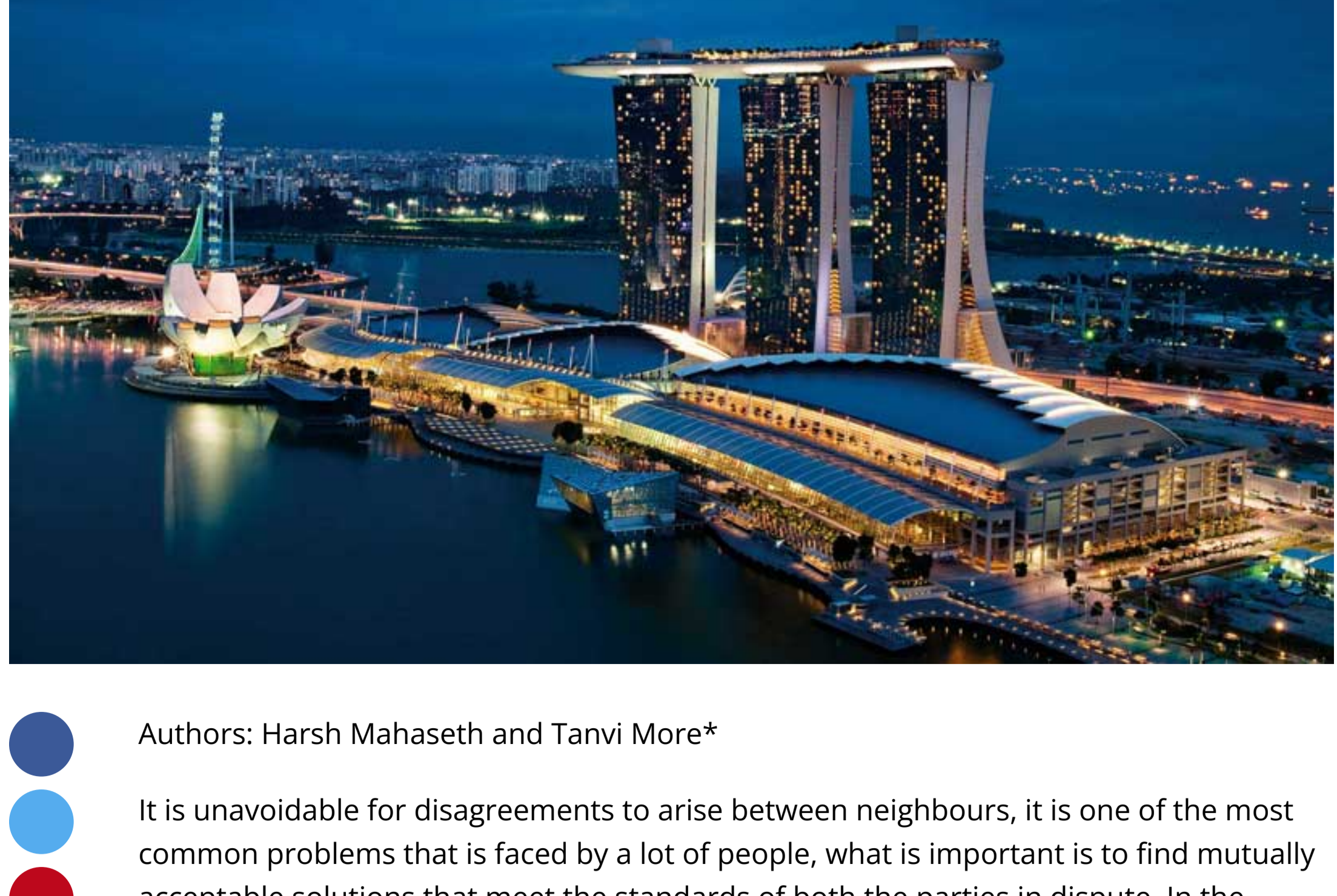


SOUTHEAST ASIA

Mediation In Neighbour Disputes in Southeast Asia

Published 8 hours ago on April 18, 2022
By Harsh Mahaseth



Authors: Harsh Mahaseth and Tanvi More*

It is unavoidable for disagreements to arise between neighbours, it is one of the most common problems that is faced by a lot of people, what is important is to find mutually acceptable solutions that meet the standards of both the parties in dispute. In the process, miscommunication may arise as it is not easy for two parties to easily agree on a common ground, and this delays the process of resolution. This is where mediators play an important role, as they take up the role of an impartial third party. The job of the mediator is to help both the party understand each other, wherein both parties should try working on a workable solution taking into consideration the situation and interest of the respective parties. Although there might be a case, where the dispute has escalated to a point where the court appears to be the only best solution to resolve the issue. But it is strongly advised that the parties should go through a mediation process first so as to eliminate the misunderstanding and gain clarity on the issue at hand, and then after the parties can decide on the method, they want to use to resolve the issue.

According to the Ministry of Culture, Community, and Youth (MCCY) in Singapore, it is believed by them that tribunal should be used only as a "last resort," even if there are cases which is more appropriate for the court to handle, the opinions on this matter was very varied because some believed that even though mediation would be useful in bringing disputing parties but at the same time mandating the process may have a negative impact as it might undermine the essence of the process that is used to punish the neighbours. The main reason that arbitration and mediation are seen as adversaries is that there is a palpable fear that arbitration will lose its status as the most preferred form of alternative dispute resolution; the difficulty of enforcing mediated settlement agreements has long been a major disadvantage of mediation.

The main disadvantage of litigation is that it creates a dynamic environment between the parties as one party succeeds at the expense of the other party, so this aggravates disputes between the parties as well as ends up creating new grievances between the parties. Therefore, it can be said that mediation is a more pleasant or rather to say it's the safe road that one can take in order to settle disputes and still be able to maintain relationships with the other party. This method is very cost-effective and through mediation certain issues can be decided upon more constructively without coming up with a definite answer of who is "right" and who is "wrong" among the both parties involved.

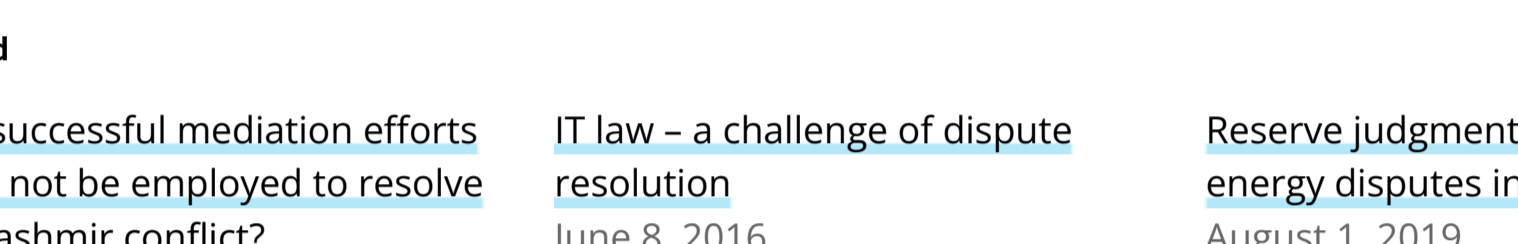
Neighbour disputes are in most cases difficult to manage because they are kind of an unavoidable issue that is faced by everyone. The problem with neighbour dispute is that if the parties choose litigation and after the case is resolved by the court and an order is issued for the same reason, even after that the fact cannot be changed that both the parties continue to remain in the same neighbourhood. So, the Government of Singapore created a committee comprising of the Ministry of Law, Ministry of Culture, Community and Youth, Ministry of National Development, and the Ministry of Home Affairs, so as to improve the Community Disputes Resolution Tribunal (CDRT) process. But the main focus of the committee will be to try and increase the take-up of community Mediation because even though the CDRT process is quick and straightforward, it can also get very challenging at times as the proceeding is only meant to mend the relationship between the parties, but they have no control over the behavioural aspect of the parties, and it cannot be predicted that how will they behave after the proceeding get over.

The minister of the committee said that "There are limits to what the courts in the adjudicatory process can do. The courts are ultimately arbiters of who is legally right and who is legally wrong, and it is a binary zero-sum game" Therefore, mediation should be opted for by the parties so as to get the benefits of cordial resolution which would ultimately lead to peace and harmony between the parties.

*Tanvi More is a law student at Jindal Global Law School, O.P. Jindal Global University, India.

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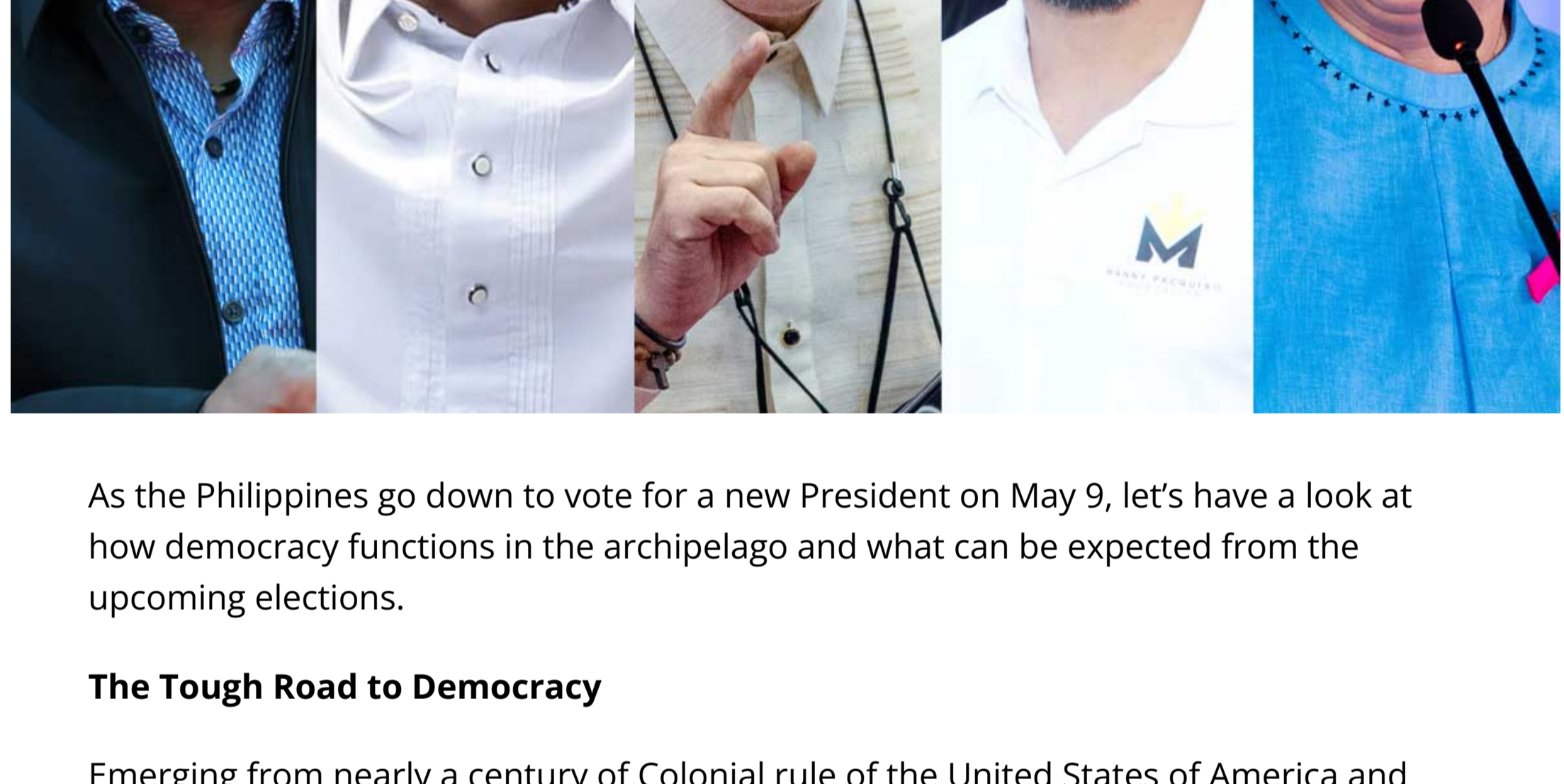
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The 2022 Presidential Elections in the Philippines

Published 1 week ago on April 9, 2022
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Emerging from nearly a century of Colonial rule of the United States of America and then under a brief though extremely brutal Japanese occupation during the Second World War (1939-1945), the Philippines attained independence on June 4, 1946, leading to the establishment of the Republic of Philippines. It established a multiparty

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Published 2 weeks ago on April 4, 2022
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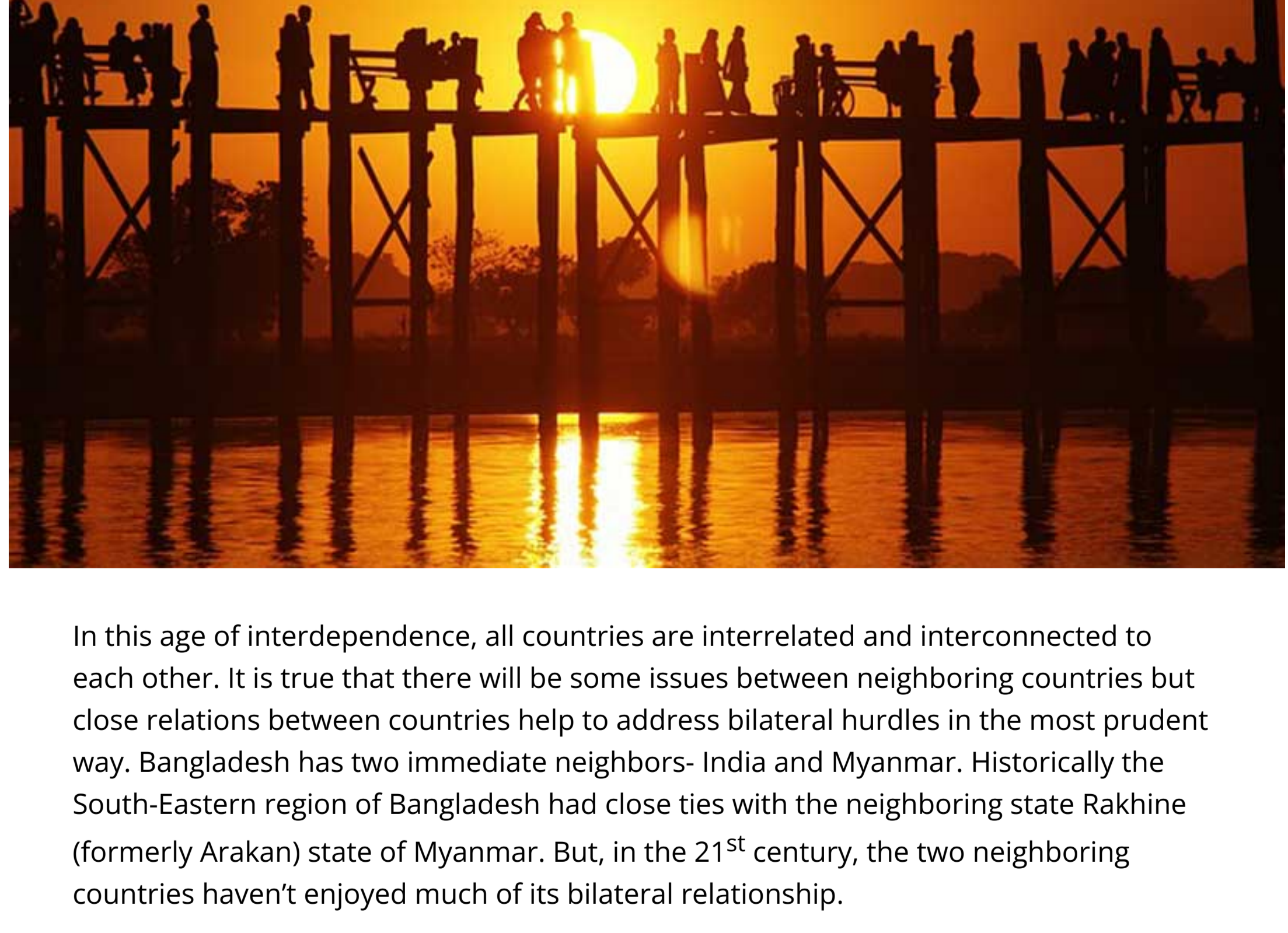
Indonesia is known as a country rich in abundant natural resources, mostly known for its spices. The various types of spices owned by Indonesia make Indonesia have a distinctive taste of cuisine that is owned by every cuisine in Indonesia. Indonesia is a country that has 34 provinces and each province in Indonesia has the characteristics of different foods with different tastes and delicious pleasures. The taste of Indonesian cuisine has no doubt from domestic and foreign tastes. Indonesian dishes that have been recognized by foreign countries for their deliciousness and unique taste are Rendang, Rawon, Chicken satay, Minced Curry, Vegetable Tamarind, Meatballs, Gado-Gado, Aceh noodles, Egg Crust, Pemppek, Gudeg, and many more. This makes Indonesia

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Published 2 weeks ago on April 4, 2022
By Nazifa Nawar



In this age of interdependence, all countries are interrelated and interconnected to each other. It is true that there will be some issues between neighboring countries but close relations between countries help to address bilateral hurdles in the most prudent way. Bangladesh has two immediate neighbors- India and Myanmar. Historically the South-Eastern region of Bangladesh had close ties with the neighboring state Rakhine (formerly Arakan) state of Myanmar. But, in the 21st century, the two neighboring countries haven't enjoyed much of its bilateral relationship.

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