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BIAC

Bangladesh International Arbitration Centre (BIAC)

The Institution for Alternative Dispute Resolution

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10th November 2012: Outreach Programme at Chittagong, jointly organized by BIAC & CCC&I

BIAC and Chittagong Chamber of Commerce & Industry (CCC&I) jointly organized a Dialogue entitled **Arbitration at BIAC for Settling Commercial Disputes** on 10 November 2012 at CCC&I Auditorium, Chamber House, Chittagong. The Dialogue was chaired by Mr. Mahbubur Rahman, Chairman, BIAC. Hon'ble Mr. Ghulam Mohammed Quader M P, Minister for Commerce, Government of Bangladesh graced the event as Chief Guest. In his speech, Hon'ble Commerce Minister expressed his satisfaction at the emergence of an institution like BIAC in the country. He declared that his Ministry and the Government would promote the objectives for which BIAC stands for and utilize the facilities developed by it. Hon'ble Minister said the country is moving ahead despite lot of challenges. In its stride forward, private sector is the prime mover. BIAC is an example of private sector initiative. But there is little scope to be complacent. We should move faster to keep pace with the outside world.



Mr. Mahbubur Rahman stated that there is congestion of cases in our courts, because disposal of cases take long. Courts cannot keep pace with the requirements of our businesses, not to speak of demand of foreign businesses and investments. This situation makes existence and operation of institutions like BIAC essential. Dr. Toufiq Ali, Chief Executive of BIAC made the keynote presentation. Mr. M A Latif M P, distinguished entrepreneurs, businessmen and industrialists of Chittagong as well as prominent lawyers, chartered accountants and academics took active part in the Dialogue.

9 October 2012: Training on The Art of Negotiation



BIAC began a training programme on "The Art of Negotiation" recognizing that many do not realize that they are negotiating all day long. Usually, we think of negotiations associated with large purchases or major contracts. We rarely stop to consider that in the office, we may be negotiating with bosses, co-workers,

juniors, clients or suppliers. At home, the nature of negotiations change, but it could be with the spouse, the children, the domestic help and any person who comes to repair home appliance or to supply goods to the household.

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.

Responding to popular demand, BIAC offered this course again on 9th October 2012. The basic skills required in successful negotiations were covered, along with

introduction to the processes and techniques involved. The BIAC programme was designed to quickly take a person from the fundamentals to an understanding of the core issues involved. The course included exercises that apply the principles taught during the training. The number of participants was kept limited, to allow for close interaction with the resource persons and among the participants themselves.

Dr. Toufiq Ali, Chief Executive and Mr. A.H.M. Nurul Islam, Director, BIAC jointly conducted the training course which was attended by sixteen bankers and company executives. After the training, certificate was awarded to the trainees.

29 December 2012: Dialogue: "Arbitration for Settlement of Business Disputes."

Bangladesh International Arbitration Centre (BIAC) organized a Dialogue entitled **Arbitration for Settlement of Business Disputes** on 29 December 2012 at Ruposhi Bangla Hotel, Dhaka. The Dialogue was chaired by Mr. Mahbubur Rahman, Chairman, BIAC. Hon'ble Mr. Ghulam Mohammed Quader M P, Minister for Commerce, Government of Bangladesh was the Chief Guest, while former Chief Justice Md. Tafazzul Islam and His Excellency Mr. Gerben de Jong, Ambassador of The Netherlands were the Special Guests. Commerce Minister G.M. Quader called for "generating confidence in the minds of the investors" in order to attract foreign investors and businessmen. He stated that Bangladesh has a bright future, with resilient entrepreneurs, hard-working labour and a supportive policy framework. The establishment of BIAC would provide an alternate to the court system, and would generate confidence in the minds of investors, particularly FDI, by providing a forum to resolve business disputes expeditiously.

The Keynote Speaker, BIAC Chief Executive Dr. Toufiq Ali, highlighted the changes in our laws which have made settlement of certain disputes outside our court system mandatory. Presenting statistics on the

increasing number of pending cases in many of our courts, and the delays in setting commercial disputes, he emphasized that alternates are necessary for businesses.

As is the practice in most countries, it is now essential for Bangladesh to also offer ADR for settling commercial disputes outside courts. He outlined the training on arbitration and mediation that BIAC is organizing in association with renowned organizations in the US and UK, with the support of the IFC, and said that this will also facilitate the implementation of recent changes in our laws. In addition, with the recently-introduced BIAC Arbitration Rules, BIAC is offering an effective and efficient substitute to our court system. This should be useful to both local entrepreneurs and FDI.



Former Chief Justice Tafazzul Islam emphasized the role that lawyers can play in assisting courts in speedy disposal of cases, particularly by not seeking adjournments. The courts also need to award costs, as is the practice around the globe, to discourage unnecessary litigation.

Netherlands Ambassador Gerben de Jong pointed out that Bangladesh and Netherlands have many similarities. For instance, both countries are dependent on trade with the outside world for growth. In such cases, it is vital that such countries comply with rules and regulations. He believed that Bangladesh has a bright future, as was pointed out by reports that placed the country the next 11 emerging nations.

BIAC Chairman Mahbubur Rahman, while chairing the Dialogue, outlined the role BIAC can play to assist the settlement of commercial disputes, but emphasized that lawyers and judges also have their respective functions. He urged the Government to consider using BIAC and its Arbitration Rules in all commercial contracts where the Government is a party. He also emphasized that business and investors require congenial law and order situation in the country to pursue their normal activities uninterrupted.

Among those who attended the Dialogue were Barrister Rafiq-ul-Huq, Barrister Dr. M. Zahir, DCCI President Asif Ibrahim, prominent businessmen, lawyers and company executives.

Dignitaries visiting BIAC

Interest in BIAC is developing rapidly, including among those who are promoting FDI within the country. Among those dignitaries who visited BIAC during this period are:

26th November : His Excellency Mr. Michel Trinquier, Ambassador of France

2nd December : His Excellency Mr. Mehmet Vakur Erkul, Ambassador of Turkey

12th December : His Excellency Mr. Lee Yun Young, Ambassador of the Republic of Korea

24th December : His Excellency Mr. Ahmad Sobhani, Director General (West Asia),
Ministry of Foreign Affairs, Government of the Islamic Republic of Iran



Upcoming Event

Basic Arbitration Seminar for Businessmen

Date : 13 January 2013

Time : 09.30 a m - 05.30 p m

Venue : Palash, Ruposhi Bangla Hotel

Trainers : Mr. Ronan McHugh
Mr. Carlos Ivan Davila
International Law Institute,
Washington DC

Basic Arbitration Training

Date : 14-17 January 2013

Time : 09.30 a m - 05.30 p m

Venue : Palash, Ruposhi Bangla Hotel

Trainers : Mr. Ronan McHugh
Mr. Carlos Ivan Davila
International Law Institute,
Washington DC

Dates for the Mediation Training will be announced soon. Those interested should contact BIAC for details.

BIAC *Wishes Everyone a Happy New Year*

BIAC 

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