

瑞中法律协会
Association de Droit Suisse-Chine
Vereinigung des Schweizerischen und Chinesischen Rechts
Associazione di Diritto Svizzero-Cinese
Swiss Chinese Law Association



14TH SCLA GLOBAL FORUM

Lead Reporter: Hermann Knott

FEBRUARY 26 | 13:00-15:30 CET

TIMEZONE REFERENCE

ROUTES TO ENFORCEMENT OF MEDIATION SETTLEMENTS



REGISTER AT:

WWW.SCLAACADEMY.ORG/COURSE

INTRODUCTION



The explosive growth of mediation shows that the public, when aware, will often choose a non-adversarial option and will likely receive better results in the end. If, as Eleanor Roosevelt said, "The future belongs to those who believe in the beauty of their dreams," we in the mediation community have much to look forward to. **The 14th SCLA Global Forum - *Routes to enforcement of mediation settlements*** is the among the best platforms to address the future of mediation in this regard.

The 14th SCLA Global Forum will focus on the 3 most eminent challenges on the enforcement issue, namely:

- Enforcement schemes across different jurisdictions;
- Med-Arb (Converting settlement agreements into consent awards) as a future trend in mediation enforcement;
- Challenges Facing the Singapore Convention on Mediation;

SCLA Global Forum is a monthly event that brings together diverse leading experts such as law ministries, scholars, judiciary, arbitrators, mediators, law firms, in-house counsels, law students, policy makers and legal technology companies along with the non-legal professionals and businesses to redefine the future of the global legal industry. By promoting open and honest communication, the forum inspires cross-cultural understanding and professional collaborations.

When registering through SCLA Academy, you will not only obtain lifetime access to the forum and all the documents but also you will be enjoying a journey of relationship building, as you will have access to all the contact of the speakers, panelists as well as all the participants. You are invited to a lifelong interest group and community to stay connect. You are more than welcome to send emails through the academy to those colleagues anytime and anywhere.



REGISTER AT:

WWW.SCLAACADEMY.ORG/COURSE

AGENDA

13:00-13:05 CET

Introduction of SCLA **Tianze Zhang**

13:05-13:15 CET

Introduction of Mediation Agreements **Philip Hackett**

13:15-13:25 CET

Cross border enforcement and the practical impact of covid-19 , **Norman Clark**

13:25-13:55 CET

Panel 1: Enforcement in jurisdictions perspective and/or Sector perspective

Moderator: **Samantha Mathieu**

Nazareth Romero, Francis Law, Pawel Sikora, Paulo Fernando Machado, Gary Gao, Kenneth Barden

13:55-14:10 CET

Paulo Fernando Machado Hague Convention and the enforcement of the mediation agreement

14:10-14:20 CET

Peter Pettibone Med-Arb: The Future of Dispute Resolution?

14:20-14:50 CET

Panel 2: Med-Arb Panel Moderator:

Godson Ugochukwu 2PM CET TIME Gary Gao, Suhail Nigar, Philip Hackett (TBC), Isabel Cristina López

14:50-15:05 CET

Anton G Maurer Exceptions in Enforcement

15:05-15:35 CET

Panel 3 Challenging Facing the Singapore Convention Moderator:

Federico Antich (Moderator)

Hermann Knott , Doran Doeh, Nikolaj Juhl Hansen(TBC), Peter Ruggle



REGISTER AT:

WWW.SCLAACADEMY.ORG/COURSE

SPEAKERS



Mr Philip Hackett QC,
Barrister at 36 Commercial,
UK



Mr Norman Clark,
Founders of Walker Clark LLC,
USA



Mr Peter J. Pettibone,
Former Managing Partner at
Hogan Lovells,
USA



**Mr Paulo Fernando
Machado,**
Ministry of Foreign Affairs,
Brazil



Mr Hermann Knott
Partner at Kunz Law
Germany

PANEL 1



Samantha Mathieu,
Legal Advisor-German Bar at
Rechtsanwältin Samantha
Mathieu, Germany



Professor Law Wai Hung Francis,
President of Hong Kong Mediation
Centre, Hong Kong SAR



Mr Kenneth Barden,
Compliance Specialist,
USA

PANEL 1



Mr Pawel Sikora,
Partner at KKG Law Firm,
Poland



**Mr Paulo Fernando
Machado,**
Ministry of Foreign Affairs,
Brazil



Mr Gary Gao,
Partner at Zhong Lun Law Firm
Shanghai, China

PANEL 2



Mr Godson Ugochukwu
Partner at Fortress Law Firm,
Nigeria



Mr. Gary Gao,
Partner at Zhong Lun
Law Firm Shanghai, China



Mr Suhail Nigar,
Managing Partner at Directus,
Pakistan and UK



Mr Philip Hackett QC,
Barrister at 36 Commercial,
UK



Isabel Cristina López,
Founding partner of LOVILL,
Panama



Dr Anton G Maurer,
independent arbitrator,
Germany

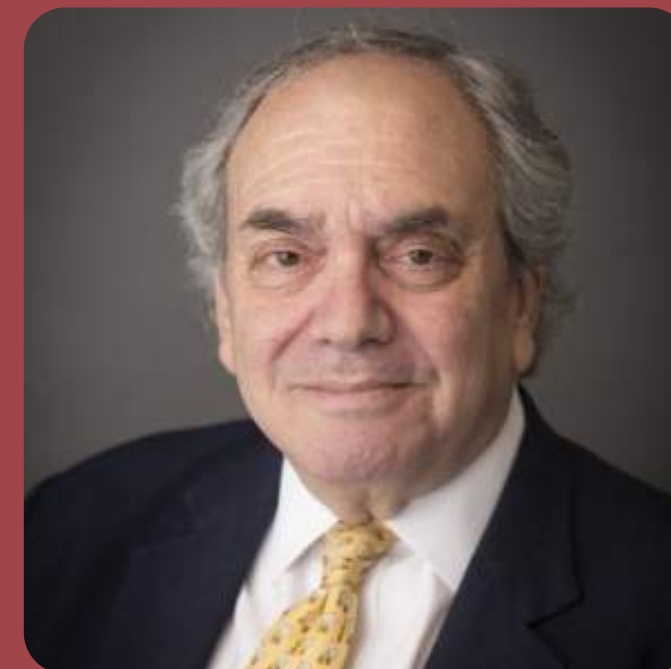
PANEL 3



Mr Federico Antich,
Studio dell'Avvocato Antich,
Italy



Dr Hermann Knott,
LL.M. (UPenn), Partner at
KUNZ Law, Germany



Mr Doran Doeh,
Arbitrator at 36 Group,
UK



Mr Nikolaj Juhl Hansen,
Managing partner of
Magnusson, Denmark



Mr Peter Ruggle
Ruggle Partner, Switzerland



Mr Han Zheng
Partner at Jinmao Law Firm.
China

COMMENTS FROM THE FORUM REPORTER

Settlements are the typical outcome of successful mediation procedures, a major focus of the Dispute Resolution Institute which we are planning to establish shortly as a separate and independent entity in Geneva. One may ask why settlements may cause difficulties when it comes to their enforcement. The parties have agreed about the resolution of their dispute, and there should be no further impediment to completing the process. In practice, reality is often different. Being satisfied about the compromise achieved, the parties should think about the completion of the settlement process.

The worst situation for the party having a claim is to have to sue in the courts of the debtor's country to enforce its rights. In this regard, the pandemic has caused additional difficulties when seeking judicial assistance. In this Forum, our experts will discuss how enforcement should be addressed as early as the stage of drafting the settlement agreement. Furthermore, enforcement tools available at the level of domestic laws will be discussed. Attention will also be given to specific trade usages in certain sectors. Most importantly are the international conventions, the most prominent of which being the Singapore Convention on mediation and its prospects to be accepted on an international level.

-Hermann Knott