



Bangladesh International Arbitration Centre (BIAC)
The Institution for Alternative Dispute Resolution

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BIAC 1st Anniversary: Prof. Gélinas emphasizes special attention to SMEs

To celebrate the 1st Anniversary of its establishment, BIAC organized a Dialogue on **“ADR to Promote Trade & Investment”** at the Ruposhi Bangla Hotel on 21st April 2012. The Chief Guest was Hon’ble Barrister Shafique Ahmed, Minister for Law, Justice and Parliamentary Affairs, while the Keynote Speaker was Fabien Gélinas, Professor of Law at McGill University in Canada.



Prof. Gélinas, who came to Dhaka to participate in the BIAC event, presented the latest developments in the field of ADR, particularly as they affected economic development through trade and investment. Referring to small & medium enterprises (SMEs), he stated that they have a major contribution to the manufacturing sector: in China, it is over 50%, while in the EU the contribution is over 70%. SMEs require special facilities for dispute resolution, and he was glad that BIAC was proceeding towards that direction.

Earlier, Mahbubur Rahman, Chairman of BIAC, had stated that “BIAC will offer special facilities to SMEs and to newly-established NBR alternate dispute resolution arrangement”. While welcoming the guests, Chief Executive Dr. Toufiq Ali, outlined the current activities of BIAC.

The Law Minister stated that the government was very keen to promote ADR in the country and had already amended various laws namely Artha Rin Adalat Ain, Civil Procedure Code and laws on Customs, VAT and Income Tax making ADR mandatory. Under new amendments pending before Parliament, the cases already filed would also be resolved through ADR. He called upon parties to mention the name of BIAC in the arbitration clause of their commercial contracts. He expressed the government’s full support to BIAC in its activities.



Distinguished former Chief Justices Latifur Rahman, Syed J R Mudassir Husain, Md. Tafazzul Islam, Justices Abu Naim Muminur Rahman, Syed Amirul Islam, Awlad Ali, Senior Advocates, IFC representative from Washington Nina Mocheva, business leaders including representatives of corporate houses and banks participated in the well-attended dialogue.



BIAC Arbitration Rules 2011 launched

Arbitration Rules are central for any arbitration institution. BIAC began drafting its arbitration rules from a very early stage. Assistance was taken from Barrister Naser Alam to create the first draft, which was given to lawyers and selected law firms. The draft was then sent to the law firm Debevois & Plimpton in the UK, who made considerable changes to reflect the latest international developments in arbitration. Thereupon, BIAC organized a series of meetings of eminent jurists of Bangladesh to examine the draft and also to ensure that it is in conformity with The Arbitration Act 2001. Among those who were consulted were Chief Justices Latifur Rahman, Mahmudul Amin Chowdhury, K M Hasan, Syed J. R. Modassir Husain, Md. Tafazzul Islam, Justices Md. Abdur Rouf, Syed Amirul Islam, Md. Awlad Ali, along with Barristers



Rafique-ul Huq, A.F. Hasan Ariff, Fida M. Kamal, Rokanuddin Mahmud, Ajmalul Hossain QC, Ms. Nihad Kabir, and others. Simultaneously, the draft was also examined by two experts selected by the International Finance Corporation (IFC), Washington: Arif Hyder Ali, Adjunct Professor of Law, Georgetown University and Ms. Nina Mocheva, Private Sector Development Specialist, IFC. The draft was finally approved by the BIAC Council on 31 December 2011.

The BIAC Arbitration Rules 2011 was published and distributed at its 1st Anniversary event on 21 April 2012. Some of its features:

- a. meets the needs of both domestic and international arbitration;
- b. addresses the requirement of autonomy of the arbitral process;
- c. covers commercial disputes involving both large as well as small claims;
- d. lays down time limits for each stage of arbitration;
- e. ensures confidentiality of arbitration proceedings;
- f. promotes arbitrators' neutrality and independence.

DFID Review Mission visits BIAC

Mr. Miguel Laric, Economic Adviser, Investment Climate Team, Growth and Resilience Department of DFID visited BIAC on 22 May 2012 as a member of DFID Review Mission. DFID – along with the EU, is financing BIAC through IFC-BICF under a co operation agreement. Mr. Laric reviewed over all activities of BIAC during the past one year and examined its future plan and projections.

BIAC Lunch Meeting with former Chief Justices, Justices and senior lawyers

BIAC arranged a lunch meeting with former Chief Justices, Justices and senior lawyers on 9 June 2012 at Pan Pacific Sonargaon. During the meeting, the participants discussed matters related to preparation of BIAC Panel of Arbitrators, especially in the light of recent amendments in relevant laws as well as likely amendments in the Civil Procedure Code under consideration in the Parliament. Former Chief Justices Latifur Rahman, K M Hasan, Md Tafazzul Islam, Justices Abu Naim Mominur Rahman and Awlad Ali, Barristers Rafiq-ul Huq, M A Samad, and Masrur Reaz of IFC-BICF were present. Mahbubur Rahman, Chairman BIAC thanked all participants for their contributions.



Training Course On Negotiation

An intensive training course on Negotiation was held on Thursday, 27 June 2012 from 09.30 am to 05.00 pm at BIAC. Chief Executive of BIAC, Dr. Toufiq Ali, conducted the training.

People in every walk of life are negotiating all day long. Negotiation is any communication in which one side is attempting to achieve the approval, acquiescence, or action by another side. A common perception is that negotiations refer to the business context or to large purchases such as a home, a car, etc. It is often not realized that most people spend more of their energy on one-minute, or brief negotiations that affect their daily lives.



In general, people assume that they know a great deal about negotiations as they have done it often; it is uncertain if they have given some thought to the basics of successful negotiation. It is a sad truth that most people who negotiate for a living may be untrained for that part of their endeavour.

The day-long programme offered by the Bangladesh International Arbitration Centre (BIAC) is intended to help the participants negotiate from strength.

The basic skills required in successful negotiations are covered, along with introduction to the processes and techniques involved.

Even if the participant has attended a formal course in negotiations, the BIAC programme would be helpful as it is designed to quickly take a person from the fundamentals to an understanding of the core issues involved at a fairly advanced level.

For lawyers, this programme is particularly valuable as negotiations are at the heart of the processes and substance of arbitration and mediation. Thirteen participants attended the course. Mahbubur Rahman, Chairman, BIAC handed over Certificates of Attendance to the participants. BIAC will continue to offer courses on Negotiations.

Arbitration at BIAC

BIAC is the first formal arbitration institution in Bangladesh - the emerging destination of trade and investment in South Asia. BIAC is located at the centre of metropolitan city of Dhaka. Its physical facilities include two state-of-the-art arbitration rooms, each with a seating capacity of 15 persons, three consultation rooms and two exclusive chambers for the arbitrators. Latest equipments for video conferencing, multimedia projection, audio-aides and recording facilities, a 54-inch LED TV for display add a new dimension to arbitration. Video conferencing facility in the Arbitration Room makes it possible for parties, lawyers, and witnesses from abroad to participate. Computer and internet access, printing, photocopying and scanning, etc. are also available on-site. Other services such as secretarial and catering are available on request.



Participants and BIAC Staff at training on Negotiations, 27th June 2012

Upcoming Training Event

One-day Course on "The Art of Negotiations"

Date: 18 September 2012

Venue: BIAC

For details and registration, contact BIAC



Bangladesh International Arbitration Centre (BIAC)

The Institution for Alternative Dispute Resolution

Suvastu Tower (6th Floor), 69/1, Pantha Path, Dhaka-1205, Bangladesh

Tel: +8802-862-9227, 967-1491, Fax: +8802-862-4351

e-mail: biac@bracnet.net, www.biac.org.bd