

G5013

Istanbul, 23 May 2018

33rd MEETING OF THE BSEC-URTA GENERAL ASSEMBLY

GRAND HOTEL SOFIA
Sofia-Bulgaria
Friday, 8 June at 10:30 hrs

DEVELOPMENT OF THE BSEC-URTA - ISTANBUL ARBITRATION CENTER COOPERATION

The Cooperation Protocol between BSEC-URTA and Istanbul Arbitration Centre (ISTAC) was signed on 7 November 2017 in the ISTAC Headquarters in Istanbul, Turkey.

The Cooperation Protocol between BSEC-URTA and ISTAC aims to cooperate in promotion, announcement and spreading of arbitration and alternative dispute resolution (ADR) methods of ISTAC to BSEC-URTA members, operating in road transport sector. Also, it assumes organization of conferences, trainings and lectures about the ISTAC Arbitration & Mediation Rules, provision by BSEC-URTA of a contact point service and list of persons that may be able to serve as arbitrator or expert.

In accordance with the mentioned Protocol, and in order to determine needs and expectations of esteemed Member and Observer Associations the BSEC-URTA – ISTAC Survey on Arbitration Trainings was held in November 2017 – February 2018. International Secretariat received the answers from 15 entities, including Member Associations, Observer Associations, lawyers, engaged into transportation industry, separate transportation companies, and also letters with specific subjects. Survey results show the general concernment in alternative dispute resolution methods and necessity of training/workshop programs on ADR as well as shortage of knowledge of arbitration.

Three task meetings related to implementation of the MoU took place in ISTAC Headquarters on 23 November 2017, 27 April 2018, 18 May 2018. The arbitrator and technical expert competencies for experts to work under the umbrella of the Contact Point were determined.

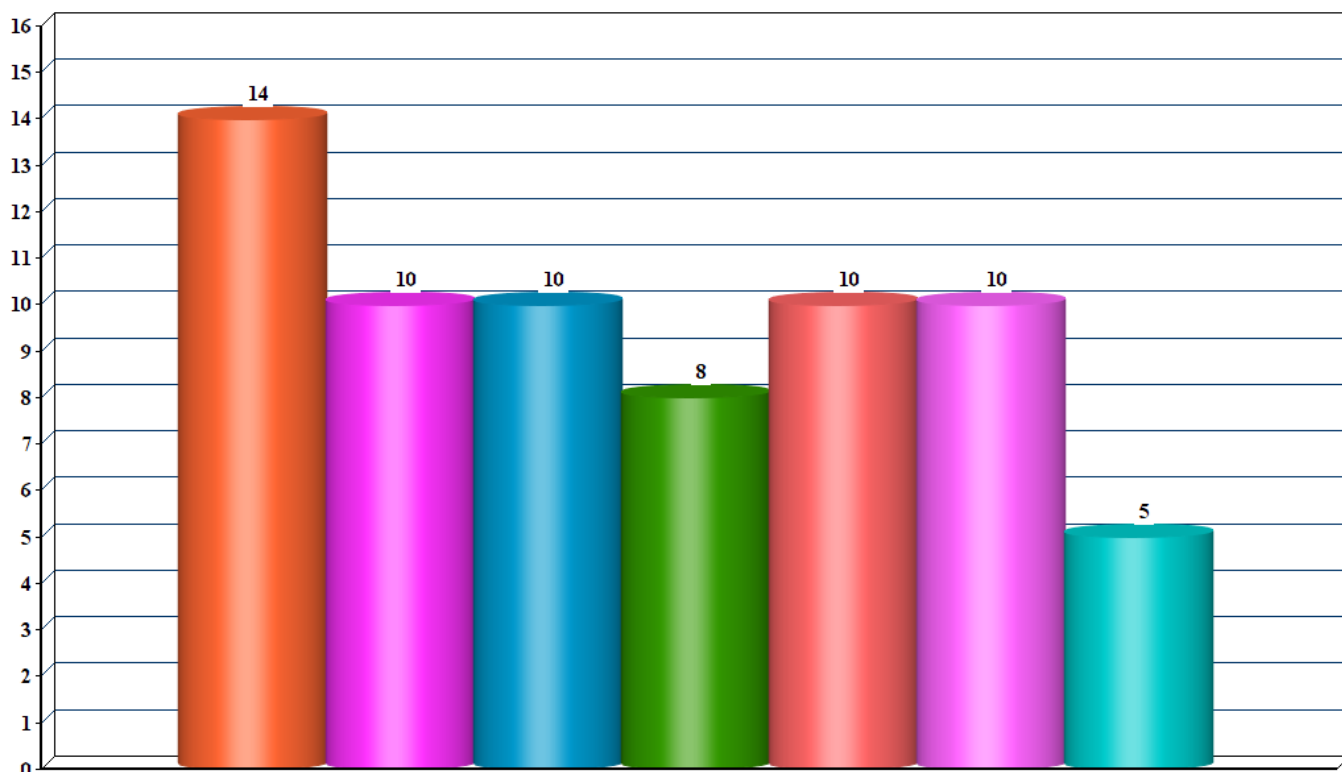
Among the issues of the ISTAC – BSEC-URTA short term plan of activities are:

- preparation of a joint ISTAC-BSEC-URTA brochure on arbitration in English and Russian to be distributed among BSEC-URTA Members and Observers.
- Dissemination of arbitrator and technical expert competencies list to Members and Observers.
- Collection and listing of arbitrators and experts' names from BSEC-URTA Members and Observers.
- Training on ADR for contact points' BSEC-URTA Members and Observers.
- A joint local seminar organization in partnership with ISTAC and local bars in Turkey.

Annex: Arbitration Trainings Survey results summary and Requirements for the Arbitrators and Technical Experts.

Annex

Training Topics



● CMR
 ● TIR
 ● Convention on a Common Transit Procedure
 ● Dangerous Goods
 ● Driv. & Rest. Times
● Road Transp. & Traffic Reg.
 ● Other

ISTAC – BSEC-URTA Contact Point Representatives

Name	Position	Contacts
Zoya Vasiliyevna NIKITINA	Legal Adviser of the President of ASMAP UA (Ukraine)	+38 044 201 54 07 nikitina@asmap.org.ua

Associations willing to take part in Contact Point activities who didn't determine exact representatives: AEBTRI (Bulgaria), GIRCA (Georgia), AITA (Moldova), UND (Turkey), Arab Union of Road Transport (AULT), AMERIT (Macedonia), Medjunarodni Transport (Serbia).

Requirements for the Arbitrators to be advised by BSEC-URTA Members for ISTAC Transportation & Logistics Arbitrators' List

1. Education at the level of University (minimum 4 year term university).
2. Minimum 10 years of experience in negotiating and settlement of the logistics/customs/foreign trade disputes.
3. Minimum 35 years old.
4. To be recommended at least by one of the BSEC-URTA members and proved professional competence and reputation
5. (For the candidates not holding an undergraduate diploma in law) Have been participated at least one training on basic arbitration information held by ISTAC or another reputable national / international organization
6. Not having a judicial or disciplinary penalty for a criminal offense that would prejudice the reputation of the arbitrator (in case of a doubt on the quality of such a charge, ISTAC and BSEC-URTA Secretary Generals will make a final decision).
7. To fill and sign "Arbitrator's Duty Acceptance, Impartiality, Independence and Conformity Declaration" submitted to his side by ISTAC Secretariat before accepting arbitrator's duty.

Required Competencies for Experts to be proposed by BSEC-URTA Members for ISTAC Transportation & Logistics Technical Expert List

1. Minimum graduation of high school or equivalent school.
2. Competence / expertise in the following and similar matters:
 - General transportation/logistics
 - Dangerous Goods Transportation
 - Cold Chain Transportation
 - Transportation of Live Animal
 - Secure load transfer
 - Vehicle technologies (engine, cabin, trailer, electronic equipment and so on)
 - Driving and resting times
 - Calculation of losses due to different loads and types of carriage.
3. Minimum 5 years experience in his area.
4. Minimum 30 years old.
5. Recommendation of at least one BSEC-URTA Member Association and approval of professional competence, prestige, objectivity and impartiality of the technical expert.
6. Not having a judicial or disciplinary penalty for a criminal offense that would prejudice the reputation of the technical expert (in case of a doubt for the legibility of such a charge, the ISTAC and BSEC-URTA Secretary General will make a final decision).
7. Confirmation / commitment in writing and signing the Technical Expert Form and signing that the information provided is correct and complies with the Code of Arbitration and Code of Ethics.