Wa And The Japan International Mediation Centre - Kyoto

Kluwer Arbitration and Dispute Resolution Services

February 1, 2018


More than 1,000 years ago, Japan adopted Confucian and Buddhist approaches to governing peace, which are aligned with the principles of mediation. Understanding these principles, we believe, was paramount and reflected in the basis of Japanese mediation. Mediation is the cornerstone of Japanese society and is considered essential for the resolution of disputes. It is particularly true in a society where history and culture play a central role in the resolution of disputes. All mediation methods have been practiced in Japan for centuries, despite a lack of formal encouraging certification and expansion of universally-applied Alternative Dispute Resolution (ADR) services, such as mediation, arbitration, and other forms of ADR. It is in the context of these contemporary challenges as well as the longer-standing spirit of wa that the Japan International Mediation Centre (JIMC-Kyoto) will soon be launched. The JIMC-Kyoto is part of a broader initiative to break from the status quo and disputes over international investment disputes, Japan. This is also seen in the capital effectiveness and the role of a neutral place to mediate. Simultaneously, the Japan Association of Arbitrators (JAA) and Japan’s legal system should work to its favor. Japan is well placed geographically for disputes between parties from the Americas and Asia, or between parties within Asia. There are no other dedicated mediation centers in the Asia-Pacific region, apart from SIMC, and Japan may be perceived as neutral place to mediate with reliable and distinctive cultural and religious monuments, teahouses, and gardens. Logically speaking, we see a natural ability of the city’s reliable transportation (long hours by bullet train from Tokyo) hotels and other services.

Management and governance

The JIMC-Kyoto initiative is closely aligned with the Singapore International Mediation Centre (SIMC), a non-profit organisation explicitly established to promote training in mediation as well as personal dispute resolution. JIMC-Kyoto is organized under the umbrella of the JAA and its activities are expected to reflect the standards of other international institutions, such as the Center for International Mediation (SIMC).

International mediation

JIMC-Kyoto will focus on international commercial mediations by offering various types of support to include prepping and expert mediations, providing lcases, and administering mediations. A division of the organizing committee is currently drafting procedural rules for international mediation. The role of the center in administered proceedings. The rules are expected to follow the standards of other international institutions, such as the SIMC.

Outreach

JIMC-Kyoto has formally announced its creation at events in late 2017 that included mediation practice sessions and a symposium with speakers from the Japanese government, academics, and legal practitioners. The center has signed a memorandum of understanding (MOU) with the SIMC and plans to conclude similar agreements with other dispute-resolution centers. The formal collaboration between JIMC-Kyoto and the SIMC will include organizing events and training sessions of international mediation in Japan.

Growth of international mediation

JIMC-Kyoto will begin operations at a time when international commercial mediations in Japan are receiving greater attention. In recent decades, the Japanese government, the central government, and the business community have increasingly understood the importance of mediation in resolving international disputes. In the past, the JAA has promoted the use of ADR in Japan and has played a significant role in establishing a network of ADR professionals in the country. The JAA has also worked towards the development of a mediation system in Japan and has encouraged the establishment of mediation centers to promote the resolution of disputes.

Accessing international services

In the short term, JIMC-Kyoto will focus on international commercial mediations by offering various types of support to include prepping and expert mediations, providing cases, and administering mediations. A division of the organizing committee is currently drafting procedural rules for international mediation. The rules are expected to follow the standards of other international institutions, such as the Center for International Mediation (SIMC).

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