

# Perspectives from Some Asian Countries

## STATE-TO-STATE MEDIATION: PERSPECTIVES FROM INDIA

*R. Rajesh Babu\* & R.V. Anuradha\*\**

### ABSTRACT

*State-to-state mediation as a mechanism for settlement of international disputes has significant potential as a reliable alternative to the predominantly adversarial system of international dispute resolution. India has historically shown an aversion towards litigation and has preferred softer techniques and diplomatic resolution of state conflicts. As an original member of the United Nations Charter, India has endorsed the policies of pacific settlement of disputes. This philosophy is embodied in the Indian Constitution as well as its international diplomacy through adherence to the principles of Panchsheel and its support for alternative dispute settlement Institutions such as the Asian-African Legal Consultative Organization (AALCO) regional arbitration centres. The inherent recognition of the value for amicable and peaceful settlement of disputes is also reflected in India's attitude towards disputes in the trade and investment arena. Given this background, India may be open to the idea of exploring the availability of neutral third party mediation processes, as is sought to be presented under the Asia-Pacific Regional Mediation Organization (hereinafter "ARMO"). This paper attempts to bring out the Indian perspective on State-to-State mediation and the significance of ARMO from an Indian stand point.*

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\* R. Rajesh Babu, Professor of Law, Indian Institute of Management Calcutta. The author can be reached at: rajeshbabu@iimcal.ac.in.

\*\* R.V. Anuradha, Partner, Clarus Law Associates, New Delhi. The author can be reached at: anuradha.rv@claruslaw.com.

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