

Kluwer Mediation Blog

Michelin II or the Regulatory Robustness Rating: Part 2

Nadja Alexander (Editor) (Singapore International Dispute Resolution Academy) · Friday, August 19th, 2016

What makes good mediation law?



For those of you who have been following the plot, you will recognise this as the second in a series of three posts introducing what is now called the RRR — Regulatory Robustness Rating for mediation jurisdictions. You may also notice the name change. Yes, what originated as the Mediation Friendly Star System has transformed into the Regulatory Robustness Rating. Why? Simply because it's more accurate. I have amended my [previous post](#) to reflect this new language and there is also a more detailed explanation of the reasons to be found there.

Now, to Part 2 of the Trilogy.

Previously, I introduced the 12 criteria upon which the RRR System is based. Together they form the foundations of the RRR System and inform the ratings given to each jurisdiction. The purpose of this post is to explain the thinking, assumptions and value judgments underpinning each criterion. After all, the rating indicates the extent to which a given jurisdiction offers a robust regulatory regime for cross-border mediation, or not.

Each criterion is given a rating of up to five stars, five being the highest score possible and one being the lowest. In addition, the criteria are weighted according to their importance from a user perspective. The weighting scale is one to three, with the higher number providing a higher weight. So if the ranking of each category is one to five, then a ranking of five:

- on weighting of three would result in 15 points;
- on a weighting of two would result in 10 points;
- on a weighting of one would result in five points.

I have set out the RRR criteria, weightings and underlying principles in tabular form for ease of reference. So when you click on the link below you will get a pdf with the RRR in tabular form.

The next and final post in the RRR trilogy will deal with how to apply the Regulatory Robustness Rating to any legal jurisdiction. Watch out for this next week.


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