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# BIAC

## Bangladesh International Arbitration Centre (BIAC)

*The Institution for Alternative Dispute Resolution*

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### BIAC signed MoU with TRANSCOM and RANGS Group

Bangladesh International Arbitration Centre (BIAC) signed Memorandum of Understanding (MoU) with Transcom and Rangs Group for resolving commercial disputes through using BIAC's specialized ADR services. Both the Signing ceremonies were held on Monday 18 January and 25 January 2016 respectively at the particular companies' head offices in Dhaka. Mr.

Muhammad A. (Rume) Ali, Chief Executive Officer, BIAC signed on behalf of Bangladesh International Arbitration Centre while Mr. Atiqur Rahman, Group Finance Director, Transcom and Mr. Romo Rouf Chowdhury, Managing Director, Rangs Group signed the MoU on behalf of their respective organisations.



### One-day training on Effective HRM held on 19 January, 2016

ADR, especially Mediation is a technique that HR manager or related officials can learn to resolve disputes at workplace. It is a good practice to have personnel of organizations trained in the Mediation process in order to manage in-house grievances effectively. BIAC has organized a one-day training programme on "Effective Human Resource Management: skills to resolve workplace dispute" on Tuesday 19 January, 2016 at BIAC.

The training covered: Overview of Alternative Dispute Resolution, Conflicts at workplace, Principles and Process of Mediation, Skills of a Competent Mediator at workplace and Mediation under BIAC Mediation Rules.

Certificates were awarded to the participants at the end of the training. Resource persons for this training were Barrister Faiyaz Bin Hasan and Advocate Shahariar Sadat- both of whom are BIAC Mediators and got

Accreditation on Mediation from Centre for Effective Dispute Resolution (CEDR). Participants from different banks, insurance companies and other business organizations participated in the training.



### BIAC Resolves International Commercial Dispute in 14 hours

An international commercial dispute has been amicably settled through Mediation under the auspices of BIAC. The dispute between Bangladeshi and Japanese investors arose in a joint venture private limited company. Both the Parties agreed to resolve their dispute under BIAC Mediation Rules 2014.

Mediation/Arbitration Clause was included in the contract for dispute resolution in their joint venture

agreement. BIAC nominated Mr. Abdul-Muyeed Chowdhury, a very well known former bureaucrat, from its panel of Mediators to facilitate a resolution of the dispute. Mr. Chowdhury is one of the BIAC Mediators accredited by the Centre for Effective Dispute Resolution (CEDR), UK.

Mediation is the least cost, voluntary and fastest Alternative Dispute Resolution method increasingly



gaining popularity across the world. Through joint and separate sessions over a total of 14 (fourteen) hours, Mr. Chowdhury helped the parties to arrive at a solution acceptable to both. A Settlement Agreement was drafted by the Mediator signed by the Parties and confirmed by the Mediator concluded the process.



### BIAC to assist EBL for ADR



Bangladesh International Arbitration Centre (BIAC) has signed a Memorandum of Understanding (MoU) with Eastern Bank Ltd. to assist resolution of

commercial and money loan disputes through ADR at a signing Ceremony held on Tuesday 16 February, 2016 at the Corporate Office of Eastern Bank Ltd. in Dilkusha, Dhaka.

Muhammad A. (Rume) Ali, Chief Executive Officer of BIAC and Ali Reza Iftekhhar, Managing Director & CEO of Eastern Bank Ltd. signed the agreement on behalf of their respective institutions. Senior officials from both the institutions were present during the signing ceremony.

This agreement provides a framework to facilitate resolution of contractual and commercial disputes (if arises) of Eastern Bank Ltd. using ADR methods such as Arbitration and Mediation, through ADR expert services of BIAC.

### Workshop on International Factoring for Foreign Trade held on 25 February 2016

A workshop on International Factoring for Foreign Trade was held on Thursday, 25 February 2016 at Krishibid Institution Bangladesh (KIB) Complex, Khamarbari, Dhaka. The workshop was jointly organized by International Chamber of Commerce-Bangladesh (ICC-B) and Bangladesh International Arbitration Centre (BIAC).

International Factoring is being adopted by most of the countries around the globe for better and effective trade finance. Risk of default debts are borne every year and lengthy litigation process of our country provides little or no redress. However, alternative dispute resolution (ADR) in Factoring provides an opportunity to the parties to resolve such disputes expeditiously without having to resort to litigation.

The aim of the workshop was to enable the officials from

government agencies, regulatory authorities, Procurement department, Bangladesh Bank, commercial banks, legal advisors of organisation and legal practitioners to learn more about factoring in general and international factoring in particular, its benefits, growth potential and also the dispute settlement methods within or outside Bangladesh.

Certificates were distributed among the participants on successful completion of the workshop.



### BIAC signs MoU with SAARC Arbitration Council (SARCO) for resolving commercial dispute through ADR on 27 February 2016

BIAC signed a Memorandum of Understanding (MoU) with SAARC Arbitration Council (SARCO) to co-operate in facilitating ADR in each others' services at a seminar held on Saturday 27th February, 2016 at DCCI Auditorium.

SAARC Arbitration Council, Islamabad (SARCO) is a body under South Asian Association for Regional co-operations and is mandated to provide a legal framework/forum within the region for fair and efficient

settlement of commercial, industrial, trade, banking and other relevant areas. Thusantha Wijemanna, Director General and Malik Imran Ahmed, Director, SARCO gave presentations at the event.

Law, Justice & Parliamentary Affairs Minister Anisul Huq as the Chief Guest of the Seminar said that "I am passionately confident that substantial practice of ADR in form of mediation, arbitration and conciliation within the business community will ensure the



fairness and excellence in business leading to irresistible economic development”.

As a special guest of the event, BIAC Chairman Mahbubur Rahman said that “both BIAC and SARCO have been providing and will continue to provide confidence to foreign investors and the local business community.”

Former Attorney General and the keynote speaker of the event, Barrister Fida M. Kamal in his presentation mentioned that institutional arbitration may be considered to be the most preferred method to resolve differences and disputes as quickly as possible. “The leading chambers in Bangladesh, namely, ICC-B, DCCI & MCCI together with specialized institutions like BIAC have the requisite skills and tools to offer in this regard”, he added.

Former Chief Justice Latifur Rahman, Former Chief



Justice Tafazzul Islam, Former Justice, Awlad Ali, Former Justice Syed Amirul Islam, Former Justice Abdus Salam Mamun, Former Attorney General A.F. Hassan Ariff, lawyers and business leaders were also present at the event and participated in the deliberations.

### BIAC arranged Discussion Meetings with several Banks

In the past two months BIAC has held discussions with several banks, namely Standard Chartered Bank, AB Bank Limited, Eastern Bank Limited (EBL), International Finance Investment and Commercial



Bank (IFIC), Prime Bank Ltd. and City Bank Ltd. In the discussion, BIAC explained need and use of alternative dispute resolution (ADR) in the financial sector. Following the meeting, prospective co-operation between the banks and BIAC was conversed to avail of BIAC’s ADR services.

Default loans are an unfortunate but a common scenario in the banking industry. Financial institutions require efficient and effective means of resolving such disputes that will allow parties to keep matters confidential and preserve their relationship. As our

over-burdened court system does not provide expeditious resolution, aggrieved parties are left to look for solution outside the formal litigation system. BIAC as the alternative dispute resolution (ADR)

institution of the country provides quick and easy resolution options to businesses and organisations.

BIAC is Bangladesh’s first and only alternative dispute resolution institution. BIAC facilitates arbitration, mediation and other forms of alternative dispute resolutions in Bangladesh. BIAC is a not-for-profit organization established by the three

prominent business Chambers of Bangladesh, namely, International Chamber of Commerce-Bangladesh (ICC-B), Dhaka Chamber of Commerce & Industry(DCCI) and Metropolitan Chamber of Commerce & Industry (MCCI), Dhaka.

BIAC will soon be holding similar discussions with other banks in order to sensitise the financial sector on the need and the signification use for ADR and to bring arbitration and mediation cases at the same time.

### BIAC needs the Governor of Bangladesh Bank to discuss the use of ADR in the financial sector

Bangladesh International Arbitration centre (BIAC), country’s first and only ADR institution, visited Bangladesh Bank, the central bank of Bangladesh on 29th February 2016 and explained the need and use of alternative dispute resolution (ADR) in the financial sector.

In the discussion meeting, BIAC gave a small presentation on how effectively ADR worked worldwide and how it can assist banks in recovery of

bad debt and its other contractual disputes. Following the need and the use of ADR in Bangladesh, three prominent business Chambers of Bangladesh, namely, International Chamber of Commerce-Bangladesh (ICC-B), Dhaka Chamber of Commerce & Industry (DCCI) and Metropolitan Chamber of Commerce & Industry (MCCI), Dhaka established BIAC as a not-for-profit organization in 2011 under a license from the government. BIAC



does arbitration and mediation and published its rules in 2012 and 2014 respectively.

In the meeting, the Deputy Governor of Bangladesh Bank Mr. Shitangshu Kumar Sur Chowdhury expressed that it is a cost and time effective initiative to try ADR in recovering money and can help both financial institutions and the parties to do business smoothly.

Dr. Atiur Rahman, the Governor of Bangladesh Bank mentioned that there is possibility tha Governor of Bangladesh Bank mentioned that there is possibility that the banking sector can gain from the use of ADR and the services provided by BIAC. It is not an un-ventured avenue for the Bank to reach a co-operation agreement with a private institution, the precedent for such co-operation has already been set.



Md. Abul Quasem, Deputy Governor, Abu Hena Mohd. Razee Hassan, Deputy Governor, Nazneen Sultana, Deputy Governor and other Executive Directors of Bangladesh Bank were also present at the meeting.

### Day-long training on ADR held on 8th March 2016 at BIAC

A day-long training programme on “ADR” was organized by Bangladesh International Arbitration Centre (BIAC) on Tuesday, 8th March 2016 at its multi-purpose room at Panthapath, Dhaka. The course highlighted ADR in Bangladesh Laws, BIAC dispute settlement clause-“Mediation” & “Arbitration”, stages of mediation and arbitration, ADR under Civil Procedure Code & Artha Rin Adalat Ain.

To ease congestion of cases at every level of our court system and to get around complex court procedures, Bangladesh Government has undertaken a number of measures to expedite disposal of cases. As a part of their effort, a number of significant enactments have also been passed in recent years incorporating provisions making ADR as an alternative method of dispute resolution. But to get results of these changes in our laws we require trained ADR professionals in the country. This training programme, organized by BIAC, will help a long way

in creating a pool of ADR professionals in the country.

Barrister Ashraful Bari Nobel and Barrister Nabil Ahsan were the trainers, while trainees from different government organizations and private companies participated in the programme. Certificates were distributed among the trainees after successful completion of the programme.



### Dignitaries visiting BIAC



*H.E. Mrs. Sophie Aubert, Ambassador of France visits BIAC on 15 February 2016*



*H.E. Mr. Nguyen Quang Thuc, Ambassador of The Socialist Republic of Vietnam visits BIAC on 16 February 2016*



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