

# Quarterly Bulletin

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## BIAC

Bangladesh International Arbitration Centre  
*The Institution for Alternative Dispute Resolution*

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Encouraged by Bangladesh public policy and growing requirement of businesses to settle disputes outside court system, three prominent business chambers of Bangladesh, namely, International Chamber of Commerce Bangladesh (ICC-B), Metropolitan Chamber of Commerce & Industry (MCCI), Dhaka and the Dhaka Chamber of Commerce & Industry (DCCI) obtained a license from the Government in 2004 to establish the Bangladesh International Arbitration Centre (BIAC) as a not-for-profit organization.

Bangladesh International Arbitration Centre (BIAC) formally started its operation on 9th April 2011. BIAC is an ADR service-provider organization, facilitating resolution of domestic and International commercial dispute in an expeditious manner, through Arbitration and Mediation. BIAC has its own Arbitration and Mediation Rules. BIAC's Panel of Arbitrators consists of 13 eminent jurists among them 6 are former chief justices and justices. 38 expert and trained Mediators are in the BIAC's list of Mediators. BIAC has developed all the facilities required for systematic and comfortable arbitration and mediation. Till date, BIAC has handled 235 ADR cases, among which 20 are mediation cases.

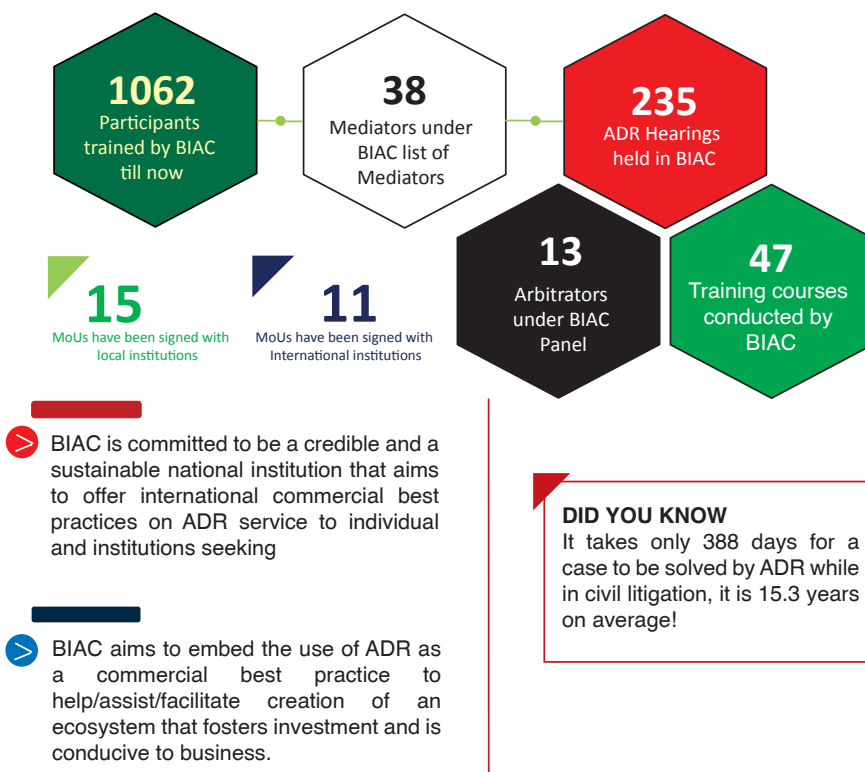
BIAC offers excellent facilities for arbitration and mediation hearings, including two state-of-the-art meeting rooms with audio-aides and recording facilities, arbitrator's chambers, private consultation rooms, transcription and interpreter service. BIAC provides all necessary business facilities like video conferencing, powerful multimedia projection, computer and internet access, printing, photocopying. Full-fledged secretarial services and catering service are also available on request.

As the only ADR institute in the country, apart from facilitating arbitration and mediation, BIAC also provides training courses on ADR, especially Arbitration, Mediation and Negotiation. This Year BIAC has taken an initiative of providing specialized ADR training course for different sectors. For instance, ADR in Artha Rin Adalat Ain, ADR in Procurement Disputes, ADR in Human Resource Management and others. BIAC is now planning to organize training programmes in abroad jointly with

those ADR centres which BIAC has already signed the collaboration agreement. Till date, BIAC has organised twenty four (24) arbitration training courses, fifteen (15) mediation training courses and eight (8) negotiation training courses.

From the very beginning, BIAC has been working hard to create awareness about ADR facilities by conducting several outreach programmes, seminars, workshop and dialogues BIAC has arranged around

## STATISTICS SINCE INCEPTION



**DID YOU KNOW**  
It takes only 388 days for a case to be solved by ADR while in civil litigation, it is 15.3 years on average!

200 workshop/seminar/dialogue till 30th June.

BIAC has got recognition by signing cooperation agreement with 11 International ADR Centres. Namely The Permanent Court of Arbitration (PCA), SAARC Arbitration Council, Islamabad (SARCO), Kuala Lumpur Regional centre for Arbitration (KLRCA), Vietnam International Arbitration Centre (VIAC), Malaysia Arbitration Tribunal Establishment (MATE), Thailand Arbitration center (THAC), Singapore International Arbitration centre (SIAC), Indian Institute of Arbitration and Mediation (IIAM), Hong Kong Mediation Center (HKMC), Mainland-Hong Kong Joint Mediation Center (MHJMC), Hong Kong International Arbitration Centre (HKIAC), Moreover, 15 leading corporate companies and financial institutions have signed Memorandum of Understanding (MoU) to seek BIAC's assistance in matters related to ADR and BIAC.



# Bangladesh International Arbitration Centre

*The Institution for Alternative Dispute Resolution*

## BIAC BOARD MEMBERS



**Mr. Mahbubur Rahman**  
Chairman, BIAN Board

**Mr. Latifur Rahman**  
Member, BIAN Board

**Ms. Nihad Kabir**  
Member, BIAN Board

**Mr. Abul Kasem Khan**  
Member, BIAN Board

## BIAC MANAGEMENT

**Muhammad A. (Rume) Ali**  
Chief Executive Officer

**Mahbuba Rahman Runa**  
Senior Counsel

**Ashiqur Rahman**  
Manager (Accounts & Finance)

**Rubaiya Ehsan Karisma**  
Assistant Counsel

**Shahida Parvin**  
Office Executive

**Syed Shahidul Alam**  
Administrative Officer

## What's inside

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**Events News**

**The 27<sup>th</sup> BIAC Board Meeting was held on Thursday, 8 June, 2017**



The 27<sup>th</sup> Meeting of the BIAC Board was held on Thursday, 8 June 2017 at 2:00 pm at BIAC Office, Suvastu Tower (6th Floor), 69/1, Pantha Path, Dhaka.

The meeting was presided over by Mr. Mahbubur Rahman, Chairman, BIAC Board. BIAC Board Members Mr. Latifur Rahman, President, International Chamber &

Commerce Bangladesh (ICC-B), Dhaka and Mr. Abul Kasem Khan, President, Dhaka Chamber of Commerce and Industry (DCCI) were present at the meeting. Another Member of BIAC Board Ms. Nihad Kabir, President, Metropolitan Chamber of Commerce & Industry, Dhaka (MCCI) was not present at the meeting as she was abroad.

BIAC Chairman welcomed the Members of the Board specially, new BIAC Board Members, presidents of DCCI and MCCI and he stated that their experience and skills will be an asset to BIAC.

The Chief Executive Officer, with the permission of the Chairman, discussed BIAC's current and future activities in the meeting. Board members gave their valuable suggestions and decisions.

**BIAC Chairman Mahbubur Rahman appointed as an Arbitrator of CIETAC, China.**



Mr. Mahbubur Rahman, the Founder Chairman of Bangladesh International Arbitration Centre (BIAC) has been appointed as an Arbitrator of The China International Economic and Trade Arbitration Commission (CIETAC) recently. Mr. Rahman is the sole Arbitrator appointed from Bangladesh by CIETAC.

A renowned business leader, Mr Rahman is the President of International Chamber of Commerce (ICC) – Bangladesh. He was the Former President of Federation of Bangladesh Chambers of Commerce & Industry (FBCCI), Founder Vice President of SAARC Chamber of Commerce & Industry (SCCI) and Vice Chairman of Bangladesh Foreign Trade Institute (BFTI). Mr. Rahman is

the Chairman & CEO of ETBL Holdings Limited and Chairman of Eastland Insurance Co. Ltd. He is also the Director of Karnaphuli Fertilizer Co. Ltd (KAFCO) and Member, Board of Governors of UN ESCAP Business Advisory Council, Bangkok and Asia Economic Community Forum (AECF), Seoul.

CIETAC is one of the major permanent arbitration institutions in the world. Formerly known as the Foreign Trade Arbitration Commission, CIETAC was set up in April 1956 under the China Council for the Promotion of International Trade (CCPIT). CIETAC independently and impartially resolves

economic and trade disputes by means of arbitration.

BIAC is a not-for-profit organization and is the only government licensed Alternative Dispute Resolution (ADR) institution in the country. BIAC has received recognition as an ADR institution from several international bodies including The Permanent Court of Arbitration (PCA), The Hague; Hong Kong International Arbitration Centre (HKIAC), Singapore International Arbitration Centre (SIAC) and Thailand Arbitration Center (THAC) amongst others. It has also signed cooperation agreements with several Banks and Corporate officer in Bangladesh.

### **BIAC Participants receive CIArb Certificate and qualify CIArb Associate members**

A four day-long training programme on “Introduction to International Arbitration” was organized jointly by Bangladesh International Arbitration Centre (BIAC) and Chartered Institute of Arbitrators (CIArb) from January 18-21, 2017 in Singapore.

The training programme was inaugurated by Mr. Mohammad Shahidul Haque, Secretary, Legislative and Parliamentary Affairs Division, Ministry of Law, Justice and Parliamentary Affairs, Bangladesh. Mr. Francis Xavier SC, Chairman, CIArb Singapore Branch, Ms. Lim Seok Hui, Chief Executive Officer of Singapore International Arbitration Centre (SIAC), Mr. Muhammad A. (Rume) Ali, Chief Executive Officer of BIAC and Mr. Aatur

Rahman, Secretary-General of ICC, Bangladesh were present at the inauguration ceremony of the training programme.

This course leads to receiving accreditation, provided by CIArb, UK which is recognized worldwide. A total number of 50 participants from different sectors including Ministries, Defence Forces, NBR, Bangladesh Bank, legal heads from corporate and banks and members of legal professionals have participated in the training programme.

The result has been published on 13 June 2017. Among them 23 participants have qualified to apply to become an Associate Member of CIArb.

**BIAC congratulates the candidates  
who have qualified to become an Associate Member of CI Arb.**



**A.S.M. Waheeduzzaman**  
Director  
National Board of Revenue (NBR)



Barrister  
**Abdullah Muhammad**  
Rafiqul Islam



Advocate  
**Afrin Ahmed**



**Akhtarunnessa Khanum**  
Assistant Manager (Legal Affairs)  
IDCOL



Barrister  
**Arunav Das**



**Atisha Rahber**



Advocate  
**Fahima Barrin**  
Bangladesh Supreme Court



Advocate  
**Fariha Zaman**



**Fokhruzzaman Bhuiyan**  
Director-Corporate Affairs  
Transcom Beverages Ltd.



**Md. Ashrafur Islam Khan**  
Ret. Judge



**Md. Niamul Kabir**  
Programme Manager  
BRAC



**Mohammad Abdul Wadud**  
Deputy Managing Director  
The City Bank Ltd.



**Mohammad Kamruzzaman**  
Sr. Asst. Vice President & Head of  
Legal Dept. Mutual Trust Bank



**Muhammad Mazharul Islam**  
Executive Legal  
Transcom Beverages Ltd.



Advocate  
**Muhammad Rafiul Islam**



**Munira Islam**  
Joint Director  
Banking Regulation & Policy  
Department Bangladesh Bank



Advocate  
**Nabeela Raihan**



**Shafayat Ullah**  
Senior Vice President & Head of Legal  
The City Bank



**Sultana Sohely Sarmin**  
Squadron Leader  
Bangladesh Air Force



**Swapan Kumar Roy**  
Additional Commissioner of Taxes  
National Board of Revenue



**Syed Abdullah Md. Tashbir Hasan**  
Pupil  
The Legal Consultants



**Zakir Abu Mohd. Syed**  
Senior Lecturer  
Northern University Bangladesh



**Zubair Ahmed Bhuiyan**  
Head of Chambers  
Bhuiyan & Mir

(In Alphabetical order)

## ADR Week: Global Mediation Forum & Poured Conference held on 23<sup>rd</sup>-26<sup>th</sup> May, 2017



Bangladesh International Arbitration Centre (BIAC) supported the international event THAC ADR Week recently organized by the Thailand Arbitration Center (THAC) from 23-26 May, 2017 in Bangkok, Thailand. The event comprised of “Global Mediation Forum” held during 23-25 May and “The Global Pound Conference (GPC) Series” held on 26 May in the Eastin Grand Hotel, Thailand. THAC organized this event for the first time in association with United Nations UNCITRAL and sponsor partners George Mason University Korea, Thai Arbitration Institute (TAI), World Mediation Organization, Herbert Smith Freehills, Global Pound Conference IMI, Thai Airways and Thailand Convention and Exhibition Bureau (TCEB).

25 participants from Bangladesh included lawyers and officials from corporate, government, defense, public and private and central bank along with BIAC Senior Counsel Ms. Mahbuba Rahman attended this international

event. Participants were provided with certificates at the closing ceremony. In the Opening Ceremony THAC Managing Director (Mr. Pasit Asawawattanaporn) expressed special gratitude to BIAC for supporting the event and escorting so many participants. The event was very informative and equally interesting. Speakers gave insight into the history of mediation and how mediation relates to IT, psychology and a whole spectrum of areas.

BIAC signed a Memorandum of Understanding with THAC back in October 2016. THAC is established to provide Arbitration, Mediation to resolve civil and commercial disputes in Thailand and other countries while BIAC is the first and only alternative dispute resolution centre in Bangladesh. Both organizations by virtue of this MoU have been exploring areas of cooperation and facilitating the resolution of commercial disputes involving business entities in both countries.

**BLAST and Safety & Rights Society organised a seminar on ADR in Labour Law**



On the occasion of International Labour Day, Bangladesh Legal Aid Services and Trust

(BLAST) and Safety & Rights Society (SRS) jointly organized a seminar at the Press Conference Hall on 2nd May 2017 to discuss about the effectiveness and incorporation of Alternate Dispute Resolution (ADR) in the Bangladesh Labour Law. The Honorable Minister of Labour and Employment, Mr. Mujibul Haque acknowledged the effectiveness of ADR and promised to look into the matter of incorporating it into the Labour Law. BIAC senior Counsel Ms. Mahbuba Rahman and Assistant Counsel Ms. Rubaiya Ehsan Karishma attended the seminar.

**Bangladesh Legal Times organized Seminar on ADR: Perspective and Challenges**



On April 29th 2017, Bangladesh Legal Times organized a seminar titled “ADR: Perspective and Challenges” at the London College of Legal Studies (South). The event comprised of the presence of Honorable Justice Mr.

Syed Refaat Ahmed as the keynote presenter along with other notable discussants. From the Judges’ perspective Justice Ahmed mentioned that Courts intend to protect companies from premature winding up, and such applications should not be accepted without addressing the long term viability of the corporate entity. Courts urge parties to take mediation as an avenue of first instance and to take it very seriously. The discussion concluded with the unanimous opinion that Lawyers can play a vital role in implementing ADR and our existing Law needs amendment to accommodate that. BIAC Assistant Counsel Ms. Rubaiya Ehsan Karishma attended the seminar.

**Doing Business Workshop (Session on Enforcing Contracts) organized by BIDA**



Bangladesh Investment Development Authority (BIDA) organized a 4 day long technical workshop on Doing Business Reform, with support from Trade and Competitiveness (T&C) global practice of World Bank Group (WBG) from April 10-13, 2017. The purpose of the workshop was to hold specific targeted discussions on the specific roles and possible actions by the implementing agencies and improve Bangladesh ranking from 176 to double digit