

## Department Report 2017-18

### Title of Department: ILS Centre for Arbitration & Mediation (ILSCA)(Est: December 3, 2016)

- **Faculty Co-ordinator** : Ms. Sathya Narayan, Director, ILSCA

#### **Aims & Object of ILSCA : The ILS Centre for Arbitration and Mediation (ILSCA) –**

Proposes to operate as a centre where facilities to conduct both Domestic and International Commercial Arbitrations can be made available.

The centre also aims to facilitate institutional arbitration. **ILSCA is in the process of making rules for holding Institutional Arbitration at the Centre.** Currently, besides the Mumbai Centre for International Arbitration, Mumbai, there is no such arbitration centre in Maharashtra which can cater to parties who can opt for institutional arbitration. It will be a joint effort between the Indian Law Society, and the domestic and international business and legal communities.

ILS Institutional Arbitration will be a first-of-its-kind, attached to an educational institution which imparts legal education. Another important objective of ILSCA is to provide training in ADR methods and other allied subjects on Arbitration.

#### **Activities done**

- I.** The ILS Centre for Arbitration (ILSCA) organised a two day International Conference on “**Contemporary Issues in International Arbitration**” on 4<sup>th</sup> and 5<sup>th</sup> August, 2017 at ILS Law College, Pune. The deliberations of the Conference chiefly emphasised on various current topics on International Arbitration. The Conference seeks to highlight the increasing relevance and impact of arbitration, particularly International Commercial Arbitration, in dispute resolution.

Hon'ble Justice Samaresh Banerjea, Former Judge, Calcutta High Court delivered the keynote address. Hon'ble Justice Sanjeev Sachdeva, Sitting Judge, Delhi High Court delivered the valedictory address.

The programme comprises a series of panel discussions on a variety of topics including:

- International Arbitration and Domestic Arbitration: The Distinction
- Selecting an Arbitral Seat: Key Considerations
- Evidence in International Arbitration: Practice and Procedure
- Role of Courts in International Commercial Arbitration
- Abuse of Process in International Investment Arbitration
- India as an International Commercial Arbitration Hub - The Challenges

**SESSION I: International Arbitration and Domestic Arbitration : The Distinction**

**Panelists:** Mr. Hiroo Advani, Founding Partner, Advani & Co.,  
Mr. Rishab Gupta, Counsel, Shardul Amarchand Mangaldas,  
Dr. Deepa Paturkar, Assistant Professor, ILS Law College

**Moderator:** Mr. Bikram Chaudhuri, Advocate

**SESSION II: Selecting an Arbitral Seat: Key Considerations**

**Panelists:** Datuk Professor Sundra Rajoo, Director, Kuala Lumpur Regional Centre of Arbitration, Mr. Andrew Battisson, Partner, Allen and Overy, Mr. Vyapak Desai, Nishith Desai and Associates, Ms. Sumedha Waghlikar, Faculty, ILS Law College

**Students:** Ms. Mahima Saini & Mr. Ayush Chaddha, ILS Law College

**Moderator:** Mr. Ajay Thomas, Advocate and Arbitrator

**SESSION III : Evidence in International Arbitration: Practice and Procedure**

**Panelists:** Ms. Shaneen Parikh, Partner, Cyril Amarchand Mangaldas, Mr. Philip Teoh, Partner and Head of Practice, Azmi and Associates, Mr. Ratnadeep Roychowdhary, Partner, AZB Partners, Dr. Tejaswini Malegaonkar, Assistant Professor, ILS Law College

**Student:** Mr. Asmit Agarwal, ILS Law College

**Moderator: Mr. Vivek Kapoor,** Senior Associate, Stephenson Harwood

**SESSION IV : Role of Courts in International Arbitration**

**Panelists:** Ms. Dharshini Prasad, Associate, Wilmer Cutler Pickering and Hale LLP, Mr. Vivek Kapoor, Senior Associate, Stephenson Harwood, Mr. Pranav Mago, Head (South Asia) SIAC, Dr. Suvarna Nilakh, Assistant Professor, ILS Law College

**Student:** Ms. Kritika Shekhawat, ILS Law College

**Moderator: Mr. Tejas Karia,** Partner, Shardul Amarchand Mangaldas

**SESSION V: Abuse of Process in International Investment Arbitration**

**Panelists:** Mr. Promod Nair, Advocate, Arista Chambers, Mr. Shreyas Jayasimha, Partner, Aarna Law, Mr. Prabhas Ranjan, Associate Professor, South Asian University, Dr. Sanjay Jain, Associate Professor, ILS Law College

**Student:** Mr. Harshit Gadiya, ILS Law College

**Moderator: Ms. Rohini Wagh,** Advocate

**SESSION VI : India as an International Commercial Arbitration Hub -  
The Challenges**

**Panelists:** Mr. Raj Panchmatia, Partner, Khaitan and Co., Mr. Tejas Karia, Partner, Shardul Amarchand Mangaldas, Mr. Ngangom Junior Luwang, Senior Partner, Kocchar and Co., Ms. Rajalaxmi Joshi, Faculty, ILS Law College

**Student:** Ms. Ankita Ravikumar, ILS Law College

**Moderator:** Mr. Ajay Thomas, Advocate and Arbitrator

**II. ILS Centre for Arbitration (ILSCA) in association with Peacekeeping and Conflict Resolution Team (PACT) organized a four-day workshop on “Domestic & International Arbitration and Principles of Mediation”. The workshop was organised between 20<sup>th</sup> to 23<sup>rd</sup> January 2018.**

**The resource persons for the workshop were:**

1. **Sahil Kanuga**, Advocate, Co-head, Commercial Dispute Practice, Nishith Desai Associates, Mumbai.
2. **Tejas Karia**, Advocate, Partner, Shardul Amarchand Mangaldas, New Delhi.
3. **Thomas P. Valenti**, International Trainer, Arbitrator, Mediator, Attorney (USA).
4. **Catherine Davidson**, Commercial and Workplace Mediator (Nationally Accredited Australia NMAS and IMI Certified) International Mediation and Negotiation Trainer.
5. **Jonathan Rodrigues**, Accredited Mediator at IIAM, Commercial Mediator trained under the aegis Indian Institute of Corporate Affairs (IICA). 6. **Pascal Comvalius**, IMI

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The first two days of workshop, conducted by Mr. Sahil Kanuga and Mr. Tejas Karia on 20th and 21st January 2018 respectively, were dedicated to training in Arbitration which focussed on core aspects of arbitration along with contemporary developments and amendments.

The next two days of the workshop held on 22<sup>nd</sup> and 23<sup>rd</sup> January, 2018 was conducted by Thomas Valenti, Catherine Davidson, Jonathan Rodrigues and Pascal Comvalius and were dedicated to Mediation training sessions where the participants had the opportunity to learn about core-mediation skills and witness mediation and negotiation through a variety of simulations.

**No. of students Enrolled** This year 103 students from the ILS Law College and from various other law Colleges participated in the ADR training programme

The participants were awarded **three** certificates of Participation namely

1. Introduction to Training in Basic Mediation Skills
2. Introduction to Basic Negotiation Skills
3. Arbitration Workshop

### **III. National Mediation and Negotiation Competition - "INTERCESSIONIS -2018"**

**ILS Centre for Arbitration & Mediation (ILSCA)** in co-ordination with **Peacekeeping and Conflict Resolution Team (PACT)** organized a two-day National Mediation and Negotiation competition **"INTERCESSIONIS" on 24<sup>th</sup> and 25<sup>th</sup> January 2018**. It was an unique and first of its kind held under the aegis of the Center. In this competition the core mediation and negotiation skills of participants across the country were put to test. The problems for the competition

were based on a very different theme. It was totally based on 'Community-based Mediation' which catalogued the present societal conundrums, principles of community mediation and its intricacies. It was a unique and first of its kind event that provided the 16 participating teams an opportunity to attain a novel approach to address the problems vastly persisting in our society and thereby showcase their negotiation and mediation skills.

Ms. Sathya Narayan

Director

ILS Centre for Arbitration & Mediation (ILSCA)