Wa And The Japan International Mediation Centre - Kyoto

February 1, 2018

Kluwer Mediation Blog

More than 1,300 years ago, Japan crafted Confucian and Buddhist approaches to governing that formed the basis of its Mediation Code, a guidebook for settling commercial disputes. Mediation, in particular, has a unique history in Japan and continues to play an important role in the resolution of disputes. But most mediation schemes have been provided by the government or courts, despite a lack of clear encouragement and recognition of universally-applied alternative dispute resolution (ADR) systems. So far, Japan has not been in the forefront of ADR development, but its awareness of mediation is improving. It is in the context of that contemporary challenge as well as the longer-standing spirit of the Mediation Code that it will collaborate with the Mediation Centre – Kyoto (JIMC-Kyoto) and plans to conclude similar agreements with other dispute-resolution centers. This will work to its favor. Japan is well placed geographically for disputes between parties from the Americas and the Europe, Africa and Middle East, apart from SIMC, and Japan may be perceived as neutral place to mediate with reliable and distinctive practitioners of religious monuments, teahouses, and gardens. Logically operating, as a popular tourist destination the city has reliable transportation by air, train and road, hotels and other services.

Management and governance

The JIMC-Kyoto initiative is closely linked with the '"Japanese Panorama' (JAPAN), a non-profit organization recently established to provide training for professionals who promote conflict resolution in society. The initiative is building a database of and an advisory board that will be directly responsible for governance of the center.

JIMC-Kyoto operations will be located in the main campus of Doshisha University in central Kyoto. The university will provide both staff and facilities. In addition, Doshisha University will develop a sector to support the work of JIMC-Kyoto and foster research and scholarship in the area of international mediation.

Mediation services

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

An international advisory committee will provide guidance for the center, and ensure proper management in accordance with cooperative principles. The fees for the services will be included in Mediation fees and support the work of JIMC-Kyoto.

International panel of mediators

JIMC-Kyoto will also work with the SIMC to complete a JIMC-Kyoto panel of mediators. The aim is to increase experienced mediators from a variety of jurisdictions. While court-based mediation and ADR is dominant in Japan, JIMC-Kyoto will work to ensure the availability and use of international mediators.

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Growth of international mediation

JIMC-Kyoto will be a significant step forward in international mediation in Japan. The initiative is closely linked with the '"Japanese Panorama' (JAPAN), a non-profit organization recently established to provide training for professionals who promote conflict resolution in society. JIMC-Kyoto will provide both staff and facilities. In addition, Doshisha University will develop a sector to support the work of JIMC-Kyoto and foster research and scholarship in the area of international mediation.

International mediation

In the short term, JIMC-Kyoto will focus on international commercial mediation services and a consultation service with experienced and recognized mediators. The center has a mandate to understand and facilitate mediation with the SIMC and plans to conclude similar agreements with other dispute-resolution centers. The planned collaboration between JIMC-Kyoto and the SIMC will include co-hosting events and organizing trainings of international mediators in Japan.

Blog, 29 January 2018). The official start of business awaits final governmental approval, which should come early this year.

The idea for JIMC-Kyoto can be traced back to the mediator seminar in Tokyo in 2015 where discussions considered the importance of the place of mediation and environmental impacts on settlement. Some participants agreed that Kyoto would be a particularly attractive place for international mediation. The capital of cities has more than a millennium; Kyoto is known for its traditional and distinctive architecture at a place where religious monuments, teahouses, and gardens. Logically operating, as a popular tourist destination the city has reliable transportation by air, train and road, hotels and other services.

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