



Opening Address

By

The Honourable Attorney General, Madam Allyson Maynard-Gibson

At

Chartered Institute of Arbitration Pre-ICCA Conference
(The Bahamas Branch)

Friday 4th April, 2014

British Colonial Hilton, Nassau, The Bahamas

As I begin my brief remarks, I would like to express my sincere gratitude to Justice Rubie Nottage [Retired] and Mrs. Bertha Cooper-Rousseau, two vigilant advocates for the practice of Arbitration, Mediation and other forms of Alternative Dispute Resolution here in the Commonwealth of The Bahamas. They have nationally and internationally been champions for Alternative Dispute Resolution for many years and I thank them for their hard work, excellence and diligence.

Your topic “The emergence of The Bahamas as an International Arbitration Centre – Complementing the Americas” is in my view THE topic that we must consider if we are to be strategic about The Bahamas’ place as an international arbitration centre. In 2006/7 the Ministry of Financial Services and Investments had secured the agreement of Mr. Edward St. George that the Grand Bahama Port Authority would build in Grand Bahama the building in which the Bahamas International Arbitration Centre would be located. Also, significant work had been done with UK Attorneys as to the legal framework that should be adopted. There is no question of The Bahamas’ capacity [in the widest sense] to be a centre of excellence.

Our Prime Minister is a firm believer in private public sector partnership. We will continue to rely heavily upon you as experts on matters such as how we “position” The Bahamas in

relation to existing and emerging arbitration centres and the legal framework necessary for The Bahamas to become a centre of excellence.

Equally, I am sure that the distinguished international President of the Chartered Institute and the Bahamian members of the Chartered Institute will continue to be the voice assuring the members and potential clients of the considerable capacity [especially intellectual capacity] in The Bahamas.

At its essence the establishment of a centre of excellence for arbitration is about “access to justice”. If I may, I refer to Lord Wolff’s Report on the revamping of the UK’s civil justice system. Lord Wolff said an effective civil justice system should:

- Be just in the results it delivers
- Be fair in the way it treats litigants
- Offer appropriate procedures at a reasonable cost
- Deal with cases with reasonable speed
- Be understandable to those who use it
- Be responsive to the needs of those who use it
- Provide as much certainty as the nature of particular cases allows; and

- Be effective: adequately resourced and organized

In these brief remarks I wish to assure you of the “political will” to work with the private sector to provide the resources for The Bahamas to become a centre of excellence.

This week The Bahamas hosted the historic First Annual Regional AML/CFT Conference. All delegates were moved by the Prime Minister’s speech which they all said “clearly demonstrated The Bahamas’ determination to be seen on the world stage as a center of excellence in international financial services”.

In assuring you of The Bahamas’ “political will” I point to among other things, the considerable resources that have been allocated to constructing new courts; the equipping of the existing and new courts with 21st century technology including video conferencing; digital photos and digital recording; the ongoing process for the commencement of a Family Court and a Drug Rehabilitation Court; ongoing “e filing” project; the engagement and training of personnel of effectively operate those courts; and the engagement with stakeholders to effect and implement the necessary legislative changes.

Finally, I congratulate you on your brilliant timing. The Minister of Financial Services is leading an aggressive thrust to inform,

prepare and equip Bahamians for the boundless opportunities that exist in the new world order of WTO, EPA, FATF, FATCA, Maritime issues etc. The Grand Bahama Port Authority has reiterated its commitment to the International Arbitration

Centre. And, The Bahamas continues with the assistance of international agencies including the IDB and COMSEC to pursue a significant thrust for our justice system to be seen as the “most efficient in the Region”.

I wish you God speed and every success in your deliberations.

Welcome!

