



ASIAN INSTITUTE OF
ALTERNATIVE
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ADR CENTURION

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A report by the AIADR Secretariat

Introduction to the AIADR Professional Development and Education Committee (PDEC)

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The AIADR shall be a repertoire of global jurisprudence, formed by professional membership, recognized by international institutions, striving for the advancement of alternative dispute resolution methodologies, for amicable conflicts management and effective dispute resolution.

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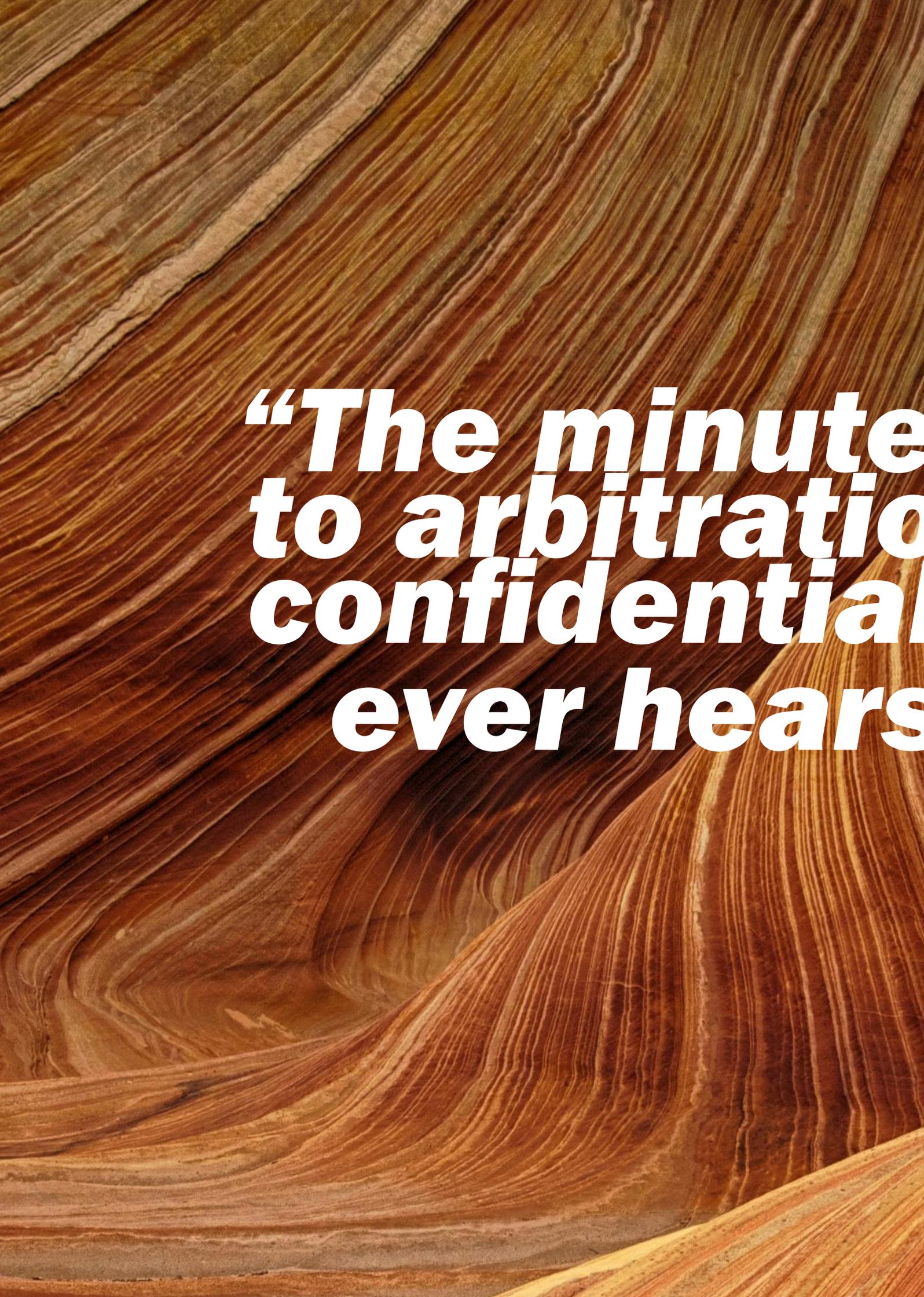
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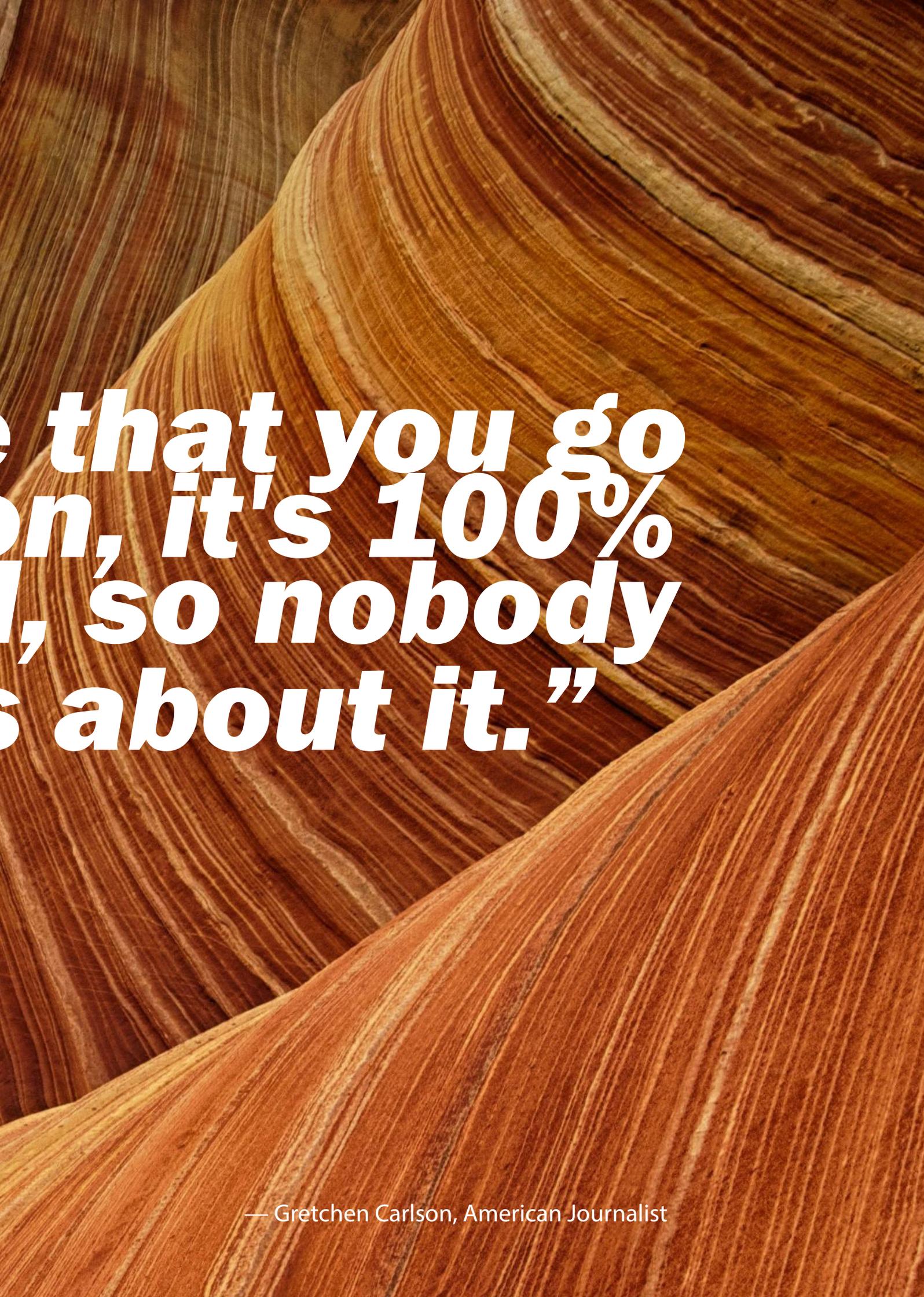
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The background of the image is a close-up, high-resolution photograph of a wood grain. The grain is characterized by wavy, concentric lines that create a sense of depth and texture. The colors range from light tan and beige to deep, rich browns, with some darker, almost black, lines interspersed throughout. The lighting is soft, highlighting the natural undulations and imperfections of the wood.

***“The minute
to arbitration
confidential
ever hears***



***... that you go
... on, it's 100%
... , so nobody
... s about it."***

— Gretchen Carlson, American Journalist

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2026



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Dear Members,

As we welcome the year 2026, it gives me great pleasure to present to you the 40th Issue of the ADR Centurion. Reaching this milestone is not only a moment of celebration but also an opportunity for reflection and renewal. The beginning of a new year often brings with it a renewed sense of energy, purpose and optimism, and I am pleased to share that AIADR enters 2026 with strong momentum built on the achievements of the past year. With a wide range of activities, programmes, and initiatives planned, we remain firmly committed to supporting our members, enhancing professional development, and promoting excellence in alternative dispute resolution (ADR) across the region and beyond.

Before looking ahead, I would like to pause and express my sincere appreciation to everyone who contributed to AIADR's success in 2025. To our Governance Council, Office Bearers, committee members, AIADR Secretariat, partner organisations, esteemed members, and new subscribers – your dedication, guidance, and unwavering support have been instrumental to our progress. It is through your collective commitment that AIADR has been able to organise meaningful programmes, foster international collaborations, and further strengthen its role as a trusted and respected platform for ADR professionals. I am deeply grateful for the effort, time, and confidence you have placed in our shared mission.

While the opportunities that 2026 brings are

exciting, it is equally important to reflect on how far we have come. Over the past year, AIADR has worked diligently to deliver initiatives that cater to a diverse and growing community, ranging from seasoned practitioners to young professionals and students entering the field. These efforts have provided valuable platforms for learning, collaboration, and professional growth, strengthening our network and contributing to the advancement of ADR as an effective and reliable means of dispute resolution in an increasingly complex global environment.

At this juncture, I am pleased to update members on several key developments and initiatives undertaken by AIADR over the past year. These engagements reflect our strategic focus on international collaboration, capacity building, and thought leadership.

1. Firstly, I would like to highlight AIADR's continued efforts to strengthen cross-border institutional partnerships and international engagement, particularly in China. On 24 November 2025, during the 2nd International Commercial Arbitration Forum on the New International Land-Sea Trade Corridor in Chongqing, I had the honour of officiating the signing of a Cooperation Agreement between AIADR and the Chongqing Arbitration Commission. This agreement represents an important milestone in our ongoing efforts to foster cross-border collaboration and institutional cooperation in the field of alternative dispute resolution.

As part of the same forum, I delivered a keynote

Highlights

address entitled “International Development and Outlook of Arbitration in China”, where I shared perspectives on the evolving arbitration landscape and emerging regional and global trends. The forum provided a valuable platform for dialogue among practitioners, institutions, and policymakers, and underscored the growing importance of international cooperation in shaping the future of arbitration.

Following the forum, AIADR was warmly received at Sichuan International Studies University. During a formal meeting with the university’s representatives, we engaged in meaningful discussions on potential academic and institutional collaborations. Several areas of mutual interest were identified, including professional training, academic research, and future joint initiatives aimed at advancing both the study and practice of dispute resolution. Collectively, these engagements mark an important step forward in expanding AIADR’s international partnerships and reaffirm our dedication to promoting knowledge-sharing, innovation, and capacity building across borders.

2. Secondly, I am pleased to share AIADR’s continued commitment to education and professional development through targeted training initiatives and regional collaboration. On 3 December 2025, the AIADR Online Workshop, organised in collaboration with the Nanning International Arbitration Commission (NIAC) and the China–ASEAN Commercial Arbitration Cooperation Center (CACACC), was successfully conducted. Delivered entirely in Mandarin, the workshop provided participants with practical insights into international arbitration, global developments, enforcement strategies, and career pathways in the ADR field.

The live session attracted approximately 600 participants, including legal professionals, practitioners, academics, and students, and fostered thoughtful and engaging discussions on both the theoretical and practical aspects of cross-border dispute resolution. The workshop also offered a valuable platform for meaningful exchanges between participants and experienced experts, allowing attendees to explore emerging issues and develop strategies for navigating the

evolving international ADR landscape.

I would like to extend my sincere appreciation to our distinguished speakers—Mr. Philip Qiao, Mr. Man Sing Yeung, Vice President of AIADR, and Mr. Lee Tze Jiet—for generously sharing their expertise, insights, and practical perspectives, which greatly enriched the discussions and contributed to the success of the session. This collaboration with NIAC and CACACC underscored the importance of regional and international partnerships in promoting professional development and innovation in dispute resolution practices. I also extend my sincere thanks to our partners and participants for their invaluable contributions, which made this initiative a resounding success.

3. Thirdly, AIADR was proud to serve as a Supporting Organization for Muscat Arbitration Days 2025, hosted by the Oman Commercial Arbitration Centre from 2 to 4 December 2025. As one of the region’s premier international arbitration events, Muscat Arbitration Days brought together leading practitioners, renowned experts, and key institutions for high-level discussions, workshops, and networking sessions aimed at strengthening both regional and global arbitration frameworks. During the event, I had the privilege of officiating the signing of a Memorandum of Understanding between AIADR and the Oman Commercial Arbitration Centre. This agreement reflects the shared commitment of both institutions to advancing ADR practices and enhancing international cooperation. I was also honoured to participate as a panellist in a session on Arbitration in Financial and Construction Disputes, where I shared perspectives on emerging trends, challenges, and best practices in these important sectors. These engagements further reinforced AIADR’s role as an active and respected participant in the global arbitration community.

4. Next, I would like to highlight AIADR’s ongoing support for capacity building, youth engagement, and thought leadership through competitions and international forums. AIADR is honoured to serve as a Supporting Organization for the NLUJ International Deal Negotiation Competition, organised in collaboration with A&O Shearman, which will take place from 27 February

to 1 March 2026 in Jodhpur, India. Featuring 32 outstanding teams from around the world, this competition offers a unique and immersive platform for participants to develop and showcase advanced negotiation skills within a realistic, cross-border commercial context.

Participants will also benefit from a customised training session delivered by A&O Shearman, as well as multiple networking opportunities with peers and leading practitioners. This initiative reflects AIADR's strong commitment to experiential learning, professional development, and nurturing the next generation of dispute resolution professionals.

5. Lastly, I was honoured to participate in the International Arbitration Retreat 2026, held in Sanya, China, and hosted by the Hainan International Arbitration Centre (HIAC). In my capacity as a Board Member of HIAC, I delivered the keynote address "Sports Arbitration in a Globalised Sports Economy", sharing insights into the evolving role of arbitration within the international sports industry and the broader commercial context of modern sport. I also contributed as a panel speaker in the session titled "Arbitrator Career Development Path", where I shared perspectives on professional growth, capacity building, and career development within the arbitration community. These engagements reaffirm AIADR's commitment to thought leadership and global collaboration.

With that, I would like to conclude by expressing my sincere gratitude to all our members for your unwavering support and active participation in AIADR's programmes and events. Your commitment inspires us to continuously innovate and elevate our work. Looking ahead to 2026, I am confident that together we will continue to strengthen our community, deliver greater value to our members, and advance the practice of alternative dispute resolution on a global scale.



Climate Migration and ADR: Enforceability of International Agreements In Southeast Asian Refugee Disputes

2026



Nikitha K,

I'm a final-year student and am attending the three-year degree course of the LLB program at SRM University, Chennai. Being motivated by the desire to pursue justice and social change, I have been immersed in the richness of legal studies along my educational path, simultaneously balancing an academic work regimen with hands-on experience via moot court competitions and legal services work. My academic concerns center around Alternative Dispute Resolution, where mediation and arbitration constitute effective channels to agreement; environmental law, where the promotion of sustainable policy programs is the solution to current climatic crises; and medical law, where ethical dilemmas are main obstacles to be overcome in healthcare delivery. Having a desire to tie the gap between theory and practice, my dream is to be involved in creating effective inclusive legal reforms capable of giving a voice to the marginalized.

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ABSTRACT

The problem of climate change is causing people to move out of Southeast Asia, where the increasing sea levels, drastic weather, and limited resources are posing threats to the ecosystem and livelihood. This migration puts the security of the region in danger and puts a strain on international frameworks established to secure refugees. The article examines the effectiveness of major agreements such as the 1951 Refugee Convention, the 2015 Paris Agreement, and regional instruments of ASEAN regarding the effective implementation of key agreements to manage climate refugees in Bangladesh, Myanmar, and the Philippines. It poses the question of whether these pacts have any real protection on the ground. Despite the fact that such conventions force the states to collaborate and safeguard displaced individuals, there are loopholes. Non-ratification, fear of loss of national sovereignty and ineffective dispute-resolution mecha-

nisms continue to keep the majority of migrants in the uncertain limbo as the Rohingya crisis and Pacific atoll displacements demonstrate. Alternative Dispute Resolution (ADR), such as mediation, arbitration, is a flexible, culturally sensitive method of dealing with cross-border disputes. As opposed to protracted court proceedings, ADR is able to localize and provide binding results in a shorter period of time. The research shows that ADR can operationalize the concept of complementary protection in human rights law with the use of case studies and by applying the doctrinal analysis. It is able to make tangible outcomes via ASEAN forums or hybrid international panels where regional and global norms are combined. Key challenges remain. The presence of power imbalance among states, inability of migrants to exercise their agencies and a necessity to align ADR processes with environmental commitments in the UN Framework Convention on Climate change (UNFCCC), complicate implementation. The results lead to recommending the

implementation of ADR protocols into new accords and reinforced regional institutions such as the ASEAN Intergovernmental Commission on Human Rights (AICHR). Development of capacity within the region will assist in closing the gaps in enforcement. ADR is able to translate speeches into protection by ensuring that enforceability goes hand-in-hand with equity. It provides a route where climate-displaced individuals in Southeast Asia can get stable solutions given that the world is facing the projected 216 million climate-displaced individuals by the year 2050.

INTRODUCTION

The Southeast Asia is vulnerable to the effects of climate change through migration due to the increasing sea-level, harsh weather patterns, and reduced resources.¹ This crisis displaces millions and puts a strain on the current international systems of refugees.² The article examines the effectiveness of major treaties, which are the 1951 Refugee Convention, the 2015 Paris Agreement, and the regional tools of ASEAN to enforce their conferences and settle crises relating to climate refugees in Bangladesh, Myanmar, and the Philippines.³ Despite the protection and cooperation, their enforcement is flawed with gaps, created by non-ratification, sovereignty issues and ineffective dispute-solver mechanisms, which leave migrants in limbo.⁴ This is depicted by the Rohingya crisis and displaced Pacific atoll residents.⁵ Another viable solution is the Alternative Dispute Resolution (ADR) which is mediation and arbitration.⁶ It offers culturally competent and adaptable methods of settling intercountry disputes expeditiously without having to go through lengthy court proceedings.⁷ Based on the doctrinal analysis and case studies, the study demonstrates that ADR has the ability to bring to bear the notion of conceptualization of the doctrine of complementary protection under

human- rights law.⁸ It has the capability of coming up with binding resolutions using forums under ASEAN or mixed international panel.⁹ Among the challenges, the power disparities among the states, the small agency of the migrants, and the necessity to coordinate ADR with the environmental duties of the UN Framework Convention on Climate Change (UNFCCC) are key challenges.¹⁰ The results suggest the need to make new agreements that entrench ADR protocols and reinforce regional institutions like the ASEAN Intergovernmental Commission on Human Rights (AICHR).¹¹ Through endorseability and equity, ADR will be able to transform promises into genuine safeguards, so that the climate-displaced citizens of Southeast Asia will have long-term solutions in as much as the global crises are likely to encounter 216 million people by 2050.¹² The study contributes to the multidisciplinary discussion and calls on policymakers to render ADR one of the foundations of resilient and rights-based migration governance.¹³

KEY WORDS

Climate Migration, Alternative Dispute Resolution (ADR), Southeast Asia, Refugee Disputes, International Agreements, Enforceability, Rohingya Crisis, Paris Agreement, ASEAN Human Rights, Global Compact on Refugees

LITERATURE REVIEW

Climate migration and ADR research in Southeast Asia has grown up to focus on descriptive studies of drivers of displacement to critical consideration of enforcement failures.¹⁴ Classical sources, including the article of McAdam about Climate Change, Forced Migration, and International Law (2012) note that the 1951 Convention does not adequately protect environmental refugees and in fact suggest that it should be supplemented with other human rights measures.¹⁵ Recent works such as a University of Chicago International Law Journal

1 World Bank, Groundswell Part II: Acting on Internal Climate Migration (2021) 45.

2 Internal Displacement Monitoring Centre, 'Global Report on Internal Displacement 2025' (2025) accessed 9 October 2025.

3 Convention Relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137 (Refugee Convention); Paris Agreement (adopted 12 December 2015, entered into force 4 November 2016) 55 ILM 740; ASEAN, 'ASEAN Human Rights Declaration' (18 November 2012) accessed 9 October 2025.

4 Jane McAdam, Climate Change, Forced Migration, and International Law (OUP 2012) 120.

5 UNHCR, 'Rohingya Refugee Response Bangladesh' (2025) accessed 9 October 2025; Pacific Islands Forum, 'Bo Declaration on Regional Security' (2008) accessed 9 October 2025.

6 Asian Development Bank, 'Alternative Dispute Resolution in Asia: Opportunities and Challenges' (2024) accessed 9 October 2025.

7 Hong Kong International Arbitration Centre, 'Guidelines on Mediation' (2025) accessed 9 October 2025.

8 Jane McAdam, Complementary Protection in International Refugee Law (OUP 2007) 150.

9 ASEAN Intergovernmental Commission on Human Rights, 'Thematic Study on Migration' (2023) accessed 9 October 2025.

10 United Nations Framework Convention on Climate Change (adopted 9 May 1992, entered into force 21 March 1994) 1771 UNTS 107 (UNFCCC), art 4.

11 ASEAN, 'Terms of Reference of the ASEAN Intergovernmental Commission on Human Rights' (2009) accessed 9 October 2025.

12 World Bank, Groundswell Part II: Acting on Internal Climate Migration (2021) 50.

13 P J Blount, 'ADR as Soft Power in Transboundary Disputes' (2024) 15 Commons J 200.

14 Jane McAdam, Climate Change, Forced Migration, and International Law (OUP 2012) 45.

15 McAdam (n 14) 120.

essay on global structures highlight how Southeast Asia has regulatory failures of gaps such that the ASEAN Declaration on Human Rights in 2012 is insufficient without enforcement systems.¹⁶ There are still empirical gaps in post 2025 ADR efficacy.¹⁷ The 2024 report by ADB on the adoption of ADR in developing Asia observes opportunities of investor-state mediations but fails to consider the voice of migrants, and a review conducted by Nature in 2024 relates Vietnam-Myanmar migrations to unfilled obligations under UNFCCC.¹⁸ All of this literature supports a view that ADR has the ability to offer culturally sensitive solutions, although critical interdisciplinary research is necessary to implement settlements in the face of growing 216 million intercontinental displacements by the mid-century.¹⁹

RESEARCH METHODOLOGY

This paper follows a doctrinal-comparative method, as it is a synthesis of primary sources, i.e., the 1951 Refugee Convention, the 2015 Paris Agreement, and ASEAN instruments.²⁰ It supplements them by secondary analyses based on UNHCR reports, ICJ advisory opinions, and peer-reviewed journals until October 2025.²¹ The comparative analysis contrasts cases of Southeast Asia, such as the Rohingya crisis and the ADR-related displacements in the Philippines, with the international standards, including the Nansen Initiative, in terms of ADR enforceability.²² We evaluate them using mediation results and arbitration awards using thematic coding.²³ Sources include UNOOSA archives, ADB policy papers, and case databases, including the 2025 climate-obligations opinion of ICJ, and also including regional views expressed by ASEAN summits, based on the accessibility of sources in

the English language.²⁴ The major fieldwork was not carried out and, rather, archival synthesis provided evidence-based information on deficits and required reforms, to justify specific recommendations on ADR-enhanced governance.²⁵

1. CLIMATE MIGRATION DYNAMICS IN SOUTHEAST ASIA

1.1 Forces and Trends of the Displacement.

Southeast Asia is under pressure due to numerous hazards which are the cause of climate migration.²⁶ The rise in sea level will submerge the Sundarbans in Bangladesh and dislocate 18 million people by 2050.²⁷ The Philippines is struck by typhoons, with 1.3 million evacuations, in 2023 being the result of the same.²⁸ These occurrences are mixed in a way that some are slow-onset hazards, such as droughts in Myanmar, and others are sudden-onset disasters.²⁹ Individuals tend to move across permeable borders without going through the legal channels.³⁰ Majority of the movements are internal, but they are becoming more transboundary.³¹ In the absence of the refugee status, migrants are left to languish in the limbo camps or slums in urban areas.³² The policy of non-interference of ASEAN makes a coordinated response hard.³³

1.2 Populations and Human Security at Risk.

Low-income populations in the coasts are the most vulnerable, as well as indigenous communities in the Mekong Delta of Vietnam and Rohingya refugees in Myanmar.³⁴ There are 70% women and children among the displaced persons.³⁵ They are more exposed to gender-based violence and lack of food.³⁶ According to UNHCR (2025 report), in the region, there are over 1 1/2 million climate and internally

16 Anon, 'Global Frameworks for Climate Migration' (2025) 50 U Chi Int'l LJ 300.

17 Asian Development Bank, 'Alternative Dispute Resolution in Asia: Opportunities and Challenges' (2024) accessed 9 October 2025.

18 Asian Development Bank (n 17) 50; Anon, 'Vietnam-Myanmar Migrations and UNFCCC Obligations' (2024) 630 Nature 789.

19 Blount (n 13) 210; World Bank (n 12) 55.

20 Refugee Convention (n 3); Paris Agreement (n 3); ASEAN Human Rights Declaration (n 3).

21 UNHCR, 'Global Trends Report 2025' (2025) accessed 9 October 2025; Request for an Advisory Opinion on Climate Obligations [2025] ICJ Rep 1.

22 Nansen Initiative, 'Agenda for the Protection of Cross-Border Displaced Persons' (2015) accessed 9 October 2025.

23 HKIAC Guidelines (n 7).

24 United Nations Office for Outer Space Affairs, 'Archives on Climate and Migration' (2025) accessed 9 October 2025; ADB (n 17); ICJ Advisory Opinion (n 21); ASEAN, 'Summit Declarations' (2025) accessed 9 October 2025.

25 McAdam (n 14) 200.

26 World Bank (n 12) 60.

27 IDMC (n 2) 65.

28 UNHCR Global Trends (n 21) 70.

29 Nansen Initiative (n 22) 75.

30 McAdam (n 8) 80.

31 World Bank (n 12) 85.

32 UNHCR (n 5) 90.

33 ASEAN Human Rights Declaration (n 3).

34 Nature Review (n 18) 95.

35 UNHCR (n 21) 100.

36 IDMC (n 2) 105.

displaced people (IDPs).³⁷ Due to the vulnerability of protections, such groups are very susceptible.³⁸ This underscores why relocations using ADR should be done to safeguard human security.³⁹

1.3 Geopolitical and Economic Implications in the Region

Host economies are subject to migration pressures.⁴⁰ The 2025 floods in Thailand took in 500,000 Myanmar migrants which created tensions in labour market and resources.⁴¹ Geopolitics, including the fact that the ASEAN talks on Rohingya have been frozen due to geopolitical reasons, augmented border securitization of humanitarian aid.⁴² These obstacles have necessitated the use of ADR to help in reducing tensions and synchronizing economic sustainability and migration governance.⁴³

2. INTERNATIONAL LEGAL FRAMEWORK FOR CLIMATE REFUGEES

2.1 The core obligations and agreements

The core obligations and agreements embodied in standard are as follows: The persecution connection spelt out in the 1951 Refugee Convention excludes climate-related occurrences.⁴⁴ Nevertheless, Article 8 of the Paris Agreement and the 2015 Sendai Framework compel states to offer adaptation funds to support the displaced individuals.⁴⁵ UNFCCC mechanism through the Warsaw will allocate approximately 100 billion dollars annually, yet nations in Southeast Asia do not get any more than 10 percent of these funds.⁴⁶ These agreements form a patch of protections which are greatly reliant on goodwill cooperation.⁴⁷

2.2 Loopholes in Recognition of Refugee Status.

Nations, which are not the signatories of the

37 UNHCR (n 21) 110.

38 McAdam (n 4) 115.

39 Blount (n 13) 120.

40 ADB (n 17) 125.

41 IDMC (n 2) 130.

42 ASEAN Summit Declarations (n 24).

43 ADB (n 17) 135.

44 Refugee Convention (n 3) art 1.

45 Paris Agreement (n 3) art 8; Sendai Framework for Disaster Risk Reduction 2015–2030 (adopted 18 March 2015) UN Doc A/CONF.224/CRP.1.

46 UNFCCC (n 10) art 9; Warsaw International Mechanism for Loss and Damage, Decision 2/CP.19 (2013) UN Doc FCCC/CP/2013/10/Add.1.

47 McAdam (n 14) 140.

48 UNHCR (n 5) 145.

49 McAdam (n 8) 150.

50 ICJ Advisory Opinion (n 21) [30].

51 Blount (n 13) 155.

52 Global Compact on Refugees (adopted 17 December 2018) UN Doc A/73/12 (Part II).

53 ASEAN, 'Hanoi Declaration on Migration' (2023) accessed 9 October 2025.

54 ADB (n 17) 160.

55 HKIAC Guidelines (n 7).

Convention like Indonesia and Malaysia, do not offer refugee protection leaving 2.6 million Rohingya without a legal status.⁴⁸ The status of climate refugee is also not a recognised one.⁴⁹ The 2025 advisory opinion of the ICJ recognizes the responsibilities of the states to minimise emissions, but not migration rights, hence the ad hoc policies are still on the domestic level.⁵⁰ This loophole may create a controversy about the right to access the borders and the ways aid is dispensed.⁵¹

2.3 Implementation of Mechanisms and limitations.

Sharing the burden of the refugees is spread in the Global Compact on Refugees but the implementation is based on the voluntary cooperation.⁵² The 2023 ASEAN Hanoi declaration lacked a binding declaration clause that would resolve issues of conflict, and thus the various repatriations remain stalled and many promises made in the Paris Agreement remain unfulfilled, particularly with states seeking their sovereignty.⁵³ Due to the lack of a clear dispute-resolution mechanism, the backlog in local courts in terms of litigation has been increasing.⁵⁴

3. THE ROLE OF ADR IN RESOLVING MIGRATION DISPUTES

3.1 Mediation as a Cross-Culturally sensitive instrument.

According to the 2025 guidelines of HKIAC, mediation encourages the conversation in the ASEAN contexts.⁵⁵ As an illustration, Thai-Myan water-sharing mediation overcame 2024 flood-displacement problems and established neo-adversarial space by migrant-state **Part IV: Section 11 Orders & Arbitrability**

agreement.⁵⁶ Such flexibility is flexible to a variety of refugee claims.⁵⁷

3.2 Binding Arbitration to Enforce the Enforcement.

Clauses of Paris loss-and-damage are imposed by arbitration under UNCITRAL guidelines.⁵⁸ The example of ADB 2024 Vietnam panel shows that it awarded adaptation funds valued at 50 million dollars and imposed enforceable awards that would force cross-border compliance.⁵⁹ The fact that the rule requires parties to consent to it, however, restricts the universality of the rule.⁶⁰

3.3 Innovations and Hybrid ADR Models.

Hybrid models which introduce mediation and expert determination like the 2025 SIAC Green Protocol in Singapore incorporate environmental evaluation into negotiations on refugees.⁶¹ They solve Rohingya sea conflicts through neutral facilitators.⁶² Water such innovations enhance enforceability by use of technology driven virtual sessions.⁶³

4. CASE STUDIES FROM SOUTHEAST ASIA

The Crisis of Cooperation. In 2017 approximately 1 million Rohingya were displaced in a Rohingya exodus during cyclones that illustrated the loopholes in the Convention.⁶⁴ Repatriation could not be achieved through the mediation efforts engaged by Bangladesh backed by ASEAN.⁶⁵ The trials of the International Court of Justice in 2025 revealed that no obligations related to human rights were implemented.⁶⁶ These frozen negotiations may be unlocked by arbitration a dispute resolution (ADR).⁶⁷

4.2 Philippine Typhoon Displacement and Regional Spillover.

56 MRC, 'Mediation Report on Mekong Floods' (2024) accessed 9 October 2025.

57 Blount (n 13) 165.

58 UNCITRAL Model Law on International Commercial Arbitration 1985 (with amendments as adopted in 2006) UN Doc A/40/17 annex I.

59 ADB (n 17) 170.

60 UNCITRAL (n 58) art 1.

61 Singapore International Arbitration Centre, 'SIAC Green Protocol' (2025) accessed 9 October 2025.

62 UNHCR (n 5) 175.

63 SIAC (n 61).

64 UNHCR (n 5) 180.

65 ASEAN Hanoi Declaration (n 53).

66 ICJ Advisory Opinion (n 21) [40].

67 Blount (n 13) 185.

68 IDMC (n 2) 190.

69 UNHCR (n 21) 195.

70 ASEAN Charter (adopted 20 November 2007, entered into force 15 December 2008) art 27.

71 UNFCCC, 'COP29 Decisions on Loss and Damage' (2025) accessed 9 October 2025.

72 ICJ Advisory Opinion (n 21) [50].

73 ADB (n 17) 210.

74 AICHR Terms of Reference (n 11).

75 ADB (n 17) 215.

76 UNFCCC (n 10) art 13.

Super Typhoon Rolly (2020) displaced half a million citizens and entered Indonesia.⁶⁸ According to the 2025 review by UNHCR, bilateral arbitration under the ASEAN Charter settled aid issues but hindered on the status recognition.⁶⁹ This case highlights the cross-border usefulness of ADR.⁷⁰

5. PATHWAYS FOR ENHANCED ENFORCEABILITY

5.1 Incorporation of ADR into Renewed Agreements.

To amend the Paris Agreement by incorporating compulsory ADR annexes under the 2025 loss-and-damage fund suggested in COP29 would force Southeast Asian countries to resolve conflicts.⁷¹ The solution would seek to utilize the advisory system adopted by the International Court of Justice as a means of accountability in order to make flexibility institutional.⁷²

5.2 Capacity Building and Regional Institutions.

Training the Asian Institute of Conflict Resolution (AIHR) in ADR, as presented in the 2025 blueprint of UNFCCC, 'COP29 Decisions on Loss and Damage' (2025) accessed 9 October 2025.⁷³ The Asian Development Bank, would enable ASEAN to manage refugee mediations. Migrant representatives are involved in the training as a way of correcting power imbalance in enforcement.⁷⁴ Pilot programs would be able confirm the approach.⁷⁵

5.3 Surveillance and Control Systems.

Digital systems that monitor ADR processes, being related to UNFCCC reporting, ensure adherence following the signing of agreements.⁷⁶

The portal of Rohingya 2025 in Thailand is a pilot, and it demonstrates the effectiveness of such tools in minimizing recurrent disputes.⁷⁷ These instruments encourage the long-term enforceability.⁷⁸

RECOMMENDATIONS

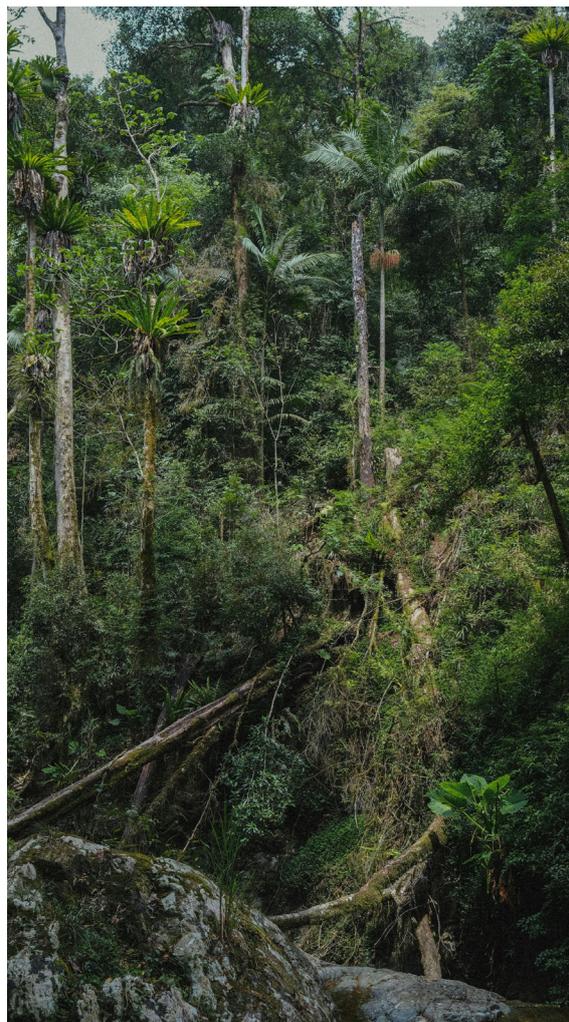
Southeast Asian states should also ratify an optional protocol to the 1951 Convention which has climate triggers so as to enhance enforcement.⁷⁹ The protocol would ensure that ADR becomes the default solution to a dispute involving refugees and, in this regard, ASEAN would spearhead the development of regional arbitration centres according to the green protocols of SIAC.⁸⁰ The available UNFCCC funds might be used in the capacity-building activities to educate the mediators on cultural sensitivity.⁸¹ This aims at resolving 50 percent disputes in a six-month time.⁸² The migrant voices would be incorporated using hybrid virtual forums, which will break the sovereignty barriers.⁸³

Another thing that policymakers should establish is a ASEAN Climate Migration Fund of \$500million.⁸⁴ It would be financed by Paris contributions and the fund could offer relocation and other ADR results.⁸⁵ To guarantee the compliance and equity, UNHCR would independently monitor it so that the estimated number of 403 million displaced could not be stateless.⁸⁶ Introducing such steps in the risky routes like the Andaman Sea would transform the aspirational agreements to actional policies and strike a balance between the enforcing and the solidarity of regions.⁸⁷

CONCLUSION

In Southeast Asia, climate migration cannot be achieved by mere paper-based agreements, it demands nimble conflict-resolution mechanisms to deal with the problem of enforcement, whether it is Rohingya repatriation or Mekong relocations.⁸⁸ As this analysis indicates, the 1951 Convention and the Paris agreements, despite the visionary provisions, do not have binding mechanisms, and this means that the 8million displaced individuals

will languish on in 2025.⁸⁹ This will allow Southeast Asia to implement fairness by integrating mediation and arbitration whereby the consensus mechanism applied by ASEAN would establish enduring agreements.⁹⁰ The resolution has to increase with the rise in sea level: ADR is not a panacea, but an intermediate step towards a safer future when refugees are greeted, not rejected.⁹¹



77 UNHCR (n 5) 220.

78 Blount (n 13) 225.

79 Refugee Convention (n 3), proposed optional protocol discussed in McAdam (n 14) 230.

80 SIAC Green Protocol (n 61).

81 UNFCCC (n 10) art 9.

82 HKIAC Guidelines (n 7).

83 ADB (n 17) 235.

84 ASEAN, 'Proposed Climate Migration Fund' (2025) accessed 9 October 2025.

85 Paris Agreement (n 3) art 9.

86 World Bank (n 12) 240; UNHCR (n 21) 245.

87 Blount (n 13) 250.

88 UNHCR (n 5) 255; MRC Mediation Report (n 56).

89 Refugee Convention (n 3); Paris Agreement (n 3); IDMC (n 2) 260.

90 ASEAN Charter (n 70) art 2.

91 McAdam (n 4) 265.

AIADR x NIAC x CACACC Online Workshop: Introduction to International Arbitration – Trends, Strategies, and Career Opportunities



On 3 December 2025, the Asian Institute of Alternative Dispute Resolution (AIADR), in collaboration with the Nanning International Arbitration Commission (NIAC) and the China-ASEAN Commercial Arbitration Cooperation Center (CACACC), successfully hosted an online workshop conducted entirely in Mandarin. This event represented a key milestone in AIADR's ongoing commitment to fostering professional development, knowledge exchange, and regional collaboration in the field of international arbitration across the Asia-Pacific region. By bringing together leading arbitration institutions and practitioners, the workshop provided an important platform for sharing insights on contemporary arbitration practices and developments.

The workshop attracted an impressive audience of over 600 participants, including legal professionals, practitioners, academics, and students from across Asia and beyond. The substantial participation reflects not only the growing interest in interna-

tional arbitration but also the increasing demand for practical, applicable knowledge that can be utilized in cross-border dispute resolution. Delivered via the VooV and Tencent Meeting platforms, the online format ensured wide accessibility, allowing participants to benefit from the content regardless of geographical location. The seamless online delivery highlighted the ability of digital platforms to expand professional development opportunities to a broad audience.

The program featured three distinguished speakers, each providing a unique and expert perspective on critical aspects of international arbitration. Mr. Philip Qiao opened the workshop with an in-depth discussion on the legal framework underpinning international arbitration, focusing on the UNCITRAL Model Law, the New York Convention, and the practical considerations surrounding enforcement of arbitral awards. He elaborated on how these foundational instruments guide the conduct of

arbitration worldwide and examined the practical challenges that professionals may encounter when seeking enforcement across different jurisdictions. His presentation not only clarified the legal underpinnings of international arbitration but also offered participants practical guidance that can be applied in real-world professional scenarios, from drafting enforceable arbitration clauses to understanding the procedural frameworks that govern cross-border disputes.

Following that, Mr. Man Sing Yeung, Vice President of AIADR, shared his expertise on global trends in international arbitration. He provided participants with a comprehensive overview of the evolving landscape, emphasizing how arbitration continues to respond to changes in international commerce, technology, and regional economic integration. He highlighted emerging sectors within arbitration, including sports arbitration and investment arbitration, and discussed the increasing role of technological solutions, such as online dispute resolution platforms, in shaping contemporary practices. By highlighting these developments, his presentation encouraged participants to understand the broader shifts within the arbitration landscape and anticipate future opportunities and challenges that may affect their professional practice.

The workshop concluded with a session by Mr. Lee Tze Jiet, focusing on career opportunities within international arbitration. His presentation offered practical guidance for individuals aspiring to become international arbitrators, outlining the essential skills, knowledge, and professional qualities necessary to succeed in this dynamic field. Mr. Lee emphasized the importance of continuous professional development, networking, and active participation in both regional and international arbitration communities. His discussion also highlighted the diverse pathways available in arbitration, from serving as a practitioner in commercial or investment disputes to contributing to the development of arbitration institutions. His session provided participants with a clearer understanding of how to plan and build a career in international arbitration, offering practical advice and inspiration for professional growth.

The success of the workshop is a testament to the

importance of regional collaboration in advancing alternative dispute resolution. By bringing together AIADR, NIAC, and CACACC, the event facilitated meaningful knowledge exchange across borders and reinforced the value of cooperative initiatives in harmonizing arbitration practices. Participants from Malaysia and China were able to benefit from a shared understanding of contemporary arbitration practices, regulatory frameworks, and professional development pathways. This cross-border exchange is particularly important in an era where commercial and investment disputes increasingly span multiple jurisdictions, requiring practitioners to be informed of diverse legal frameworks and emerging global trends.

Moreover, the workshop reflects AIADR's continued commitment to capacity building and professional education within the field of arbitration. By providing high-quality content delivered in Mandarin, AIADR ensures that professionals across the Asia-Pacific region are equipped to navigate the complexities of international dispute resolution, adapt to evolving procedural and legal frameworks, and contribute to the growth of arbitration practices in their jurisdictions. The participation of over 600 attendees highlights both the demand for such specialized knowledge and the effectiveness of AIADR's initiatives in meeting the professional development needs of the regional arbitration community.

In conclusion, the AIADR x NIAC x CACACC Online Workshop was a highly successful and impactful event. It offered participants practical knowledge, guidance on career development, and insights into the latest trends and legal frameworks governing international arbitration. The workshop reinforced the importance of continuous professional development, cross-border collaboration, and knowledge sharing in promoting excellence in arbitration. By bringing together leading experts and institutions, AIADR, NIAC, and CACACC have set a strong benchmark for future initiatives aimed at supporting the professional growth of practitioners across the region. AIADR looks forward to organizing more workshops, training programs, and educational initiatives in the future, continuing its mission to enhance professional expertise, foster collaboration, and strengthen the international arbitration community across Asia and beyond.

Introduction to the AIADR Professional Development and Education Committee (PDEC)

2026



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The Professional Development & Education Committee (PDEC) is a core pillar of the Asian Institute of Alternative Dispute Resolution (AIADR), entrusted with overseeing and advancing the Institute's education, training, and continuous professional development (CPD) functions. The Committee plays a pivotal role in strengthening professional standards and enhancing capacity building across the alternative dispute resolution (ADR) community.

The primary mandate of the PDEC is to develop, implement, and oversee policies, regulations, rules, standard operating procedures, and guidelines relating to education, training, and CPD. This includes designing and establishing structured educational curricula and CPD programmes for each grade of AIADR membership, subject to Council approval, to ensure consistency, quality, and alignment with recognised professional and international standards.

In fulfilling its responsibilities, the PDEC establishes the requirements, rules, and procedures for the development of AIADR's teaching faculty, drawing from experienced members of the Institute as well as suitably qualified external experts. The Committee is responsible for identifying, assessing, and appointing faculty members to meet the Institute's evolving educational needs. It also oversees the continuous development, review, and enhancement of course materials and training modules to support professional advancement and membership progression.

The PDEC further organises and delivers training programmes and courses for both new and existing members. It establishes course fees, costs, honorariums, and budgets for Council approval, ensuring transparency, accountability, and sustainability in the delivery of educational initiatives. Working closely with the Secretariat, the Committee develops, coordinates, and promotes the annual Course Calendar to members, ADR service users, stakeholders, and academic institutions worldwide.

Through these responsibilities, the Professional Development & Education Committee (PDEC) serves as a key driver of AIADR's commitment to excellence in ADR education and professional development. By maintaining robust training frameworks, competent faculty, and well-structured programmes, the PDEC supports the continuous growth of AIADR members and reinforces the Institute's standing as a trusted leader in ADR education and capacity building.



RAMMIT KAUR
CHAIRPERSON

Rammit Kaur is a seasoned dispute resolution consultant with over 25 years of experience spanning legal practice, corporate counsel, and alternative dispute resolution. As the founding partner of a consultancy firm, she leads a multidisciplinary team providing expert services in construction claims, ADR, and legal advisory support, complemented by bespoke in-house training programmes.

A Fellow of the Chartered Institute of Arbitrators (UK) and an Accredited Mediator, Rammit is regularly appointed as an arbitrator, adjudicator, and mediator. Formerly the Head of Legal Services at the Asian International Arbitration Centre (AIAC), she played a pivotal role in its transformation into a globally respected institution and was instrumental in drafting and revising the AIAC Arbitration and Mediation Rules.

Her expertise spans construction, infrastructure, transportation, oil and gas, and international dispute resolution. Rammit also co-authored *Practice and Procedure of Mediation in Malaysia* (Thomson Reuters, 2021), reflecting her commitment to advancing ADR practice in the region.



SHANNON RAJAN
VICE-CHAIRPERSON

Shannon Rajan is a leading Malaysian arbitration practitioner and a Fellow of CIArb, AIADR and the Malaysian Society of Adjudicators, where he presently serves as Chair. He acts as both arbitrator and counsel in complex infrastructure, engineering and commercial disputes, and is empanelled as an arbitrator with AIAC, DIAC, HKIAC and BICAM. His arbitral practice spans design and engineering defects, delay and acceleration claims, performance bonds, and multi-party construction failures, often involving highly technical issues and parallel proceedings.

Shannon's cross-disciplinary expertise allows him to integrate arbitration seamlessly with mediation, construction adjudication and targeted bespoke mechanisms, creating resolution pathways that are efficient, commercially pragmatic and procedurally sound. He is also an IMI-certified Mediation Advocate and a panel mediator with MMC, SIMI and SMC.

Known for strategic clarity and practical risk management, Shannon frequently guides clients through arbitration-related regulatory interfaces, ensuring disputes are resolved with durability, structure and stakeholder confidence.

Highlights

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DONNA ROSS **MEMBER**

Donna Ross is an international arbitrator and mediator who is admitted to practice in New York and Australia and also holds a French civil law degree. She is multi-cultural and multilingual, having lived and worked in jurisdictions across the globe.

Donna is experienced in high-value, complex disputes and deals in IT, IP, private equity, property, construction, shipping, JV and shareholder matters, import, licensing and distribution, franchising, hospitality and the medical and wine industries.

She is an adjunct professor at the National University of Singapore Law Faculty, a Fellow and faculty member of CIArb and a director of the Singapore Branch, a Fellow and graded arbitrator of Resolution Institute, a Fellow of ACICA, an IMI and SIMI Certified Mediator, and an Accredited Specialist in Mediation Law.

She serves on ArbitralWomen's Advisory Council, panels of domestic and international institutions and is highly skilled in ODR.



MICHAEL MARLOWE UY, **MEMBER**

Michael Marlowe Uy, FCIArb, FAIADR, is a lawyer, commercial arbitrator, intellectual property mediator, and educator based in the Philippines. He currently serves as the Deputy Secretary General for Operations of the Philippine International Center for Conflict Resolution (PICCR).

Mr. Uy is an accredited arbitrator with the PICCR, the Philippine Dispute Resolution Center (PDRC), and the Office for Alternative Dispute Resolution (OADR) of the Philippine Department of Justice. He is also on the panel of arbitrators in different arbitral institutions in Asia and Europe.

Furthermore, Mr. Uy is an accredited mediator with the Intellectual Property Office of the Philippines (IPOPPL) and is listed as a neutral for both arbitration and mediation at the WIPO Arbitration and Mediation Center.

He earned a Master in International Law, Foreign Trade and International Relations from ISDE (Madrid), a Juris Doctor from the University of the Philippines College of Law, a Master of Arts in Humanities with specialization in History, and a Bachelor of Arts Major in Humanities from the University of Asia and the Pacific. He is currently pursuing an Executive LL.M. at the Católica Global School of Law (Lisbon).

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DR. CHRISTOPHER TO MEMBER

Dr. Christopher To is a chartered arbitrator, certified adjudicator and accredited mediator, chartered engineer, chartered information technology professional, barrister-at-law and a law professor (adjunct) who is on the panels of various leading global alternative dispute resolution bodies. He has arbitrated, adjudicated and mediated a variety of cases and is representing clients in cases within the dispute resolution field. Christopher is currently a barrister at law at Gilt Chambers and the Programme Director of the LLM in Arbitration and Dispute Resolution at the City University of Hong Kong and was the Secretary-General of the Hong Kong International Arbitration Centre (1998 to 2008).

He is the Chairperson of the Hong Kong Mediation Council (a wholly owned entity of the Hong Kong International Arbitration Centre), Chairperson of the Hong Kong Mediator Accreditation Association Limited, Mediator Accreditation Committee (the body that accredits mediators in Hong Kong), Past Chairperson of Construction Dispute Resolution Committee of the Hong Kong Institution of Engineers and Past Chairperson of the Hong Kong Institute of Directors. He is also the Chairperson of the Buildings Appeal Tribunal, Member of the Securities and Futures Appeals Tribunal and an Advisory Member of the Accounting and Financial Reporting Council.



MICHAEL COVER MEMBER

Michael is a full time third party neutral and a Member of ArbDB Chambers. He has over 35 years' experience as both In-house Counsel and in private practice and now in dispute resolution.

He is a Fellow of the Chartered Institute of Arbitrators and a Chartered Arbitrator and an Accredited Mediator with CEDR and a Certified Mediator with IMI and SIMI. He accepts appointments as arbitrator, mediator, adjudicator and dispute board member. He has handed down over 130 arbitral awards and acted as mediator in over 260 cases. He is on the Panels of Arbitrators and Mediators of many of the leading institutions around the world, including the AAA-ICDR, the AIAC, CEDR, the CPR Panel of Distinguished Neutrals, the DIAC, HKIAC, IPOS Mediation, SCCA, SCMA and UK Adjudicators and the Panel of Experts of the World Forum of Offshore Wind.

Michael is a Liveryman of the Worshipful Company of Arbitrators and the Worshipful Company of Arbitrators and a Member of the Baltic Exchange.

Highlights

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LAI SZE CHING **MEMBER**

Lai Sze Ching is a lawyer cum engineer with tremendous amount of experience in construction as well as the management of the construction projects. He specialized in the resolution of the disputes in relation to construction works. Over the years he has acted as sole arbitrator, co-arbitrator, adjudicator and counsel for parties in arbitration and adjudication of construction disputes. Mr. Lai is currently the Partner of a firm specializing in construction claims and contract management for engineering projects. He is also the Managing Director of a Project Management company acting as Project Management Consultant for engineering and construction projects.

He is currently empaneled as arbitrator, adjudicator and mediator in Asian International Arbitration Centre, as Arbitrator and Adjudicator in the panel of Institution of Engineers Malaysia, as Arbitrator and Mediator in the panel of Borneo International Centre for Arbitration and Mediation and empaneled as Arbitrator in Malaysia Institute of Arbitrators and Asia Pacific International Arbitration Chamber.



INBAVIJAYAN VEERARAGHAVAN **MEMBER**

Inbavijayan Veeraraghavan is an exclusive Arbitration and ADR practitioner since 2001 from India. He is accredited as arbitrator by transnational, regional and national ADR institutions (www.inbavijayan.com). He has presided over 400 Domestic Arbitrations and 17 International Arbitrations. Chambers Asia Directory had listed Inbavijayan for consecutive years under Dispute Resolution and he is promoting the concept of ADR through contributions, trainings and lectures in law schools, Universities, Chambers of Commerce and conferences worldwide.

He is a Registered Foreign Lawyer in SICC Singapore, UK and AIFC Kazakhstan. As Fellow of Chartered Institute of Arbitrators and Tutor in International Arbitration, he has mentored many arbitration practitioners globally. Periodically teaches ADR in premier law schools around the globe. His activities also includes establishing paradigm shifts among arbitration institutions like KFCRI, Indian Council of Arbitration, etc.

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JAY PATRICK SANTIAGO **MEMBER**

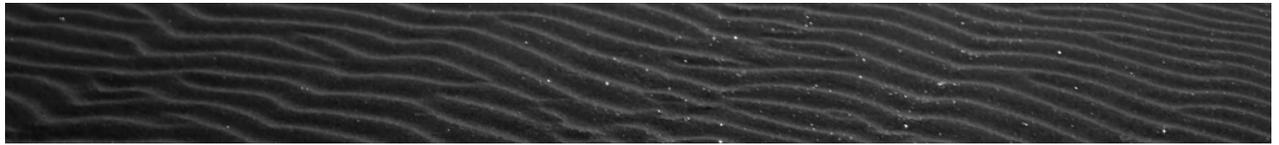
Jay Patrick Santiago is an attorney in the Philippines and a qualified solicitor in England & Wales. His practice focuses on international dispute resolution, alternative dispute resolution, and insolvency. He is a member of the expert pool of Benchmark Chambers International & Benchmark International Mediation Center. He is an accredited arbitrator of the Philippine Dispute Resolution Center, Office for Alternative Dispute Resolution Center of the Philippines, and the Philippine International Center for Conflict Resolution. He is a contributor to the book *Mediation in Asia* (Sweet & Maxwell, 2015) and *Foreign Investment and Investment Arbitration in Asia* (Intersentia, 2019).

He regularly speaks at events organized by many ADR organizations, including the Chartered Institute of Arbitrators, Asia Pacific Arbitration Group of the International Bar Association, Asian Institute of Alternative Dispute Resolution, and Center for International Alternative Dispute Resolution. Prior to rejoining Quisumbing Torres (member firm of Baker McKenzie in Manila), Jay was based in Hong Kong and worked as a senior member of the Secretariat of a renowned international arbitral institution. Jay obtained his Master of Laws in International Business Law as a Chevening scholar at the London School of Economics and Political Science. He obtained his Juris Doctor degree from the Ateneo De Manila University where he currently teaches Private International Law.



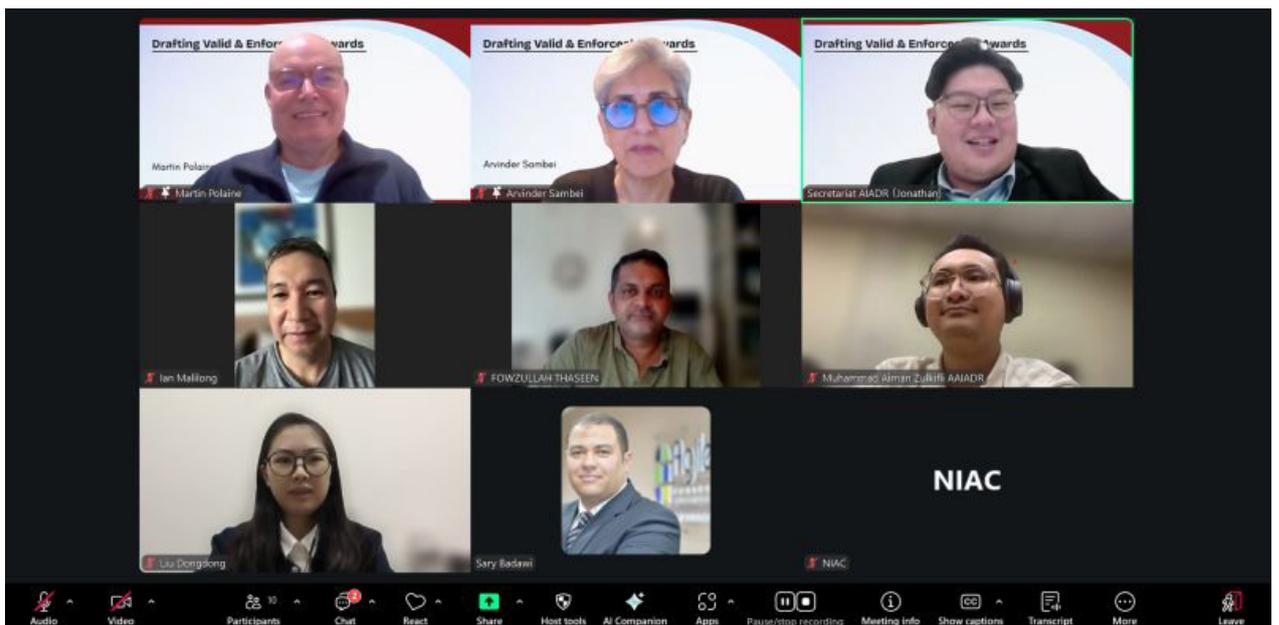
Highlights From AIADR's Past Events

2026

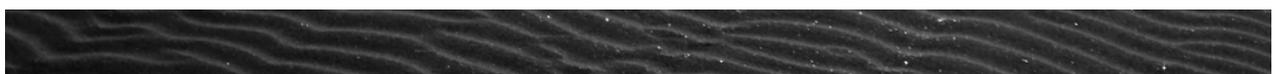


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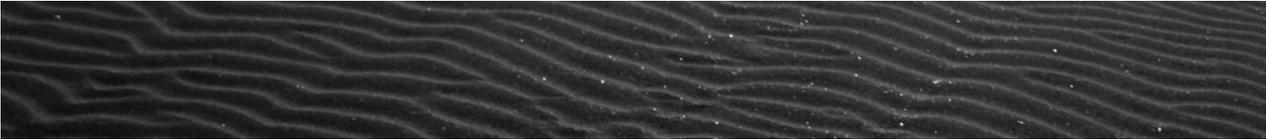
Picture Taken at MOU signing ceremony between AIADR X OCAC in Oman



A Picture from the Workshop on Drafting Valid & Enforceable Arbitral Awards.



Highlights From AIADR's Past Events



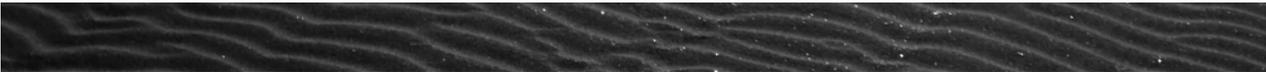
2026

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The Asian Institute of Alternative Dispute Resolution

AIADR took part in the International Arbitration Retreat 2026, held in Sanya



Upcoming Events.

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27th & 28th February 2026

AIADR X IAMC Tribunal Secretary Training Course

5th March 2026

AIADR X SLAM Webinar: Mediation & Arbitration
in International Sport

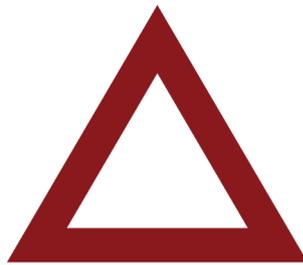
12th - 17th May 2026

AIADR Mediation Training Course



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Newsletter: 1st March 2026

Journal : 31st March 2026

Direct your queries to aiadr.editor@aiadr.world.



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