
Kluwer Mediation Blog

Face to face with THAC Acting Managing Director

Ting-Kwok IU (Kwok, Ng & Chan, Solicitors & Notaries) · Wednesday, August 2nd, 2023

Ms Machimdhorn Khampiranont (“MA”) is the Acting Managing Director of Thailand Arbitration Center (“THAC”), which has been set up to support and provide neutral and independent alternative dispute resolution services of international standards. Prior to holding the present position as THAC’s Acting Managing Director, MA was initially appointed as THAC’s Registrar and subsequently became the THAC’s Deputy Managing Director as well as THAC’s Acting Director of Arbitration and Mediation.

MA had the experience of advising lawyers in a considerable number of arbitration cases and proceedings administered under THAC. She has made contributions to formulate and implement THAC strategies with a view to strengthening the alternative dispute resolution system and services in Thailand and ensuring that THAC holds a leading position in Asia.

I had the privilege of meeting MA the first time on 16 March 2023 when I was a member of the “Resolve2Win” delegation led by Mr Horace Cheung, Deputy Secretary for Justice of the Department of Justice of Hong Kong SAR. I met MA again in July 2023 and managed to make use of the opportunity to ask MA to share her thoughts on mediation and its related issues with Kluwer Mediation Blog readers.



TK: Would you like to share with our readers about your career before joining THAC? Please also tell us what made you decide to join THAC.

MA: Prior to joining THAC, I worked as a legal advisor in a private company in charge of litigation matters. My main responsibilities included (1) providing legal opinions on business operations to executives; (2) auditing, amending and drafting various contracts; (3) doing company registration matters as well as other registrations to government agencies; (4) arranging directors' meetings as well as shareholders' meetings; and (5) liaising with government agencies. Subsequently, I came to know THAC. With my legal background and my previous experience in handling litigation matters, I became interested in alternative dispute resolution. I joined THAC about 5 years ago and have been working with THAC since then.

TK: Kluwer Mediation Blog is a blog with worldwide readership. Please let us know more about the development of mediation in Thailand and the role of THAC in it.

MA: It is encouraging to witness the development of mediation in Thailand. Compared with the past, more people are aware of what mediation is and the advantages of it. However, the general public still have very limited knowledge on mediation. As such, Thailand as a whole needs more support from the relevant stakeholders in raising the awareness of those who are in dispute so that they know going to court is not the only way to resolve their disputes. In fact, disputes can be resolved by mediation which is an alternative dispute resolution process.

It is part of THAC's mission to (1) promote and develop mediation; (2) provide disputants with dispute resolution services including mediation; and (3) disseminate knowledge on mediation and the details of mediation services. THAC has put up efforts to encourage the use of mediation to resolve disputes by (i) reaching out to organisations of different sectors; and (ii) paying door-to-

door visits to companies with a view to introducing the services of THAC. THAC has invited professional trainers to run various mediation training courses both in Thai and English languages for those who (a) would like to know more about mediation; and (b) want to acquire mediation skills for other business purposes. Such courses are open to interested individuals from all walks of life. There was also a specific training course for third party neutrals who intended to become mediators. Participants of this specific training course had to take part in various mock mediation role-plays, learn the THAC regulations on mediation and rules of ethics of mediators.

For the purpose of developing and unlocking potential, skills and knowledge, THAC also opens up a path for those who want to become mediators with their names listed on the THAC Panel of Mediators. These people will be the mediation talents of THAC.

TK : Thank you for launching the Thailand “Mediate First” Pledge campaign in collaboration with the Hong Kong Department of Justice. What THAC will do in the future to keep the campaign going?

MA: As you may know, the “Mediate First” Pledge campaign aims to promote dispute resolution through mediation. This is an alternative dispute resolution procedure to maintain the relationship of the parties so that the parties, upon resolving their disputes, can continue their business smoothly. Besides, mediation, when compared with other dispute resolution methods, is more flexible in terms of time and process. Further, the costs of having a mediation session are definitely lower than those of arbitration and litigation. Earlier this year, THAC had forged a partnership with the Department of Justice of the Government of the Hong Kong SAR to launch the “Mediate First” Pledge campaign to raise the awareness of mediation among business organisations and the public generally.

It is our plan that THAC will continue to disseminate knowledge on mediation through all media channels, training workshops and seminars to government agencies, private sector business organisations and students with the hope that mediation will be perceived as an effective as well as efficient means of conflict resolution.

TK: The THAC International Mediation Competition 2023 was held in Bangkok between 19 and 21 July 2023. Many thanks to you for inviting me to be one of the judges. I am sorry that due to professional engagements, I did not manage to come. Tell me what I have missed and tell our readers more about the competition and the idea behind it.

MA: The International Mediation Competition 2023 (IMC) is intended to promote and disseminate knowledge on mediation to youths and students so that they will have a better understanding of the principles of mediation by participating in the mediation competition with simulated factual situations. Through the role-plays, young participants will be able to understand the role of a mediator and the necessary attributes of a mediator to the extent that both lawyers and non-lawyers can be excellent mediators so long as they are able to facilitate the parties to engage in interest-based negotiation. The IMC was held between 19 and 21 July 2023 and this was the first time THAC had an in-person international mediation competition with students coming from different parts of the world. I am sure there will be more participants from even more jurisdictions when we

hold the 3rd IMC next year. Where possible, I hope you can be one of our judges next time.

TK: If you meet a non-Thai mediator who indicates great interest to practise mediation in Thailand, what advice will you give to this person?

MA: THAC currently has a number of registered mediators to provide mediation services in case the parties wish to settle disputes through mediation. Such mediators must complete the training courses specified by the institute. For foreign mediators, THAC may consider approving them to be on the panel of mediators with reference to certain criteria. Apart from completing the training courses of THAC, one must be at least 30 years old and also with vast experience in mediation.

TK: Thank you so much for your time and sharing. I look forward to more collaboration with you and THAC in the future. May I wish you good health and THAC every success.



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