

Ajmalul Hossain QC



Barrister at Selborne Chambers, London
ajmalul.hossain@selbornechambers.co.uk

Selborne Chambers | 10 Essex Street | London | WC2R 3AA

Tel: +44 (0) 20 7420 9500

Senior Advocate, Supreme Court of Bangladesh
International Arbitrator

Experienced advocate in multiple jurisdictions, appearing before the High Court and Court of Appeal in London, the High Court and Appellate Divisions of the Supreme Court of Bangladesh, and in domestic and international arbitrations and mediations.

Acts as arbitrator and mediator in cross border and domestic disputes and sits on disciplinary panels and tribunals.

He has specialist knowledge of:

Litigation, arbitration and alternative dispute resolution
Multiparty actions
Cross border disputes
Debt and security recovery
Commercial frauds
Regulatory and fiduciary obligations
Commercial documents and financial contracts

Expertise in the laws of: England, Bangladesh, India, Pakistan, the European Union and Singapore.

EXPERIENCE:

Counsel for the Peoples' Republic of Bangladesh advising and assisting with several teams of commercial investigators and foreign counsel in tracing and the recovery of funds originated from Bangladesh and laundered by high profile politicians and businessmen into assets and funds outside Bangladesh.

Counsel for Bangladesh Election Commission advising and assisting on the dispute with Oberthur Technologies SA in respect of the national ID smart card project funded by the World Bank.

Counsel for Bangladesh (Central) Bank on banking supervision and regulatory matters and instructed to advise and assist in recovery of US\$101 million stolen in February 2016 by cyber criminals and in that context working with the Federal Reserve Bank of New York, US Department of the Justice, US Federal Bureau of Investigation, the Philippines Central Bank, Anti-Money Laundering Council, Office of Solicitor General, Department of Justice and the Presidential Commission on Good Government. Also assisting and co-ordinating with the Bangladesh Government and law enforcement agencies in Bangladesh in respect of proposed criminal actions in Bangladesh and in other countries.

Advising and assisting The People's Republic of Bangladesh in the international dispute with Myanmar relating to the refugees and in respect of the case of deportation currently pending the International Criminal Court in the Hague.

Counsel for several high-profile politicians including the current Prime Minister of Bangladesh and the Ministers and others of the other major party and prominent businessmen during the army backed Caretaker Government in 2007-2008 challenging the legality of the major legislations passed by the government and criminal actions for alleged corruption and also representing them in several high-profile trials during that period. Only counsel who succeeded in getting the wives and children of the accused acquitted before the trial court and successfully challenged many of the actions of the government during that period.

Appointed *amicus curiae* by the High Court Division and the Appellate Division of the Supreme Court of Bangladesh in over 20 cases and in a case of Advisory Opinion to the President.

Sole arbitrator and co-arbitrator and counsel in several domestic and international institutional, trade and ad hoc arbitrations. References include ICC arbitrations on contractual disputes concerning a \$200 million power project and a \$100 million contract for the supply of aircraft and as sole arbitrator appointed by LCIA on \$32 million claim on a guarantee. Co-arbitrator in SIAC dispute relating to energy generation and waste disposal.

Counsel in arbitrations and mediations under institutional rules including ICSID, ICC, LCIA, SIAC, UNCITRAL, GAFTA, FOSFA, LMAA, RSA, PORAM and ad hoc arbitrations involving high value and multi-party cross border disputes involving governments, governmental, multinational and domestic entities.

Counsel for and against banks, financial institutions, corporations and others in many complex and high value litigation, arbitrations and mediations. Cases included claims arising out of transnational banking, trading, supply and financial contracts.

Senior Counsel in ICSID arbitrations for Bangladesh in a bi-lateral investment treaty dispute and for a multinational gas exploration company in a dispute concerning gas field blowout. Also Senior Counsel for corporate clients in several institutional and ad hoc arbitrations in the financial, energy and telecommunications sector.

Acted for several hundred ex-employees of BCCI and others in the \$multi-million corporate Insolvency of Bank of Credit and Commerce International in England, Luxembourg and the Cayman Islands. Also acted for the ex-employees in their claim against the Bank of England. The cases on behalf of the employees against the liquidators were settled in their favour under a package worth \$millions.

Acted for Bangladeshi claimants as expert in a multiparty action in London relating to arsenic poisoning from ground water. Leading Defence Counsel in the Bangladeshi courts in a representative action claiming over US\$100 million against drilling company and consultants.

Successfully challenged the Fifth Amendment to the Bangladesh Constitution declaring martial law illegal, acted as amicus curiae in the Bangladesh Supreme Court in several high profile constitutional cases including the case concerning the Seventh (illegal military regime), Thirteenth (caretaker government) and the Sixteenth Amendment (Forum for removal of Supreme Court Judges).

Advisor to the 10th Bangladesh Parliament on constitutional issues and the proposed changes to the Constitution of the Peoples' Republic of Bangladesh which led to the Fifteenth Amendment of the Constitution.

Regularly advises the Bangladesh Government and Parliament on constitutional issues and the Law Commission on constitutional, commercial and dispute resolution issues.

Instructions from Channel 4 Television which led to the successful release from detention of two of their journalists in Bangladesh. This involved not only appearances in Bangladeshi courts but also in negotiations at the highest level of Government and with British and Italian diplomats.

Acted as Lead Counsel in successfully opposing the jurisdiction of the High Court in London to hear a trade mark/passing off claim against a Bangladeshi cargo company.

Several judgments of cases are reported in the law reports of England and Bangladesh.

Advised and assisted in the setting up of subsidiaries, branches and representative offices of banks, financial institutions and companies in Bangladesh, UK, USA, Malaysia and the Middle East.

Provided expert opinions on laws of Bangladesh, India, Pakistan, England and the European Union and appeared in courts of North America, Europe and Asia as expert witness.

Clients include solicitors, foreign lawyers and other professionals, several multinational and local banks, development and other financial institutions and companies. He has friendly firm relations with various law firms globally.

Lead Consultant with a team of 12 lawyers drawn from France, India and Bangladesh in a two year World Bank funded project for the strengthening of the Bangladesh Bank (Central Bank). The terms of reference include considering the current regulatory and supervisory regimes and to compare them with international standards and to suggest changes including the drafting of new laws, regulations and guidelines.

Involved in advising the Central Bank in the drafting of the Money Laundering Prevention Act 2012, several regulations and guidelines and the proposed amendments to the Arbitration Act 2001 and the proposed Electronic Funds Transfer Act 2018.

PROFESSIONAL QUALIFICATIONS:

June 2020: Admitted Certified International Arbitrator of the Asian Institute of Alternative Dispute Resolution.

August 2018: Admitted Fellow of the Asian Institute of Alternative Dispute Resolution.

August 2011: Adjudicator in construction industry payment disputes in Malaysia.

June 2007: Registered Foreign Lawyer, Singapore.

1st September 1994: Admitted Fellow of the Chartered Institute of Arbitrators, London.

14th January 1986: Enrolled in the Appellate Division of Supreme Court of Bangladesh.

15th December 1977: Enrolled in the High Court Division of Supreme Court of Bangladesh.

Michaelmas 1976: Called to the Bar of England & Wales by the Honourable Society of

Lincoln's Inn: First amongst the Lincoln's Inn candidates - Awarded Buchanan Prize.

APPOINTMENTS:

April 2021: Panel of Arbitrators, Japan Commercial Arbitration Association.

January 2021: Panel of Arbitrators, Thailand Arbitration Center.

December 2020: Panel of Arbitrators, Maldives International Arbitration Centre.

November 2020: Panel of Arbitrators, Energy Disputes Arbitration Center, Ankara.

November 2020: Panel of Arbitrators, Vilnius Court of Commercial Arbitration, Lithuania.

August 2020: Panel of Arbitrators, Brunei Darussalam Arbitration Centre.

October 2019: Chairman, Committee for Ethics and Fair Play, Bangladesh Football Federation.

December 2018: Panel of Arbitrators, South Asian Association for Regional Co-operation.

March 2014: Panel of Arbitrators, Shenzhen Court of International Arbitration.

2013 - 2015: Member, Disciplinary Panel and Anti-Corruption Tribunal of Bangladesh Cricket Board.

2013 – 2020: Member, Ethics Committee, Federation International de l'Automobile, Paris.

December 2011: Bencher, Honourable Society of Lincoln's Inn, London.

April 2011: Panel of Arbitrators, Bangladesh International Arbitration Centre.

June 2010: Member, Commission on Arbitration, International Chamber of Commerce, Paris.

2010: Panel of Arbitrators, Asian International Arbitration Centre, Kuala Lumpur.

2009: Panel of Arbitrators, Singapore International Arbitration Centre.

2006-2015: Member, International Cricket Council, Code of Conduct Commission.

July 2000: Fellow, Society for Advanced Legal Studies, London.
 24th May 1998: Senior Advocate, Supreme Court of Bangladesh (Equivalent of Queen's Counsel).
 1st May 1998: Queen's Counsel.

EDUCATION:

September 1977: LL.M., King's College, University of London.
June 1976: LL.B.(Hons), King's College, University of London.

OVERSEAS CONTACT:

Address	Bangladesh:	Singapore:
	A Hossain & Associates 3B Outer Circular Road Maghbazar, Dhaka-1217	A Hossain & Associates Six Battery Road #42-00, Singapore 049909
Mob:	+88 01711 560 767	(+65) 9854 1807
Tel:	+88 02 4831 1492	(+65) 6232 2149
Fax:	+88 02 934 4356	(+65) 6232 8888
Email:	ajmalul.hossain@ahossainandassociates.com	enquiry@ahossainandassociates.com