

## **Mediation Conference 2020**

**(Virtual)**

**6 November 2020 (Friday)**

**Morning session: 09:30 – 11:30 HKT/GMT+8**

**Afternoon session: 15:00 – 18:00 HKT/GMT+8**

### **“Mediate First – More Than You Can Imagine”**

(The conference will be conducted in English, with online simultaneous interpretation in Cantonese and Putonghua)

5 CPD points (2 for the morning session; 3\* for the afternoon session)

Awarding organizations: Law Society of Hong Kong, Hong Kong Mediation Accreditation Association Limited, Hong Kong International Arbitration Centre, Hong Kong Mediation Centre, The Mainland - Hong Kong Joint Mediation Center and Financial Dispute Resolution Centre  
(\* Law Society of Hong Kong: 2.5)

<b>Time</b>	<b>Activity</b>
<b>MORNING SESSION</b>	
<b>09:30-09:35</b> (5 mins)	<b>Launch of the “Mediate First” logo by the Department of Justice, HKSAR Government</b>
<b>09:35-09:50</b> (15 mins)	<b>Keynote Speech</b>  <b>Ms Anna Joubin-Bret</b> <i>Secretary, United Nations Commission on International Trade Law</i>
<b>09:50-11:20</b> (1 hr 30 mins)	<b>Panel Session 1: United Nations Mediation Convention<sup>1</sup> – Challenges for mediators</b>  <i>Came into force in September 2020, the United Nations Mediation Convention establishes a harmonized legal framework for the right to invoke mediated settlement agreements and their enforcement. The need for enforceability is acute in the context of international commercial mediation, where the parties from different jurisdictions may face various hurdles in securing performance of the settlement</i>

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<sup>1</sup> United Nations Convention on International Settlement Agreements Resulting from Mediation

Time	Activity
	<p><i>reached. This panel session will discuss the application of the Convention and challenges faced by mediators in light of its constraints and exceptions on applicability of the Convention.</i></p> <p><b>Moderator: Professor Ting Kwok Iu, MH</b>  <i>Consultant, Kwok, Ng &amp; Chan</i></p> <p><b>Speakers:</b></p> <p><b>Judge Deng Yu</b>  <i>Director of the Judicial Reform Office, Supreme People's Court of the People's Republic of China</i></p> <p><b>Madam Guo Min</b>  <i>Team leader for Diversified Dispute Resolution of the Case Filing Tribunal and Senior Judge Assistant, Supreme People's Court of the People's Republic of China</i></p> <p><b>Ms Winnie Tam, SBS, SC, JP</b>  <i>Barrister, international arbitrator and mediator, Des Voeux Chambers</i></p> <p><b>Professor Nadja Alexander</b>  <i>Professor of Law (Practice), Singapore Management University (SMU); Director, Singapore International Dispute Resolution Academy (SIDRA) of SMU</i></p> <p><b>Mr Bill Marsh</b>  <i>International mediator, Independent Mediators, UK</i></p> <p><b>Dr James Ding</b>  <i>Commissioner, Inclusive Dispute Avoidance and Resolution Office, Department of Justice, HKSAR Government</i></p>
<b>11:20-11:30</b> (10 mins)	<b>Q&amp;A</b>
<b>AFTERNOON SESSION</b>	
<b>15:00-16:15</b> (1 hr 15 mins)	<p><b>Panel Session 2: Use of online dispute resolution in light of COVID-19</b></p> <p><i>With the advancement of technology, online dispute resolution ("ODR") has been developing rapidly in recent years and the use of ODR has surged in light of the COVID-19 pandemic. In June this year, the Department of Justice of Hong Kong has launched the "COVID-19 Online Dispute Resolution Scheme" which provides an online multi-tiered dispute resolution mechanism. This panel session will</i></p>

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	<p><i>discuss the impact of COVID-19 on dispute resolution process in general, the latest development of ODR and the advantages and topical issues surrounding ODR.</i></p> <p><b>Moderator: Mr Adrian Lai</b> <i>Deputy Secretary General, Asian Academy of International Law</i></p> <p><b>Speakers:</b></p> <p><b>Mr Daniel Lam, SBS, JP</b> <i>Chief Executive Officer, eBRAM International Online Dispute Resolution Centre</i></p> <p><b>Mr James South</b> <i>Managing Director, Centre for Effective Dispute Resolution; Mediator</i></p> <p><b>Mr Rhys West</b> <i>Chief Executive, FairWay Resolution</i></p> <p><b>Mr Zbynek Loeb</b> <i>Of Counsel, PRK Partners</i></p>
<b>16:15-16:25</b> (10 mins)	<b>Q&amp;A</b>
<b>16:25-17:35</b> (1 hr 10 mins)	<p><b>Panel Session 3: Mediation advocacy</b></p> <p><i>Mediation advocacy involves a significant shift for lawyers and practitioners from an adversarial mode to a collaborative approach with a focus on the parties during a mediation process. To cope with this shift, it is therefore important that lawyers and other mediation representatives receive specialised training for mediation representation and advocacy. The speakers of this panel session would illustrate with their experience on the importance of mediation advocacy. Further, they would give advice on the skill-set required to adapt to this different role. It is hoped that the awareness of mediation advocacy among users and mediators would be raised.</i></p> <p><b>Moderator: Mr C K Kwong, JP</b> <i>Senior Partner, Sit, Fung, Kwong &amp; Shum</i></p> <p><b>Speakers:</b></p> <p><b>Mr Simon Chapman, QC</b> <i>Partner, Herbert Smith Freehills</i></p> <p><b>Ms Elaine Liu, JP</b> <i>Barrister, Sir Oswald Cheung's Chambers</i></p>

Time	Activity
	<p><b>Ms Manon Schonewille</b>  <i>Business mediator, Legal Rebel in Rotterdam The Netherlands;          Founder, Toolkit Company Academy Mediation &amp; Negotiation</i></p> <p><b>Professor Leung Hing Fung</b>  <i>Vice- Chairman, Hong Kong Mediation Accreditation          Association Limited</i></p>
<b>17:35-17:45</b> (10 mins)	<b>Q&amp;A</b>
<b>17:45-18:00</b> (15 mins)	<p><b>Closing Remarks</b></p> <p><b>Ms Christina Cheung, JP</b>  <i>Law Officer (Civil Law), Department of Justice, HKSAR          Government</i></p>

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