

iiadra

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INDIA INTERNATIONAL ADR ASSOCIATION  
Association of Arbitrators, Mediators, ADR Practitioners Et ADR Users

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## Overview...

There are no great surprises in what motivates the business community when choosing an appropriate forum and procedure for managing and resolving disputes. The overriding objectives generally advanced are fairness, efficiency (including speed and cost) and certainty in the enforcement of contractual rights and protections. Successful businesses revolve around good planning and business leaders value resolution because it allows them to plan against known outcomes rather than operating under a cloud of uncertainty. In our world, decisions are made on a daily basis of where, how, and what types of transactions to pursue and accept, and every international contract is assessed by its likely benefit measured against the risk and associated cost.

These global climatic forces, plus other market developments such as the increasing acceptance of non-litigious forms of dispute resolution have popularized Alternative Dispute Resolution (ADR) methods like arbitration and mediation. They are increasingly used in international and domestic commercial practice due to the significant benefits, such as reducing the instances where a dispute leads to the termination of a commercial relationship, facilitating the administration of international transactions by commercial parties and producing savings in the administration of justice.



A JOURNEY OF A  
THOUSAND MILES  
BEGINS WITH A  
SINGLE STEP

## ADR IMPORTANCE...

International trade and commerce have grown rapidly with cross-border transactions being entered into by a growing number of entities, including small and medium-sized ones. With the advent of globalization, where business is frequently conducted across national boundaries and cross cultural contexts, the need for effective and efficient deal making and dispute management systems has become paramount. Such processes are intended to get the best business deals, reduce costs of dispute settlement, foster maintaining a cooperative atmosphere between trading parties, prevent further disputes and inject certainty into international trade.



## Membership in **iiadra** has its advantages...

India undertook major reforms in its law on arbitration and mediation as part of the economic reforms initiated in 1991. The focus of the government has been as much on the simplification of the law as on its rationalization in order to meet the requirements of a competitive economy. The growth of international businesses and investments has drastically increased. Transnational business relationships are on the rise. Greater professionalism in this area and increased efficiency and service by encouraging the use of ADR and providing greater predictability and certainty in its use, are important for fostering economy and efficiency in international trade.

But in spite of the increasing global acceptance of arbitration and mediation, the professional growth in India has not been encouraging. There is need to implant professional institutional negotiations, mediations and arbitrations with professional, independent and neutral negotiators, mediators, arbitrators and capable secretarial service. There is a need for a global interaction among ADR practitioners and business world for effective promotion and use of ADR at international level.

The purpose of **iiadra** is to represent the common interests of Arbitrators, Mediators, ADR Practitioners and ADR Users in promoting the standard, professionalism and quality of ADR in the domestic and international arena. **iiadra** will serve as a platform for the growth and network of ADR practices jointly with global leaders, so as to help you lead in the field. The membership will secure information; facilitate alliances with partners in the ADR world engaged in preventing and resolving conflicts and invitation to exclusive international and national conferences and discussions on the subject. We are trying to shape the future of dispute resolution and we invite you to join us.

Memberships are offered to ADR Practitioners and Professionals, Arbitrators, Mediators and ADR Users, viz., Business groups, including Trade and Investment Associations. There are four categories of memberships.

- 1) Ordinary Member
- 2) Life Member
- 3) Corporate Member | Corporate Regal Member
- 4) Honorary Member

Patron...

Hon'ble Mr. Justice M.N. VENKATACHALIAH  
Former Chief Justice of India



## MESSAGE

Justice, it is said, is too serious a matter to be left to the Courts alone. Society has also a responsibility to evolve solutions to its own myriad problems, particularly during turbulent times. Times ahead are replete with stunning changes. Whether they turn out to be for the greater happiness of mankind will depend on the way we are able to harness the forces of change for public-good.

As a person who has had some experience of plodding through their wilderness, of life's experiences I cannot escape the serious premonition that the system of administration of justice, as it now stands, may if not handled with circumspection, well turn out to be a mill-stone around the neck of the next society. The issues that arise at the interface of the colossal and mind boggling exploits of Science and Technology on the one hand and issues of Social security on the other will, indeed need new ways of thinking. Even of democracy it is said that it is not the best form of government, but, indeed, is the worst except for all other systems tried so far.

Despite great strides made in the development of Alternative Dispute Resolution (ADR) mechanisms, there are many obstacles and limitations of ADR that could be called 'cultural'. I have every confidence that the India International ADR Association, with its commitment of ADR philosophy and the leadership behind its initiative, will meet an urgent and important need of providing a global interface.

I have known Sri. Anil Xavier's long and passionate commitment to the philosophy of ADR as a more civilized concept than litigative aggressiveness and as humane man's way of dealing with the inevitable conflicts of modern life.

This Association should also promote innovative ideas to strengthen the concept of dispute resolution globally. This is even more important, particularly in the context of the ever increasing economic interactions, both internally and internationally and their inevitable social and economic impact and repercussions.

“THE PROBLEMS THAT EXIST TODAY CANNOT  
BE SOLVED BY THE SAME THINKING THAT CREATED THEM”

ALBERT EINSTEIN

## iiadra Administration...

Administration of **iiadra** is done by the Governing Council elected from among the members, consisting of the President, Vice-President, Secretary General, Treasurer, Joint Secretary and four Executive members. The Association also has an Advisory Board for guiding the Council on the legal and ethical aspects of the Association and matters concerning the profession.

## ADVISORY BOARD



MR. K.K. VENUGOPAL  
Senior Advocate, India



MR. ARVIND P. DATAR  
Senior Advocate, India



MR. JUSTICE SURESH CHANDRA  
Former Judge,  
Supreme Court of Sri Lanka



PROFESSOR MARTIN HUNTER  
Barrister at Essex Court Chambers  
and Emeritus Professor, UK



PROFESSOR JAMES COBEN  
Professor of Law at Hamline  
University School of Law, USA



PROFESSOR NADJA ALEXANDER  
Professor and Director IICER  
Hong Kong



MR. RICHARD NAIMARK  
Senior Vice President  
American Arbitration Association



MR. CHRISTOPHER TO  
Adjunct Professor, City University  
Executive Director, CIC, Hong Kong



PROFESSOR JOEL LEE  
Associate Professor, Faculty of  
Law - NUS, Singapore



Presidential address by  
**Mr. Justice MN Venkatachaliah**  
former Chief Justice of India & Patron of IADR

# iiadra

## Official Launch...

iiadra was officially launched on 16 May 2013 at Cochin, India. The launch was followed by an international Seminar & Business Summit. Mr. Justice Madan B. Lokur, Judge Supreme Court of India officially inaugurated the Association in the presence of eminent dignitaries, including Mr. Justice M.N. Venkatachaliah, former Chief Justice of India and the Patron of IADR, Mr. Justice Anthony Gates, Chief Justice of Fiji and Mr. Oommen Chandy, the Chief Minister of Kerala.

The Seminar titled "Fostering Global Business - Making Deals; Resolving Conflicts" was attended by more than 150 delegates from India and abroad. The major topic of discussions and deliberations of the speakers and delegates were focussed on the need for making India more ADR-friendly and for the purpose suggested perfecting the ADR law, creating professionalism amongst the ADR professionals and propagating the advantages of ADR among the corporate houses who are the primary users of ADR.



Address by the guest of honour,  
**Mr. Oommen Chandy**  
Chief Minister of Kerala



Keynote address by  
**Mr. Justice Anthony Gates**  
Chief Justice of Fiji



Inaugural address by  
**Mr. Justice Madan B. Lokur**  
Judge, Supreme Court of India

Inaugurating by  
lighting the lamp





Details of representatives of Corporate | Corporate Regal Member:

Sl.No.	Name	Designation	Mobile No.	Email

I / We have gone through the IIADRA Membership terms and agree to abide by the same.

I / We am/are remitting the membership fee of Rs. | US\$

Cheque / DD No.  Date

Bank Transfer (For details of IFSC Code, log on to [http://www.adrassociation.org/bank\\_details.php](http://www.adrassociation.org/bank_details.php))

Date:

Seal | Signature:

Duly filled up Membership Forms can be sent by email to [info@adrassociation.org](mailto:info@adrassociation.org) or by mail to:  
India International ADR Association, 7B&C, BCG Mid Town, Kerala Management Avenue, Cochin – 682036, INDIA  
Tel: +91 484 6007666

# Membership of **iiadra**...

## ELIGIBILITY

- Arbitration Lawyers, Arbitrators, Mediators, ADR Professionals, ADR Users or any person or institution interested in associating with the objects and activities of the Association, as approved by the Membership Committee / Governing Council, shall be eligible for admission to the Association as an Ordinary Member.
- Arbitration Lawyers and Mediation Lawyers having a minimum of seven (7) years' practice, Arbitrators, Mediators, ADR Professionals and ADR Users approved by the Membership Committee / Governing Council shall be eligible for Life Membership.
- Law Firms having practice in the field of ADR, Arbitration or Mediation Institutions, Corporate Houses or Business Groups which prefer ADR as their primary dispute resolution method, recognised Associations or Organisations in the field of trade and commerce and social / non-profit organisations approved by the Membership Committee / Governing Council are eligible for Corporate Membership.
- The Governing Council can in appropriate case, consider the grant of Corporate Membership without charging fee if the applicant is an institution or organisation that could offer membership to the Association by way of a reciprocal arrangement. Such membership shall be valid only till the reciprocal arrangement is in existence.

## TERMS & CONDITIONS

- Membership to the Association shall not be by right and shall be scrutinized and determined primarily by the Membership Committee and finally by the Governing Council. The decision of the Governing Council in regard to allotment or rejection of Membership shall be final.
- Application for Membership shall be made in writing and the same shall be considered by the Governing Council in accordance with the Byelaws, Memorandum of Association and such other norms as may be prescribed/adopted by the Governing Council.
- The applicant while submitting the application shall deposit the membership fee applicable to the concerned category. If the application is rejected, the fee deposited by the applicant shall be returned within thirty (30) days of such rejection and without any interest on such amount.
- Members shall comply with Rules, Regulations, Byelaws framed by the Association.
- Any previous history of non-professional behaviour or conduct will result in denial of membership.
- Failure to pay the annual membership fee within thirty (30) days of the due date will lead to the cessation of membership. However the Governing Council has powers to grant readmission on application made by the member as per the Membership Rules.
- Ordinary, Life and Honorary members of the Association shall have one (1) vote at the general meetings of the Association.
- Corporate Members shall have two (2) votes at the General Meetings of the Association and this shall be exercised by two representatives so authorised by the Corporate Member.

## MEMBERSHIP FEE

### ORDINARY MEMBERSHIP:

Registration fee of Rs. 1000/- (Rupees One thousand only) or US\$ 30/- (US Dollars Thirty only) and a yearly subscription of Rs. 5000/- (Rupees Five thousand only) or US\$ 100/- (US Dollars One hundred only), to be renewed annually.

### LIFE MEMBERSHIP:

One-time payment of Rs. 30,000/- (Rupees Thirty thousand only) or US\$ 500/- (US Dollars Five hundred only). Valid for 10 years from the date of membership.

### CORPORATE MEMBERSHIP:

One-time payment of Rs. 200,000/- (Rupees Two lakhs only) or US\$ 3500/- (US Dollars Three thousand Five hundred only) Valid for 10 years from the date of membership. Or who pays a registration fee of Rs. 100,000/- (Rupees One lakh only) or US\$ 1750/- (US Dollars One thousand Seven hundred and Fifty only) and a yearly subscription of Rs. 15,000/- (Rupees Fifteen thousand only) or US\$ 250/- (US Dollars Two hundred and Fifty only), to be renewed annually.

### CORPORATE REGAL MEMBERSHIP:

One-time payment of Rs. 500,000/- (Rupees Five lakhs only) or US\$ 8500/- (US Dollars Eight thousand Five hundred only). Valid for 20 years from the date of membership.