and senior lawyers on 17th August 2013 at Pan Pacific Sonargaon. During the meeting, the participants discussed matters relating to use of BIAC's services, and made suggestions for improvement. Former Chief Justices Latifur Rahman, Mahmudul Amin Chowdhury, K M Hasan, Syed J. R. Mudassir Husain, Md Tafazzul Islam, Fazlul Karim, Justices Abu Naim Mominur Rahman, Syed Amirul Islam and Awlad Ali, Barristers Dr. Kamal Hossain, Rafiq-ul Huq, Ajmalul Hossain QC, Fida M. Kamal, Dr. Naim Ahmed, Prof. A Hasib Chowdhury of BUET, Rokia Afzal Rahman President MCCI, Latifur Rahman Chairman Transcom Group, Md. Sabur Khan President DCCI and Masrur Reaz of IFC-BICF were present. Mahbubur Rahman, Chairman BIAC thanked all the participants for attending the function. It was a memorable event, which witnessed the participation of six former Chief Justices and eminent jurists of the country.



### Advanced Arbitration Training

The next Advanced Arbitration Training will be held from 14-19 December. Trainers from International Law Institute include Joseph R. Profaizer. Please book your place early. Check BIAC website, or call, for details.



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