

Opening remarks at the Financial Sector Mediation Symposium

March 21st, 2023, Marriot Hotel Kigali

Distinguished participants,

I am very pleased to have such an opportunity to exchange with the leadership of financial institutions on the benefits of using mediation to resolve financial disputes and thus, maintain and strengthen good relationships between consumers of financial services and financial services providers.

I would like to start by thanking you, distinguished participants, for having devoted time to attend this session and a special thank you goes to distinguished speakers: our keynote speaker Mr. Bruce Edwards, International Mediator and Founder of the Edwards Mediation Academy and the discussants: Hon. Prof. Sam Rugege, Chief Justice Emeritus and Chair of the Court-Annexed Mediation Committee; Hon. Dr Emmanuel Ugirashebuja, Minister of Justice and Attorney General; Mrs. Kampeta Sayinzoga, CEO BRD and Mr. John Milenge, CEO Prime Insurance Rwanda.

Mediation, as a dispute resolution method, alternative to litigation in a court of law, is a private, confidential, consensual and non-adversarial dispute resolution mechanism in which a mediator, who is

a neutral party, facilitates a settlement agreement by guiding the parties towards a shared understanding of the dispute and of their respective interests.

To resolve financial disputes between consumers and financial institutions like banks, finance companies, life insurers, general insurers, capital markets services licenses, licensed financial advisors and insurance brokers, litigation is not the only solution, as mediation has proved to be sometimes more beneficial.

In the banking sector, for example, it is recognized that one of the main benefits of mediation in this sector is that it allows parties to resolve disputes quickly and efficiently. Banks are often large organizations with many departments and employees, which can make it difficult to resolve disputes in a timely manner. Mediation in the field of banking allows parties to come together and work through their issues without the need for a lengthy legal process. This can save banks a significant amount of time and money, while preserving their business relationships.

In the insurance industry, mediation can be used to resolve disputes between policyholders and insurance companies. These disputes often arise over issues such as denied claims (a party disputes a rejected insurance claim), the interpretation of policy language (policy wording

may be confusing), and the value of damages; when insurance fraud is suspected; when the insurance company feels that the value of the claim is over-estimated, etc. Mediation allows parties to come together and discuss these issues in a private and confidential setting, without the need for a public trial. ¹This can be beneficial for both policyholders and insurance companies.

Overall, well suited for dealing with financial disputes, financial services mediation is now accepted as a smart, economical and confidential mechanism for clients and service providers alike, as it helps to reach a mutually beneficial agreement that not only solves the problem at hand, but also maintains and strengthens existing relationships.

We are privileged this morning to have with us Mr. Bruce Edwards, who is one of the pioneers in developing mediation as a tool for resolving commercial disputes in the United States. As a professional international mediator for more than three decades, Mr Edwards is actively involved in mediating complex disputes while also helping different governments and institutions across the world to build capacity in mediation through his well-known mediation institution, the Edwards Mediation Academy.

¹ <https://icepd.edu.rs/en/specialized-training/mediation-in-the-field-of-banking-leasing-and-insurance/>

The Judiciary of Rwanda is committed to continuously explore ways to deliver timely and quality justice for all. In this regard, we will continue to join hands with stakeholders in promoting mediation as one of the best ways to expeditiously, confidentially, effectively and efficiently resolve disputes, including financial disputes, subject matter of our discussions today.

Distinguished participants, as I conclude my short remarks, allow me once again to thank you for having devoted your time to attend this session and hope that you will find financial services mediation to be a useful tool to resolve financial disputes, and thus, ensure the good continuation of business relationships and growth of your respective companies and our country's economic development.

Thank you for your kind attention.