

Resolving Disputes

Strengthening Relationships



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KCDR Finds New Heights - Acknowledged At The State Level...



***Governor of Sindh, Dr. Ishrat Ul Ebad Khan
with the KCDR delegation***

In order to share the progress and services of KCDR, a delegation led by Justice (Retd.) Saiduzzaman Siddiqui, President KCDR, visited the Governor of Sindh on 11th November 2011. Former Attorney General and Vice President KCDR, Mr. Anwar Mansoor Khan, Director KCDR, Dr. Zafar Ahmed Khan Sherwani, Principal Secretary to the Governor, Mr. Mumtaz ur Rehman and Secretary Law, Government of Sindh, Mr. Ghulam Nabi Shah, were also present at the meeting. In an effort to institutionalize mediation, the management of KCDR is taking new initiatives to

reduce litigation in the country. These activities were appreciated by the Governor. He was of the view that both the government and the legal fraternity have joint responsibility to provide assistance to people on legal issues.

Foreseeing the advantages of mediation, the Governor's office also suggested to Malir Development Authority, Sindh Building Authority, Lyari Development Authority, and Karachi Port Trust to refer their cases to KCDR and also include the clause of mediation in their agreements.

KCDR also hopes for a possibility to include an article in the Civil Procedure Court to make room for mediation before cases are referred to courts.

KCDR aims to strengthen the justice system and its recognition at the State level is the beginning of a new era for alternate dispute resolution and mediation in Pakistan.

KCDR BOARD OF GOVERNORS

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Two Nominees - IFC

Member - Pakistan Bar Council

Judge of Sindh High Court
(Nominated by the Chief Justice)

Education Through Training....

German Consulate supports mediation by launching German Training Project

KCDR executed the German Training Project from October 2010 to February 2011 at the National Judicial Academy. On the invitation of Dr. Brecht, Consul General of the Federal Republic of Germany, Karachi, an expert mediator flew in to collaborate with the KCDR team.

The purpose of this training was to instill in the judges and advocates the most critical element of alternate dispute resolution (ADR).

520 judges and advocates from the district courts benefitted from the training which consisted of twenty-five sessions. They were trained in the areas of case management and ADR with the objective of enhancing their abilities in the art of mediation. Justice Mushir Alam highlighted the importance of these training sessions by pointing out that Sindh High Court still needs to appoint twenty more judges who should be trained in ADR

techniques. This will also lead to a league of judges who understand the complexity and sensitivity of their jobs better, are efficient, and have better mediation and negotiation skills which is an inevitable need of current justice system.

Participants were presented with certificates while Dr. Brecht was given an emblem of KCDR for his services and support.

Keeping on the track of education and training, KCDR is planning to launch several other training programmes in the near future in order to put Pakistan's system of justice on the right track and to strengthen it.



Dr. Brecht, Consul General of the Federal Republic of Germany addressing the trainees

520 judges and advocates from the district courts benefitted from the training.

IFC Regional Conference For MENA, & Africa Region

Dr. Zafar Ahmed Khan Sherwani, Director KCDR, attended a regional conference for Middle East & North Africa (MENA) and African Region on Debt Resolution and Business Exit. The conference was held in Tunis on 12th December 2011 under the umbrella of IFC Master Cooperation Agreement and the World Bank Group in partnership with Government of Japan. The event provided a platform to professionals to discuss the global financial crisis and how we can achieve a healthy business environment.

Dr. Zafar Ahmed Khan Sherwani shared his experience in the resolution of debt conflict through mediation. The role of KCDR was appreciated by all participants.



Participants of IFC regional conference - December 2011

Start Of A Journey!

The KCDR Master Trainers prepare for a Mediation Mission!



Mr. Glenn Hendrix in discussion with Justice (Retd.) Saiduzzaman Siddiqui, President KCDR

The seriousness of pending cases in Pakistani courts can be judged by a study done in 2009 whereby 1.18 million cases are pending in courts. The question is, "Where to start the journey of providing relief to the people stuck in this never ending saga?"

KCDR's answer and solution to this

huge problem is to develop a large pool of mediators. In this important pursuit, KCDR is working with the American Bar Association and they have together embarked on a journey that will introduce the art of mediation among the local lawyers.

KCDR's Master Trainers received coaching from Mr. Glenn Hendrix, the present Chair of the Force on International Trade in Legal Services under the American Bar Association Section of International Law.

The one day training session was attended by all master trainers. This important training will not only enable the KCDR team to resolve cases through mediation but will also help them train junior lawyers in the art of mediation. The master trainers unanimously felt the need to make ADR techniques a part of the law education. They felt that this way the future lawyers will be better trained and will be able to resolve cases on table without bringing them to the court of law.

KCDR's purpose will be well served if the backlog of cases in Pakistani courts comes to a manageable number which will provide great relief to the stressed legal system and those affected by delay in dispensation of justice.

Association With KCDR Beneficial for SMEs!

KCDR's "Associate Membership" embraces the traders

Protecting business assets and harvesting strong and well communicated business deals is a dream every enterprise sets out to achieve. But having 35% of business assets caught up in civil, intellectual property and other types of litigation is an obvious hurdle that the small and medium enterprises in Pakistan face.

KCDR's new initiative, Associate Membership, is to set free the small corporations and traders from their legal constraints by providing legal counselling, solving disputes through mediation and aiding in well guided business contracts and agreements.

These services will be provided by expert mediators consisting of retired judges, lawyers, chartered accountants, engineers and financial consultants. The Associate Members will also have the opportunity to attend important events which will enhance their legal knowledge and make them more aware about their legal rights.

In addition to being easy, cost effective, and less time consuming, mediation is a neutral way of dispute resolution. The Associate Members will enjoy a unique set of benefits through KCDR's Associate Membership. KCDR is ensuring that mediation benefits all business entities regardless of their size; the Associate Membership is a positive step to include traders and small and medium enterprises in its spread.



From A Failed Contract To A Successful Agreement

A failed contract creates a desperate situation for any business especially if that business ends up in legal formalities leading to financial burdens on the business.

Similar was the story of KCDR clients: a famous food manufacturing company and an advertising agency, who entered into a legal battle after perceived failure to meet the conditions of their business agreement. The case was referred to KCDR after several months of court proceedings. The legal battle had sparked bitterness between the business associates, not to mention the financial constraints that further damaged the business activities and affected their performance and reputation in the market.

Within a few days of mediation at the KCDR Centre, the dispute ended in a mutual understanding between the two parties. It was not only a win-win situation for both the parties in conflict but a satisfying moment for the mediator also.

From The Shores Of Maldives To The Banks Of Karachi....

Maldivian judges seek mediation guidance from KCDR Mediators!



**KCDR Master Mediators in a meeting
to spread ADR techniques**

Pakistan has historically maintained friendly relations with all Muslim countries under the banner of Organization of Islamic Cooperation (OIC). Karachi Centre for Dispute Resolution continued this tradition by welcoming a group of eight judges from Maldives.

KCDR is also sharing this platform

with countries worldwide which is a way to bring about a change in the law and justice system so as to eradicate the problem which causes backlog of cases.

The purpose of the visit by the delegation was to closely analyze and learn from the work of KCDR. In the process, the management of KCDR arranged two workshops on 13th and 14th May, 2011. Justice Saiduzzaman Siddiqui President KCDR headed the workshops. Several activities were also conducted around this visit to train legal experts in the art of mediation. The training was provided by experienced judges who are currently providing mediation and

arbitration services.

George Bernard Shaw states that 'ideas multiply when we share them and this brings about innovation and prosperity'. Unlike consumable resources which diminish with use, knowledge and ideas when shared, multiply, bringing innovations and solutions. KCDR is taking every step possible to enlighten its international colleagues as well as local businesses spreading prosperity and modernizing the justice system of Pakistan.

KCDR is planning to actively launch similar activities for the betterment of businesses so that the whole society can benefit from its various initiatives.

The Fourth Annual General Meeting of KCDR

A look into the future

KCDR's fourth Annual General Meeting was held on 29th September 2011 headed by President KCDR, Justice (Retd.) Saiduzzman Siddiqui. Some of the corporate members including the founding members of KCDR were also present at the meeting. The agenda was to share the future objectives of KCDR to have a collective vision.

In the National Judicial Policy 2009, the Honourable Chief Justice of Pakistan advocated to make ADR (alternate dispute resolution) mechanism known to all.

The President and participants of the meeting expressed their gratitude to Honourable Chief Justice of Pakistan and were optimistic that ADR will bring a positive change in the country and its current justice system.

During the meeting, Mr. Justice Arif Hussain Khilji, highlighted the fact that ADR mechanism will directly help the courts of law to reduce cases pending for a long time. These can be resolved on war footing once they are referred to KCDR. ADR has the potential to enhance the empowerment of those involved in this process.

The national Judicial Policy 2009 advocates to make ADR mechanism known to all.

Threading New Ties With The Textile Sector!

KCDR leaves APTMA impressed

Textile is the leading industry of Pakistan contributing to more than 60% of the country's total exports. Textile industry's economically crucial assets are caught up in litigation, and these companies have to spend important financial resources in court proceedings rather than their main business.

According to statistics, 20% of cases referred to KCDR involve large corporations. KCDR has so far solved 1,596 cases, a large number of which belongs to the textile industry.

Considering the importance of this sector, KCDR invited Mr. Aamir Niazi, Chief Operating Officer of International Textile Limited and an active member of All Pakistan Textile Mills Association (APTMA) to visit KCDR mediation centre. The participants were briefed about KCDR's vision and action to provide justice as well as its services towards the corporate sector of Pakistan.

The insight into KCDR activities and the meeting with the mediators left Mr. Aamir Niazi of APTMA quite impressed. This visit marked a new beginning of ties between KCDR and the corporate world, helping KCDR in realizing its dream.

KCDR Catches Everyone's Eyes....

The year 2011 brings KCDR and enlightened companies in the spotlight!

The KCDR movement for a more just society in Pakistan is gaining momentum and its popularity is rising among the corporate world with its unique and effective dispute resolution mechanism. A large number of major companies have visited and appreciated KCDR's efforts and services.

Byco Petroleum: The President of Byco Petroleum, Mr. Kalim Siddiqui was impressed with mediation benefits when he met with KCDR team on August 15, 2011. Looking at the possible benefits that can be gained from participation in KCDR, the Company promised to refer its cases and also asked for training of its management in the art of mediation to improve communication.

PJBF: Pakistan Japan Business Forum (PJBF) is helping in the spread of cultural and technological knowledge in Pakistan. Mr. Abdul Kadir Jaffer, President of PJBF, visited KCDR headquarters on September 26, 2011. During his visit, Mr. Jaffer said that 'it is the beginning of a long term business partnership that would ultimately result in many opportunities for the corporate sector of Pakistan.

Credit Agricole: Credit Agricole is one of the leading banks of Pakistan. It has more than 11,500 branches worldwide. The Managing Director of Credit Agricole, Mr. Jamil H. Hamdani, met with the KCDR team on September 21, 2011. The foreign investors in Pakistan are taking special interest in KCDR's work and Mr. Hamdani mentioned that KCDR's promise will increase foreign investment.

Saudi Pak Leasing: In a meeting on September 12, 2011, KCDR left a mark on the fifth largest leasing company in the country. This meeting was held between KCDR and the Chief Executive of Saudi Pak Leasing, Mr. Nayyer A. Illyas. The organization has decided to send a number of sample cases to KCDR before it officially uses mediation as a mechanism to solve its pending disputes.

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ESTEEMED CORPORATE MEDIATION GUILD 300 MEMBERS WHO ARE SUPPORTING & BENEFITTING FROM KCDR

Life Members

AKD Securities (Pvt.) Ltd., Allied Bank Ltd., ATCO Laboratories, Bank Alfalah Ltd., Coca-Cola Beverages Pakistan Ltd., Dawood Hercules Chemicals Ltd., Dewan Mushtaq Group, English Biscuit Manufacturers (Pvt.) Ltd., Engro Corporation Ltd., Glaxo SmithKline (Pakistan) Ltd., Habib Bank Ltd., Rangoonwala Group, Razaque Steels Group of Companies, Pak-Arab Fertilizer Ltd., Pak-Arab Refinery Ltd., Pakistan International Container Terminal Ltd., Pioneer Cement Ltd., Shan Food (Pvt.) Ltd., Technology Links (Pvt.) Ltd., Vellani & Vellani, United Bank Limited, Lucky Textile, National Bank of Pakistan, SilkBank Ltd., MCB Bank, Summit Bank, Hotel Day's Inn, Hilton Pharma (Pvt.) Ltd., Getz Pharma (Pvt.) Ltd., Arif Habib Investment, Rahimtoolah Group of Companies, Askari Bank, Irfan & Irfan, TPL Holding, HRS Global, Gul Ahmed Textile Mills Ltd., Faysal Bank Ltd.

Annual Members

Ali & Associates, Bhombal and Company (Pvt.) Ltd., Brookes Pharmaceuticals Labs Ltd., Indus Motor Company Ltd., Mehran Oils (Pvt.) Ltd., Premier Group of Companies, Soorty Enterprises (Pvt.) Ltd., Sachal Engineering Works (Pvt.) Ltd., Tetra Pak Pakistan Ltd., Millennium System & Consultant (Pvt.) Ltd., Mekotex (Pvt.) Ltd., Sattar & Sattar, Captain Industries.

Insert Back

Join the movement for a more just society in Pakistan: KCDR's mediation saves time and cost!

KCDR provides mediation services to the corporate sector of Pakistan and provides mediation trainings to legal professionals. KCDR is also involved in making mediation accessible to businesses through open house sessions at City Courts. Businesses can support KCDR and benefit from mediation services by:

- Joining KCDR's Corporate Mediation Guild 300 Life Membership (One-time fee Rs. 300,000)**
- Joining KCDR's Corporate Mediation Guild 300 Annual Membership (Annual fee Rs. 50,000)**

(To become our Member, send this form duly filled on the given address. KCDR Resource Development Department will send you the membership Brochure of Corporate Mediation Guild 300).

You can also contribute for KCDR's mediation services to make it available for all businesses, big or small, of Pakistan as a "General Supporter."

Company Name (in block letters): _____

Name of Chief Executive: _____

Amount Contributed: _____ for (type of membership): _____

Address: _____

Tel: _____ E-mail: _____

Please send this form (duly filled) on the following address: Karachi Centre for Dispute Resolution,

D-9/5, Park Lane, Block 5, Clifton-Karachi. Ph: 21-35820030, Fax: 21-35879183.

E-mail: rdd@kcdr.org, Website: www.kcdr.org