

Trends in mediation and arbitration for the maritime sector



On 4 December, Gerald Yee, Partner at Clyde & Co, and Somporn Paisin, former Principal Advisor at the Ministry of Transport, provided an overview of the law and use of alternative dispute resolution for the maritime sector. The trends indicate that arbitration is more effective where disputes may arise only between two contracting parties since shipping contracts may involve multiple parties and where multi-jurisdiction enforcement of arbitral awards is sought. Mediation remains a useful mechanism, especially in Asia, where parties do meaningfully engage in discussions for the settlement of complex matters as its costs are significantly lower. Mediation should however be considered as part of a wider dispute resolution clause before arbitration or litigation. This seminar is part of a wider series of seminars organized by the THAC focusing on particular industry sectors. The next seminar will be a general cross-industry discussion on the use of alternative dispute resolution to be held on 31 January 2019.