

INAUGURAL SESSION
(26 JUNE 2018)

Workshop On “The Role of Arbitrators in Fostering Efficient Resolution of Disputes”, Kathmandu, 26 June 2018

RAMARKS BY H. E. MR AMJAD HUSSIAN B. SIAL, SECRETARY GENERAL OF SAARC

Chief Guest, the Rt. Hon'ble Chief Justice of Nepal,
Hon. Minister for Law, Justice and Parliamentary Affairs of Nepal,
Distinguished Participants,
Ladies and Gentlemen,

It is indeed a great pleasure for me to address the Inaugural Session of the *Workshop on the Role of Arbitrators in Fostering Efficient Resolution of Disputes*.

I wish to express sincere gratitude to the Rt. Hon'ble Chief Justice of the Supreme Court of Nepal for gracing this Inaugural Session with his august presence.

I also wish to thank the Hon. Minister for Law, Justice and Parliamentary Affairs of Nepal for being with us this morning.

We thank the SAARC Arbitration Council and the Nepal Council of Arbitration for co-organizing this important Workshop in Kathmandu. The arrangements made for this event are excellent.

I wish to warmly welcome distinguished members of the legal fraternity from the region to this Workshop. I am confident that the expertise and experience you bring to this Workshop will greatly contribute to its success.

Distinguished Participants,

In view of fast growing economies of the countries in the region, it is crucially important to put in place an efficient mechanism for resolution of trade disputes. As we all know, efficient legal services for trade arbitration espouse greater trade and investment, both intra-regionally and globally.

As you may be aware, in appreciation of this need, during the Thirteenth SAARC Summit in Dhaka in November 2005, our leaders signed the Agreement to Establish the SAARC Arbitration Council in order to provide a regional legal framework for fair and efficient settlement of commercial, industrial, trade, banking, investment and other such disputes.

Distinguished Participants,

I am happy to state that since it became operational in Islamabad in 2010, the Council has been making every endeavour to establish itself as an efficient regional Alternate Dispute Resolution (ADR) mechanism, enabling the traders to resolve their disputes without having to go through a judicial process, which is both expensive and time-consuming.

In pursuance of this objective, the Council has been able to create a viable working relationship among the national arbitral institutions in the region and apex trading bodies of the Member States. The Council has also organized and, in some instances, coordinated the ADR activities in the Member States. In addition, the Council has been actively involved in spreading awareness about arbitration and conciliation in the region through dissemination seminars, publications and technical outreach activities. This Workshop today is a good example of the Council's continued endeavours in this regard.

It is also heartening to note that the SAARC Arbitration Council has been designated as the dispute resolution forum for the SAARC Framework Agreement for Energy Cooperation (Electricity). As such, currently, the Council is working on the development of a template for a dispute settlement mechanism among the Member States regarding interpretation and implementation of the Agreement for Energy Cooperation.

Distinguished Participants,

Our region has a vast pool of arbitrators and young budding professionals working towards creating a modern and sustainable trading environment, including a system to efficiently resolve regional and international commercial disputes within the SAARC region. This Workshop provides a welcome opportunity to discuss measures to harness the region's potential in arbitration and ADR.

In concluding my remarks, I wish to thank all those associated with the SAARC Arbitration Council for their constructive contribution in the attainment of its mandate and for organizing this Workshop. I wish them further success in their future endeavours.

I wish the participants fruitful deliberations and a pleasant stay in this beautiful city of Kathmandu.

Thank you.
