

**Bylaws of the Advisory Committee
of the Bahrain Chamber for Dispute Resolution**
effective 1 July 2019

A. Preamble

1. The Bahrain Chamber for Dispute Resolution (BCDR) (established by Legislative Decree No. 30 of 2009) operates in partnership with the American Arbitration Association (AAA) and comprises a specialised court (the BCDR Court) and an international arbitration centre (BCDR-AAA).
2. The Advisory Committee, whose mandate is set out in these bylaws, is established by the Board of Trustees of BCDR (the Board of Trustees) to perform prescribed functions relating to BCDR-AAA.
3. BCDR-AAA has jurisdiction over any dispute with respect to which the parties have agreed in writing that BCDR-AAA shall administer the proceedings in accordance with BCDR-AAA's own arbitration, mediation or other rules, or under non-institutional rules or procedures chosen by the parties, whether the parties are local or foreign individuals, businesses or governmental entities.

B. Membership of the Advisory Committee

1. The Advisory Committee (the Committee) will comprise up to fourteen members, appointed by the Board of Trustees on the recommendation of the Chief Executive Officer of BCDR (the CEO), with due regard to diversity as to gender, nationality and legal background, and to a nexus with the MENA region.
2. Members of the Committee will be appointed for an initial three-year term and will be eligible for appointment for one further consecutive three-year term, which may, in exceptional circumstances, be extended for a period recommended by the CEO and approved by the Board of Trustees.

3. There will be a Chair and up to two Vice Chairs of the Committee, appointed from the membership of the Committee by the Board of Trustees on the recommendation of the CEO, who, in making such recommendations to the Board of Trustees, subsequent to the initial constitution of the Committee, will do so in consultation with the Committee.
4. Chairs and Vice Chairs of the Committee will serve for an initial three-year term and will be eligible for appointment for one further consecutive three-year term.
5. The membership of the Committee, including the profiles of its members, will be posted on the BCDR website, together with these by-laws.

C. Functions of the Committee

1. At the request of the CEO, Committee members will assist the CEO in the selection of an arbitrator, mediator or other neutral when BCDR-AAA is required to make such selection, and in considering a disclosure of a potential conflict of interests made by an arbitrator, mediator or other neutral nominated in proceedings administered by BCDR-AAA.
2. At the request of the CEO, three members of the Committee chosen by the CEO, including at least the Chair or one of the Vice Chairs, will make a recommendation to the CEO on the determination of a challenge of an arbitrator, or on the possible revocation by BCDR-AAA on its own initiative of an arbitrator's appointment. If the CEO disagrees with the recommendation, the matter will be decided by the Board of Trustees.
3. The Committee as a whole, and its members individually, will:
 - 3.1 make recommendations to the CEO in respect of the application and development of the various rules and procedures of BCDR-AAA to ensure that these are, and remain, accessible, relevant and consistent with prevailing best practices;

3.2 assist the CEO in promoting the use of arbitration and other forms of alternative dispute resolution (ADR), generally, and of the BCDR-AAA rules and services in particular, including in the organisation of meetings with practitioners and end users, conferences, and training events, in the MENA region and internationally; and

3.3 make themselves available, as their other commitments will reasonably allow, to participate in meetings, conferences and training events conducted by BCDR-AAA.

4. Members of the Committee will not be remunerated for their services on the Committee.

D. Meetings of the Committee

1. At the request of the CEO, and with the CEO present, the Committee will meet at least once a year and otherwise as often as may reasonably be required, and may do so in person or by telephone or video conference.

2. At each meeting, at least the Chair or a Vice Chair will be present. In scheduling for meetings, best efforts will be made to ensure that as many Committee members as practicable attend.

E. Conflicts of Interest

1. Members of the Committee will avoid any conflict of interest, or any perception thereof. In particular:

1.1 any member of the Committee who has any connection with any arbitration, mediation or other ADR proceedings administered by BCDR-AAA will not participate in any function or discussions of the Committee relating to such proceedings;

- 1.2** the Chair of the Committee will not be eligible to serve as arbitrator, mediator or other neutral in any proceedings administered by BCDR-AAA;
- 1.3** the Vice Chairs of the Committee will not be eligible to serve as arbitrator, mediator or other neutral in any proceedings administered by BCDR-AAA unless nominated by all parties to the dispute in question; and
- 1.4** other members of the Committee will not be eligible to serve as arbitrator, mediator or other neutral in any proceedings administered by BCDR-AAA unless nominated by a party or the parties.

F. Amendments to the Bylaws

These bylaws may be amended by the Board of Trustees on the recommendation of the CEO and in consultation with the Committee.