



THE MALAYSIAN INSTITUTE OF ARBITRATORS

PRESIDENT'S MESSAGE AGM 2020

Dear Members,

The Year 2020 thus far has been an unusual year, to say the least. It has been challenging in so many respects. In the past few months, we have seen the staggering impact of the COVID-19 pandemic and how it brought the world's economy to a grinding halt in the 1st and 2nd quarters of 2020 as more than 140 of the 195 countries in the world took drastic measures including imposing full lockdowns, border closures, movement and travel restrictions and social distancing measures, all in the effort of combatting the virus. The COVID-19 pandemic has affected businesses on a global scale and has had an unprecedented impact worldwide. International arbitration has not been an exception.

During the movement control order period imposed by the Malaysian government, we have witnessed the swift collective response by arbitral institutions and arbitral centres around the world in providing comprehensive guidance and assistance to arbitration users to mitigate the adverse consequences of COVID-19 and to ensure minimal disruption to ongoing proceedings. In particular, I commend the AIAC Secretariat for its efforts in connecting with its users through its ongoing "ADR Online: An AIAC Webinar Series" initiative, which was launched on 24 March 2020. The webinar series was particularly helpful in addressing questions and issues about the impact of COVID-19 on arbitration and ADR during this period, and is now still going strong even after around 50 webinars to date. I look forward to the appointment of the new Director of the AIAC and to our future collaborations.

I am also extremely impressed by how adaptive the arbitration and ADR community has been as parties, counsel and tribunals across sections have been so quick and willing to embrace the use of technology and virtual hearings and have even taken steps to further integrate the process to being fully virtual.

During this period, in keeping with the changing times as we continue to adapt under these unprecedented conditions, the Council has also utilised technology as we have diligently continued with our monthly Council meetings online and have been working hard to raise and enhance the standing and profile of the Institute within Malaysia and internationally.

I am pleased to report that in spite of the challenges, the Council has managed to achieve many of its milestones in relation to its main aims and objectives, essentially, to grow and develop the Institute both inwardly and outwardly.

In terms of inward growth, we continue to maintain strong relationship with other professional bodies. I would like to specifically mention our long-term collaboration with Pertubuhan Akitek Malaysia (PAM), Royal Institution of Surveyors Malaysia and The Institution of Engineers Malaysia (DARP Subcommittee) where we had organised the Joint Courses on Alternative Dispute Resolution for Practitioners in August 2019.

We are also grateful for the ongoing support of our Members and fellow arbitration and ADR practitioners and users who attended our 6th Annual Law Review held on 28 November 2019. We are particularly pleased to have had the pleasure of having eminent speakers from Malaysia and abroad making the time and effort to share their views and experiences with us. After a half-day of insightful and engaging sessions on mediation and section 42 of the Arbitration Act 2005, the attendees to the Annual Law Review were joined by invited guests from the Judiciary, representatives from the other professional bodies and our Members to celebrate the end of yet another successful year for the Institute at its Year End Party.

The global movement restrictions have not significantly affected the Institute's membership growth, thankfully, as we continue to receive membership applications online. In the last year, the Institute has admitted a total of 84 new members; 29 Fellows, 25 Members, 27 Associates and 5 Affiliates. Our membership has grown by around 20%, and we are happy to report that a substantial number of these membership applications was received from foreign applicants.

As you are aware, the Institute has also jumped on the online webinar bandwagon and have taken our talks and events online. We have hosted successful and well-attended webinar sessions, and this has contributed to our outward growth. We have revamped our LinkedIn page and created an Instagram account to have more presence on the social media platform (in addition to our Facebook page) to promote and elevate the Institute's presence, objectives and initiatives to a wider audience, both locally and internationally. The overwhelming response to our webinar sessions is a testament that we are heading in the right direction. Our "COVID-19 Webinar: The Institutions Strike Back" held on 12 June 2020 was particularly well received and have reached out to more than 450 viewers, on Zoom as well as the Institute's Facebook page. We received positive feedback from our attendees on the panel discussion comprising speakers from AIAC, SIAC and ICC on how the pandemic has impacted the arbitral institutions, the measures that they have taken to mitigate the impact and the way forward. Our second webinar "Mediation: The New Norm?" was also well received where we managed to reach out to almost 250 viewers.

Although the inaugural annual arbitration conference that we planned to jointly organise with the Singapore Institute of Arbitrators across the causeway this year had to be postponed due to the pandemic, we look forward to collaborating with them on an alternative platform.

I would like to take a moment to remember our late Mr Vinayak Pradhan, the Director of the AIAC who sadly passed away in March this year. His passing is a great loss to the legal fraternity, in particular the arbitration and ADR community in Malaysia. Vinayak led a distinguished career and was an extraordinary and accomplished lawyer with over 45 years of legal practice. I had the privilege to have known him and worked alongside him and will always remember his brilliant mind, his wit, and his great sense of humour. Vinayak was an inspiration to young practitioners and had always actively supported the next generation of arbitrators. He is dearly missed.

To add to the list of firsts for the Institute, this year, we will be conducting for the very first time our Annual General Meeting (AGM) virtually. We truly appreciate the enthusiasm and support of our Members in making the time and effort to personally attend our AGMs in the past. However, the Council feels that it would be advisable for us to have the AGM virtually for safety and practical reasons.

I would also like to especially thank my fellow Council Members and Puan Raja Junaidah from the Secretariat for their hard work and commitment in making the 2019/2020 term a successful one for the Institute, and to all our Members for their continued support.

Best wishes,



SHARON CHONG TZE YING

President

(2019-2021)