

## India-Singapore Mediation Summit

FOR IMMEDIATE RELEASE

15 July 2021

### CHIEF JUSTICES, MINISTER, SENIOR GOVERNMENT, JUDICIAL, LEGAL AND BUSINESS LEADERS FROM SINGAPORE AND INDIA TO ATTEND SUMMIT TO DISCUSS MEDIATION

Against the backdrop of the Covid-19 pandemic, mediation has been gaining currency in recent times, as a dispute resolution method that is economical, efficient, effective, preserves relationships and builds harmony, whether the disputing parties are from corporates or communities. At the Singapore International Mediation Centre (SIMC) for example, the caseload for the first half of this year is almost that of the whole of 2020, which was itself a record year. The recent entry into force in Sep 2020 of the landmark Singapore Convention on Mediation has further increased international confidence in the use of mediation as an enforceable tool to resolve disputes.

2 On 17 July, the leading lights in the Judiciary, Government, Legal and Business sectors in India and Singapore will join the India-Singapore Mediation Summit 2021 (ISMS2021) to discuss these issues and developments, and the next steps to move mediation into the mainstream in India, Singapore and beyond. This is the first event of its kind involving such high-level leaders converging on the topic of mediation.

3 In conjunction with ISMS2021, SIMC and its strategic partners in India, CAMP Arbitration and Mediation Practice (CAMP), and Mediation Mantras, are embarking on several new and upcoming initiatives. These include a new cross-border mediation service for businesses operating along the busy India-Singapore trade corridor during the Covid-19 pandemic, a declaration to encourage business and related chambers and companies to consider mediation, and mediation training programmes.

### Key Event Features

4 ISMS 2021 will kick off with a series of important speeches centring on the role of mediation. The speeches will be followed by a high-powered fireside chat reflecting on the themes invoked in the speeches. The discussions are expected to focus on the benefits and importance of mediation to resolve disputes in India, Singapore and elsewhere, the latest developments and trends in the field, and the catalysts for making mediation mainstream.

5 The speakers at ISMS2021 include:<sup>1</sup>

- The Honourable the Chief Justice Sundaresh Menon, Chief Justice of Singapore
- The Honourable Mr Justice N. V. Ramana, Chief Justice of India
- Minister for Culture, Community and Youth and Second Minister for Law Edwin Tong SC
- National Institution for Transforming India (NITI Aayog) CEO Amitabh Kant

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<sup>1</sup> Full list of profiles for speakers and fireside chat participants available at [www.isms.asia](http://www.isms.asia)

## India-Singapore Mediation Summit

6 Joining the fireside chat are:

Panellists from Singapore	Permanent Secretary (Law) and Second Permanent Secretary (Education) Lai Wei Lin;  SIMC Chairman George Lim SC
Panellists from India	International Judge of the Singapore International Commercial Court and former Judge of the Supreme Court of India, A. K. Sikri;  Senior Advocate and Mediator Sriram Panchu;  Head of Legal at Tata International Ltd Mayuri Khatu
Moderator	Law Society of Singapore President Gregory Vijayendran SC

7 The profiles of the participants are available at the conference website: [www.isms.asia](http://www.isms.asia). As of 15 July, there were more than 2,300 registrations, including from the Judicial and Legal, Government, Business and Academic sectors.

8 More details for your consideration and use are in the **Annex**, including:

- a) Backgrounder on ISMS2021,
- b) New and Upcoming Initiatives to be Launched in Conjunction With ISMS2021,
- c) Quotes,
- d) Event Programme, and
- e) Information on the Organisers.

9 Interviews (pre- or post-event), checked speeches, event photos and case studies of successful mediations will be facilitated upon request. Thank you.

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## India-Singapore Mediation Summit

### **ANNEX**

#### **A. Backgrounder on ISMS2021: Making Mediation Mainstream**

1 The inaugural ISMS2021 event underscores the growing importance of adopting mediation as a mainstream mechanism to resolve disputes, whether on its own or in combination with court litigation or arbitration.

2 As a method of resolving disputes, mediation involves parties engaging in candid and confidential discussions with the assistance of a neutral – the mediator – helping the parties to arrive at a settlement agreement. Unlike court litigation or arbitration proceedings, a ruling or decision is not imposed on the parties, who arrive on their own at a mutually acceptable solution.

3 Mediation has existed in different forms in our cultures for centuries. However, in modern practice, mediation has been witnessing a revival around the world, including in India and Singapore. In recent times, mediation has been gaining traction as an efficient and effective method of resolving a wide array of disputes, including commercial and international disputes. The main factors in favour of mediation are its speed, cost savings and ability for parties to preserve their relationships despite the dispute.<sup>2</sup> As a process, mediation is relatively informal and flexible, and enables parties to structure settlements that are creative, collaborative and meet their underlying interests.

4 Among the reasons for mediation coming to the fore is the landmark Singapore Convention on Mediation, a treaty that has strengthened awareness and confidence in the use of mediation by investors and businesses operating across borders. The Convention provides an efficient means of enforcing settlement agreements in different jurisdictions around the world. As of June 2021, 54 countries have signed the Convention, which came into force in Sep 2020. India and Singapore both signed the Convention in Aug 2019. So far, six countries, including Singapore, have ratified or approved the Convention.

5 The onset of the Covid-19 pandemic has also wrought widespread disruptions to commercial life, leading to a stronger demand for sustainable solutions that promote fast recovery and renewal for businesses. In this regard, the adoption of mediation to resolve disputes helps businesses to emerge stronger and aids economic recovery in the post-pandemic phase.

#### **B. New and Upcoming Initiatives in Conjunction with ISMS2021**

6 SIMC is seeing greater demand for cross-border mediation services. In the first six months of 2021 alone, SIMC received 41 mediation filings, almost the same number as the whole of last year (43 in 2020). In 2019, there were 23 filings. Many of the cases at SIMC are filed through the SIMC Covid-19 Protocol, which is a set of rules designed to improve access to mediation during the pandemic.

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<sup>2</sup> At SIMC, the majority of mediations are resolved within a day of discussions, with a 70-80% rate of settlement.

## India-Singapore Mediation Summit

7 In conjunction with ISMS2021, SIMC is embarking on several new initiatives, in collaboration with its strategic partners and other stakeholders. The India-Singapore business corridor is a busy one – in this regard, mediation is useful to facilitate the flow of trade, investments and commercial dealings between the businesses in the two countries.

8 The initiatives include the SIMC-CAMP Joint Covid-19 Protocol, a cross-border mediation service targeted at businesses operating along the India-Singapore business corridor. Based on figures cited by MTI, between 2005 and 2019, bilateral trade between the two countries grew by over 80%, from S\$20 billion in 2005, to S\$38 billion in 2019. Singapore's direct investment abroad in India grew by nearly 50 times, from S\$1.3 billion to S\$61 billion during the same period. In 2019, 660 companies from Singapore had investments in India; this was almost double the nearly 370 a decade before.<sup>3</sup>

9 With more trade and investments taking place, the possibility of commercial disputes also increases. During the Covid-19 period, mediation enables businesses to resolve any disputes in an amicable, time- and cost-efficient and effective manner, preserving their resources and relationships in preparation for the post-pandemic recovery. The SIMC-CAMP Joint Covid-19 Protocol provides a low-cost way for India-Singapore businesses to mediate effectively online, overcoming travel difficulties. The appointment of two mediators for each matter – one from each jurisdiction – will also help the parties to overcome any cultural and legal differences standing in the way of settlement. This Protocol was signed earlier this week and is now in force. More information is available at [www.simc.com.sg](http://www.simc.com.sg).

10 In addition, SIMC, CAMP and Mediation Mantras are working on a Declaration of Intent to Promote Mediation, which will be launched in due course. The Declaration is a non-binding commitment to be signed by membership organisations (e.g., business chambers) and companies, through which they express support in the use of mediation as the first port-of-call. So far, the concept has already attracted interest from organisations in both countries.

11 Other initiatives in the pipeline include mediation advocacy programmes involving SIMC, Mediation Mantras and other stakeholders, to ensure that lawyers receive training on the art of advocacy while representing their clients in mediation, amongst other skillsets.

### C. Quotes

12 Talking about the event, **SIMC CEO Chuan Wee Meng** says, *“Mediation as a form of dispute resolution is becoming critical for economic and business growth across the world. While disputes are inevitable in the business world, timely resolution through mediation can help the ease of doing business across borders and catalyse growth especially in the post pandemic era. This event will bring together some of the best minds to discuss the true potential of Mediation and its impact on the future of business.”*

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<sup>3</sup> See [https://www.mti.gov.sg/-/media/MTI/Newsroom/Speeches/2021/07/Min-Ong---Ministerial-Statement\\_Checked-Against-Delivery.pdf](https://www.mti.gov.sg/-/media/MTI/Newsroom/Speeches/2021/07/Min-Ong---Ministerial-Statement_Checked-Against-Delivery.pdf) at paras 49-50.

## India-Singapore Mediation Summit

*“Mediation is fast, economical and also effective. With the Singapore Convention on Mediation that both India and Singapore have signed, we can also expect mediated settlements to become globally enforceable over time. At the Summit, we expect to showcase a range of issues concerning mediation, its relevance and importance, especially when it comes to India and Singapore.”*

13 **Laila Ollapally, Founder of CAMP Arbitration and Mediation Practice** says, *“ISMS2021 aims to bring together voices from the judicial, legal, and business communities, to highlight the role that Mediation can play in transforming the way people resolve their disputes. The participation of the Honourable Chief Justice of India at the Summit, signals the beginning of a new era in Mediation. We are looking forward to fruitful discussions and concrete steps being taken by all stakeholders to strengthen mediation in India and expand its presence in diverse spaces in the commercial sector, enabling mediation to achieve its full potential.”*

14 **Mehernosh Shapoorjee, Co-Founder, Mediation Mantras** says, *“Having been part of the non-legal corporate world for the past three decades, we see ISMS2021 as the first bridge between the old and the new ways of commercial dispute resolution in India, and a keystone event in enhancing the ease of doing business within and across international borders.*

*The business world now has access to an increasing number of professional Private Mediators that understand the complex issues and the stakes involved in commercial disputes. We hope the discussions at ISMS2021, with key stakeholders involved in dispute resolution, will instil confidence among existing and potential litigants and their lawyers, that Mediation is a great option, and in their best interests. It not only helps resolve conflicts in a confidential, collaborative manner, it also helps preserve business relationships, reputations, and valuations.”*

## India-Singapore Mediation Summit

### D. ISMS2021 Programme ([www.isms.asia](http://www.isms.asia))

#### India-Singapore Mediation Summit

*Making Mediation Mainstream: Reflections from India and Singapore*

Date & Time: 17 July 2021, 1-3.30pm (SGT) (online via Zoom)

Timing (SGT)	Segment
1pm	Welcome by Mr George Lim SC, Chairman, SIMC
1.05pm	Remarks by Special Guest Mr Edwin Tong SC, Minister for Culture, Community and Youth and Second Minister for Law, Singapore
1.20pm	Keynote Address by Joint Guest of Honour, Honourable Mr Justice N.V. Ramana, Chief Justice of India  Keynote Address by Joint Guest of Honour, The Honourable the Chief Justice Sundaresh Menon, Chief Justice of Singapore
2.20pm	Felicitations by Mr Amitabh Kant, Chief Executive Officer, NITI Aayog
2.25pm	Fireside Chat with Q&A Session <i>Bridging Borders: Mediation's Role for Businesses in India and Singapore</i>  <b>Panellists</b>  <ul style="list-style-type: none"> <li>➤ Justice A. K. Sikri, International Judge, Singapore International Commercial Court and former Judge, Supreme Court of India</li> <li>➤ Ms Lai Wei Lin, Permanent Secretary, Ministry of Law, Singapore</li> <li>➤ Mr Sriram Panchu, Senior Advocate and Mediator, India</li> <li>➤ Mr George Lim SC, Chairman, SIMC</li> <li>➤ Ms Mayuri Khati, Head of Legal, Tata International Ltd</li> </ul> <b>Moderator</b>  <ul style="list-style-type: none"> <li>➤ Mr Gregory Vijayendran SC, President, Law Society of Singapore</li> </ul>
3.25pm	Closing Remarks by Ms Rukmani Menon, Mediator and Director, CAMP Arbitration and Mediation Practice  Closing Remarks by Mr Mehernosh Shapoorjee, Co-Founder & Director, Mediation Mantras

## India-Singapore Mediation Summit

### E. Information on Organisers

#### **About Singapore International Mediation Centre**

Singapore International Mediation Centre (SIMC) is an independent not-for-profit organisation that focuses on cross-border mediation services. Established in 2014, SIMC specialises in the end-to-end management of mediations concerning disputes that are commercial, complex and cross-border in nature. With an international panel of some 70 mediators from 17 jurisdictions and extensive global partnerships, SIMC continues to build on its strong track record of enabling parties to mediate their disputes successfully.

#### **About CAMP Arbitration and Mediation Practice**

CAMP Arbitration & Mediation Practice Pvt Ltd. (CAMP) is at the forefront of integrating commercial mediation into the practice of dispute resolution in India. Recognised by the Union Ministry of Law and Justice, Govt. of India, and the International Mediation Institute, CAMP mediators strive to provide parties a trusted space to dialogue and effectively resolve disputes. Using technology, CAMP has now made its services available beyond its headquarters in Bangalore.

#### **About Mediation Mantras**

Mediation Mantras is a Mediation Consultancy that provides a wide range of services related to conflict resolution through mediation. These include Mediation Advocacy Programmes, Mediator Upskilling Workshops, and Professional Private Mediation Services.

Its Mission is to make Mediation the default mantra for dispute resolution of any kind – personal, professional, or commercial. It hopes to achieve this by prompting and nurturing a socio-economic shift in mindsets, that move away from an adversarial win-lose way of approaching every human interaction or business transaction, toward a collaborative win-win way of life for all.

To know more, please visit [MediationMantras.com](http://MediationMantras.com)

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