



Source: Supreme Court of Bangladesh, January 2011

The establishment of the Bangladesh International Arbitration Centre (BIAC) has its raison d'être laid in this scenario.

WHY ARBITRATION ?

Arbitration is a voluntary process of dispute resolution where a neutral third party renders a final and binding decision after each side has had an opportunity to present its views:

- once parties have opted for arbitration, to which they may be bound through their contract or by mutual agreement, they have a choice of law, arbitrators, procedures as well as venue.
- arbitration awards are enforceable in Bangladesh, under a developed arbitration law, and in about 140 New York Convention Countries;
- arbitration procedures/rules are usually formulated by leading practitioners in the international arbitration world;
- arbitration can be speedy, as parties decide how quickly they want to resolve their disputes;
- in arbitration, sensitive company information may be kept private and confidential; this would not be possible in a regular court proceeding.

WHY CHOOSE BIAC?

BIAC is the first organization in Bangladesh to offer viable ADR facilities. In the short period of its existence, it has already hosted arbitration from Bangladeshi and foreign companies working in Bangladesh. It offers several attractions:

- established Rules, which have been approved by eminent jurists of the country, as well as a leading law firm of the UK and international arbitration experts from the US;
- assistance from well-qualified and experienced Secretariat;
- arrangements for logistics, facilities, and services for hearings in state of the art hearing rooms;
- monitoring and follow-up for timely disposal of cases;
- provision for fast-track arbitration where the sum in dispute is small;
- nominal administrative fees.
- conducts training, holds seminars, workshops and dialogues on ADR
- access to international resource pool.



1st arbitration hearing at BIAC, Room A, with three arbitrators

BIAC

Bangladesh International Arbitration Centre

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BIAC

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BANGLADESH INTERNATIONAL ARBITRATION CENTRE (BIAC)

BIAC was established by three leading business chambers of the country, namely, International Chamber of Commerce-Bangladesh (ICC-B), Dhaka Chamber of Commerce & Industry (DCCI), and Metropolitan Chamber of Commerce & Industry, Dhaka (MCCI). Its operating authority is a license granted by the Government; it is registered as a not-for-profit company under the Companies Act 1994.

BIAC is supported by the Bangladesh Investment Climate Fund (BICF), managed by the IFC, in partnership with DFID and the European Union.

The main objective of BIAC is to assist disputant parties resolve their disputes through Alternate Dispute Resolution (ADR) means, particularly arbitration. In order to facilitate arbitration, BIAC has formulated Arbitration Rules and developed state-of-the-art facilities.



Inaugural Ceremony of BIAC

BIAC STRUCTURE

Bangladesh International Arbitration Centre (BIAC) formally started its operation in April 2011. The Centre is governed by a Council comprised of distinguished personalities, including Presidents of the three business Chambers, thereby enriching the organization with their vast experience and knowledge. A strong Technical Advisory Committee (TAC), which includes representation from the donor agency, reviews progress and makes strategic recommendations. An experienced, full-fledged secretariat runs the Centre on a day-to-day basis.



CASE BACK-LOG DELAYS DISPOSAL

The rapid growth of the Bangladesh economy, and increasing investment by both domestic and foreign entrepreneurs, has necessitated the emergence of new institutions and processes. A fundamental prerequisite of rapid economic growth is speedy and effective settlement of commercial disputes. Reforms have been instituted in the courts, but they continue to be over-burdened: despite disposal of 1,061,252 cases in 2010, it was found that 1,942,163 cases were still pending on 1st January 2011. Of the pending cases, 604,366 cases were of civil nature; many of these cases could be disposed of using ADR methods, without burdening the courts. Businesses are often distressed by the delay caused as a result of the huge backlog. Alternate institutional avenues for settlement of such disputes have become vital.