



SAMPLE MEDIATION CLAUSES

The CAMP Arbitration and Mediation Practice Pvt Ltd.(CAMP) facilitates private mediation services from its office located at 46, First Floor, 36th Main, BTM Dollar Scheme, Bangalore - 560 068, Karnataka, India.

I. TIERED DISPUTE RESOLUTION CLAUSE – MEDIATION AS A STEP PRIOR TO ARBITRATION

The parties mutually agree that in case of any dispute or claim (hereinafter referred to as dispute) arising out of or relating to this contract the parties shall first engage in a good faith negotiation to resolve the dispute. In case the dispute is not settled within __ days, it shall be referred to mediation at an Institution providing mediation services that is agreeable to all the parties such as the CAMP Arbitration and Mediation Practice Private Limited (CAMP), Bangalore, India.

In the event the parties are unable to resolve such dispute within __ days of commencement of the mediation, which time limit is extendable by mutual agreement, then the parties agree that the dispute will be submitted for resolution to binding arbitration in accordance with the rules of _____ [specify agreed upon arbitration forum]. The place of arbitration will be (City, Country) and the language of arbitration shall be _____.

II. TIERED DISPUTE RESOLUTION CLAUSE – MEDIATION AS A STEP PRIOR TO LITIGATION

The parties mutually agree that in case of any dispute or claim (hereinafter referred to as dispute) arising out of or relating to this contract the parties shall first engage in a good faith negotiation to resolve the dispute. In case the dispute is not settled within __ days, it shall be referred to mediation at an Institution providing mediation services that is agreeable to all the parties such as the CAMP Arbitration and Mediation Practice Private Limited (CAMP), Bangalore, India.

In the event the parties are unable to resolve such dispute within [-] days of commencement of the mediation, which time limit is extendable by mutual agreement, then the parties agree that the dispute will be submitted for adjudication to the Courts with appropriate jurisdiction.

III. MEDIATION CLAUSE PLUS PARALLEL REFERENCE TO COURT/ARBITRATION

The parties mutually agree that in case of any dispute or claim (hereinafter referred to as dispute) arising out of or relating to this contract the parties shall first engage in a good faith negotiation to resolve the dispute. In case the dispute is not settled within ___ days it shall be referred to mediation at an Institution providing mediation services that is agreeable to all the parties such as the CAMP Arbitration and Mediation Practice Private Limited (CAMP), Bangalore, India.

Commencement of a mediation will not prevent the parties from parallelly commencing or continuing [court proceedings OR an arbitration].”

IV. ARB-MED-ARB PROTOCOL

The parties mutually agree that in case of any dispute or claim (hereinafter referred to as dispute) arising out of or relating to this contract, the parties shall first engage in a good faith negotiation to resolve the dispute. In case the dispute is not settled within ____ days, the dispute shall be referred to arbitration in accordance with the rules of _____ [specify agreed upon arbitration forum]. The place of arbitration will be (City, Country) and the language of arbitration shall be _____.

The parties further agree that following the commencement of arbitration, they will attempt mediation at an Institution providing mediation services that is agreeable to all the parties, such as the CAMP Arbitration and Mediation Practice Private Limited (CAMP), Bangalore, India.

Any settlement reached in the course of the mediation shall be referred to the agreed arbitral tribunal/ arbitrator and shall be made a consent award on agreed terms.
