CIarb Caribbean Branch’s quarterly newsletter

BVI IAC – Year 1 at a glance.

The BVI IAC is the product of several years of planning by a focus group chaired by the late Dr. Joseph S. Archibald QC, veteran BVI lawyer and keen proponent of arbitration in the BVI and the wider Caribbean. Consequently, the BVI adopted the Arbitration Act in 2013, which established the BVI IAC. In May 2014, following a request by the BVI Government to the United Kingdom Government, the BVI acceded the 1958 New York Convention. In 2015, Cabinet appointed the inaugural Board of the BVI IAC. The BVI IAC Board is chaired by John Beechey CBE. In 2016, the BVI IAC appointed Francois Lassalle as Chief Executive Officer of the Centre. As the Chief Executive Officer of IAC, Mr. Francois Lassalle was responsible for the overall set-up, growth, management and operations of the institution.

The BVI International Arbitration Centre (BVI IAC) started operations on January 1st, 2017. The Centre boasts four brand new hearing rooms and six breakout rooms that can be configured to accommodate any hearing size. All hearing rooms come with state-of-the-art technology, including built-in facilities for simultaneous interpretation, court reporting, audio and video conferencing. The Centre can also accommodate general meetings, seminars and conferences.

The Centre’s main functions will be to administer arbitrations under its own rules. However, it will also offer users of ‘ad hoc’ or other institutional arbitration first class premises and support services in a jurisdiction which enjoys a high reputation for the quality of its commercial and appellate courts and for political stability. The aim is to ensure that the BVI IAC becomes the regional Centre of choice for the arbitration of disputes arising out of business activity and projects worldwide. While parties will always be free to nominate arbitrators of their choice, the BVI IAC maintains a roster, curated by Mr. Toby Landau QC, which, at its inception, includes over 190 highly regarded international arbitrators and other dispute resolution practitioners, drawn from both common law and civil law jurisdictions, who will be able to conduct arbitrations in a number of languages including English, Spanish, Portuguese, Russian, Chinese, French, German and Italian.

Year 1 was a busy year during which the institution hosted the second BVI International Arbitration Conference and a flurry of arbitration seminars. From an arbitral stand point, the Centre was appointed as substitute Appointing Authority by the PCA. The Centre also received four (4) notices of arbitrations, one of which is an ongoing case. In addition, the Centre hosted a large number of non-arbitral events in order to generate additional income.

Hurricane Irma passed through the British Virgin Islands (BVI) on 6 September 2017 and inflicted widespread damage. Two weeks later, Hurricane Maria passed through the territory causing further damage to the already devastated islands. These two events created an enormous red line on the calendar of many in the BVI -- before, and after. Almost nothing, on the two sides of the red line, is the same.

The BVI International Arbitration Centre (BVI IAC) has been very fortunate throughout both hurricanes, having sustained only a couple of cracked windows. As one of few fully operational
facilities in the territory following the major hurricanes, boasting redundancy in connectivity, the BVI IAC made temporary space available for critical government offices. This included the National Emergency Operational Centre (NEOC), the Premier, the Governor, the Judiciary and a few other teams. The Centre provided space for offices and meetings with NGOs and other disaster recovery bodies. The idea was to help the Executive bodies handle the situation in the best conditions possible at a time when it had lost the majority of its buildings and resources.

Operations have now gone back to normal and BVI IAC is focusing on ensuring 2018 sees an increase in the number of cases and an improvement of its brand awareness. As a result, BVI IAC will participate to a large number of conferences this year in order to gather some momentum.

Finally, the BVI IAC strongly believes that collaboration with CIArb can be mutually beneficial and welcomes any manner of collaboration between the two to promote and enhance knowledge of arbitration in the Caribbean region. This may come in the form of event sponsoring, conference hosting, seminars and other activities that we have the capability to host. Any CIArb member is welcome to visit the Centre so please do contact us on info@bviiac.org to organize this or simply pop around if you are in the BVI.

Francois Lassalle
Chief Executive Officer
BVI International Arbitration Centre