



Final Report

**ARBITRATION COMMITTEE
MEETING**

ECO CHAMBER of COMMERCE and INDUSTRY

**Oct 9, 2013
Tehran, I.R Iran**



**Final Report of the
Arbitration Committee Meeting of
ECO Chamber of Commerce and Industry (ECO CCI)
Oct 9, Tehran, I.R Iran**

1. The Fourth meeting of the Arbitration Committee of ECO Chamber of Commerce and Industry, hosted by Iran Chamber of Commerce, Industries, Mines and Agriculture (ICCIMA) was held on Oct 9, 2013 in Tehran-I.R Iran. The representatives of the WEC Committee from Chambers of Commerce and Industry of the Islamic Republic of Pakistan, Republic of Turkey, Islamic Republic of Iran, Republic of Tajikistan (Commercial Attaché), I.R of Afghanistan (Commercial Attaché) as well as delegates from the ECO Trade and Development Bank, INC of ECO CCI, I.R Iran Ministry of Foreign Affairs and I.R Iran Trade Promotion Organization (TPO) participated in the meeting (list of participants: Annex I).

Agenda Item No – 1: Inauguration of the Meeting

2. Verses of the Holy Quran were recited to the session
The Chairman of the Arbitration Committee of ECO Chamber of Commerce and Industry delivered his welcome address.

Agenda Item No – 2: Adoption of the Agenda

3. The draft agenda of the meeting, already circulated to Member States and given below was adopted by the Meeting:

1. Inauguration of the Meeting;
2. Adoption of the Agenda;
3. Appointment of the Drafting Committee;
4. Statement by the Chairman of the Arbitration Committee;
5. Activity Report by Secretary General; ECO CCI;
6. Remarks by heads of delegations;
7. Briefing by the ECO Secretariat on RPC's approach towards supporting the establishment of the ECO CCI Arbitration Center;
8. Considering the nature of support that each member state require for Arbitration Center;
9. Workshop on Arbitration among ECO Member States on one of the following options:
 - a. Each member chamber organize the workshop internally under the ECO sign
 - b. Each member chamber organize the workshop internationally/regionally under the ECO sign
 - c. Each member chamber may host the workshop under the ECO sign
10. Report by the chairman of the Arbitration Committee on ICIEC stating on establishing an arbitration system among OIC Countries
11. Any other Business;

12. Date and venue of the next Meeting;
13. Adoption of the Report;
14. Vote of Thanks;

Agenda Item No – 3: Appointment of the Drafting Committee

4. An Open Ended Drafting Committee consisting of representatives and members of the Arbitration Committee was formed to prepare the Draft Report of the Meeting.

Agenda Item No – 4: Statement by the Chairman of Arbitration Committee

5. The Chairman of Arbitration Committee, Dr. Mohsen Mohebbi, delivered his speech in which he recounted the records of the implementations on preparation, distribution and negotiations on the ECO CCI Arbitration Rules and Internal Regulations and hailed what has been done so far but underlined for more elaborations in the future including the marketing for the centre.

Agenda Item No – 5: Activity Report by Secretary General, ECO CCI

6. Secretary General, ECO CCI delivered the Activity Report of the ECO CCI since the last meeting of the Arbitration Committee In Nov 2012 in Ankara, Turkey (Annex II)

Agenda item No-6: Remarks by heads of delegations

7. Heads of delegations made their remarks under this agenda item

- Turkish delegation addressed the meeting on arbitration trends in the region which needs special attention and fortification of legal infrastructures and the necessity for establishment of the ECO CCI Arbitration Center .He further invited the member states to sign an arbitration convention among them also stressing that the ECO CCI Arbitration Center has to be established after the approval of the highest authorities of the member countries which was subsequently approved.
TOBB requested the ECO CCI Secretariat to communicate with member Chambers and to collect their written proposals and comments on the Internal Regulations of the ECO CCI Arbitration Center , the Workshop /Training Course /Seminar on Arbitration to be held in Tehran and the Arbitration Center.
TOBB underlined the fact that comments and approvals of all 10 member chambers are required to move on.
TOBB strongly advised the Secretariat to follow up the matters that are decided at the 3rd Arbitration Committee Meeting under agenda item No -7.
- Chairman of the Arbitration Committee called for presence of the legal advisors of member chambers at the next rounds of Arbitration Committee meeting to boost the expert side of the meetings. He underlined the necessity for the member chambers to be equipped in terms of legal infrastructures and the necessity of establishment of the ECO CCI Arbitration Center he reiterated the fact that the decision to establish the ECO CCI Arbitration Center is considered favorably at the Executive Committee in Nov 2011 in Karachi Meeting and that committee should proceed in line with that decision.
- The Pakistan delegate stated that if the establishment of the Arbitration Center has been approved by the Executive Committee then it cannot be reviewed by the committee.

- Secretary General of ECO CCI reminded the session of the establishment of the arbitration committee was approved by Executive Committee three years ago in Turkey and also to the report of the 22nd RPC (article 50 of the report reiterated to the member states within letter No T&I/21st RPC/2011/1001 dated June 29, 2011 of the ECO Secretariat in which the member states were requested to express their proposed mode of support for establishing the center.

Agenda Item No- 7: Briefing by the ECO Secretariat on RPC's approach towards supporting the establishment of the ECO CCI Arbitration Center

8. Due to ECO Secretariat's non participation this item was removed from the agenda. Hence the Secretariat expressed its full support to the ECO CCI Arbitration Center.

Agenda Item No -8: Considering the nature of support that each member state require for Arbitration Center

9. Under this item, the Head of Arbitration Committee and Secretary General of ECO CCI stated that only Iran has expressed its proposed nature of support to establishment of the ECO CCI Arbitration Center.

- Head of the committee reiterated that the best practice in this regard is to boost the legal infrastructures of member countries.

Agenda Item No -9: Workshop on Arbitration among ECO Member States

10. Under this item the Head of Arbitration Committee gave a brief account on the Workshop on Arbitration among ECO Member States which was first raised by Turkey in Executive Committee , General Assembly and Specialized Committees Meetings of the ECO CCI in Nov 2012 Ankara

Then the following proposed options were deliberated in the session:

- a. Each member chamber organize the workshop internally under the ECO sign
 - b. Each member chamber organize the workshop internationally/regionally under the ECO sign
 - c. Each member chamber may host the workshop under the ECO sign
- The committee preferred the regional mode for holding the workshop and left the floor open to whether the workshop be held on free of charge basis / the workshop be comprised of a one day seminar with 7-8 speakers (3 Iranians and the rest to member chambers)
 - Iran offered to host the workshop in joint collaboration with the UNCITRAL and support of the ECO secretariat as the dates and other settings will be communicated to member chambers in due manner and course. The delegates were encouraged to approach their respective officials to support the idea at the 24th RPC Meeting in 2014.
 - The I.R Iran Ministry of Foreign Affairs expressed support for holding a workshop on arbitration with presence of the legal experts from UNCITRAL.

Agenda Item No -10: Report by the chairman of the Arbitration Committee on ICIEC stating on establishing an arbitration system among OIC Countries

11. This item was already discussed within agenda item no 6.

Hence Head of Arbitration Committee gave an account of some of regional and national arbitration centers in different countries mentioned in the ICIEC Study which has concluded that there is no lack of centers but the rules are of ambiguities and the cost of arbitration is high so establishing the ICIEC arbitration is not justifiable but the performance of existing centers has to be improved.

He stated that in view of the last committee meeting decisions in Ankara in 2012 the ICIEC Study has been reviewed but it has concluded that the ICIEC Arbitration Center is rather unjustifiable and setting up such a center will be rather unhelpful and still they are studying this matter and is not a final decision.

Agenda Item No-11 :Any other Business

12. The participants raised no other issues under this item.

Agenda Item No – 12 : Date and Venue of the next Meeting

13. The Meeting left the date and venue of the 5th Meeting of Arbitration Committee of ECO CCI at the disposal of the Executive Committee.

Agenda Item No – 13: Adoption of the Report

14. The Meeting unanimously adopted the Draft Report of Fourth Arbitration Committee Meeting of ECO Chamber of Commerce and Industry (ECO CCI) and decided to present the Report to the 18th Executive Committee of ECO CCI.

Agenda Item No – 14: Vote of Thanks

15. The participating Heads of delegations/members offered their thanks to Iran Chamber of Commerce, Industries, Mines and Agriculture (ICCIMA) for the excellent arrangements made to hold this important meeting and for the warm hospitality extended to the participants during their stay in Tehran,. The participants also appreciated the contribution of the ECO Secretariat for providing the necessary assistance and support.