

## Mediator Accreditation

MHJMC regularly holds professional mediator accreditation assessment. Assessed by experienced mediation assessors, candidates have to achieve satisfactory performance in two simulated mediation cases in order to obtain the qualification of "International Accredited Professional Mediator".

MHJMC is also facilitated with a professional development platform for International Accredited Professional Mediators' diversified opportunities and connections of their continuing professional development, including a variety of advanced mediation courses, talks, seminar and mediation cases referral, etc., to facilitate their advancement in the mediation profession.

To ensure the professional qualities of "International Accredited Professional Mediators", they are required to attain requirements of Continuing Professional Development Scheme in a given year to be eligible to apply for renewal of qualification.

## Course Accreditation

To ensure all training courses maintain high quality and reach international standards, MHJMC will accredit mediation-related training courses, which is organized by other organizations.

## External Connection and Collaboration

MHJMC is devoted to enhancing effectiveness of mediation. Therefore, MHJMC actively collaborates with mediation and / or arbitration institutions home and abroad to promote more professional and well-rounded mediation services, at the same time, to engage services provided by MHJMC to other parts of the world. We have also signed collaboration agreements with arbitration institutions abroad to effect the conversion of mediated Settlement Agreement with arbitral award. Together we create novel and harmonious opportunities.



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中國國際商會調解中心

內地—香港聯合調解中心  
Mainland - Hong Kong Joint Mediation Center



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## Introduction

Following the development of the “Belt and Road” and the National 13th Five-year Plan, cross-border trade and cooperation in other areas are expected to increase. To cater for the increasing demand for dispute resolution services by these enterprises, the Mainland - Hong Kong Joint Mediation Center (MHJMC) was collaboratively set up by the China Council for the Promotion of International Trade (CCPIT) / China Chamber of International Commerce (CCOIC) Mediation Center and the Hong Kong Mediation Centre with vigorous support from the Department of Justice of Hong Kong. Being the first joint mediation center set up by major mediation institutions in Hong Kong and Mainland, MHJMC provides a new platform for cooperation in mediation in two places.

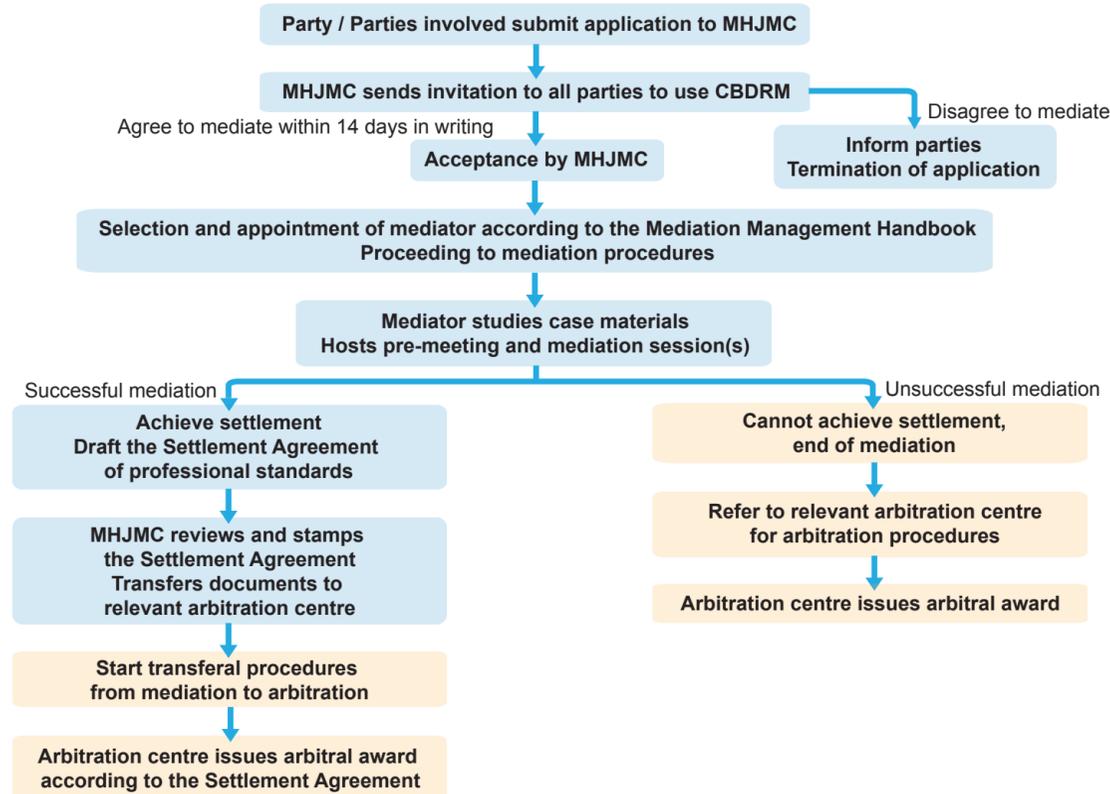
The dual advantages under the principles of “One country” and “Two systems” have enabled Hong Kong to act as a neutral venue for cross-border dispute resolution services for local, Mainland and international enterprises, thus enhancing the status of Hong Kong as the dispute resolution center of the Asia Pacific region. Moreover, to further enhance the development of mediation in the Mainland, MHJMC sets up professional standards for mediators and mediation advocates, establishes professional mediation accreditation mechanism in China and assists in refining mediation training in China, enhancing professional standards of mediation in the Mainland.



With the vigorous support from the Department of Justice of Hong Kong (DoJ), MHJMC held the inauguration ceremony on 9 December 2015 in the Justice Place, DoJ. Mr. Rimsky Yuen, the then Secretary for Justice (third left) and Ms. Elsie Leung, Honorary Advisor of Hong Kong Mediation Centre (third right) hosted the ceremony together with representatives from the two mediation centers.

## Cross-border Dispute Resolution Mechanism (CBDRM)

MHJMC provides cross-border dispute resolution mechanism, a brand-new service which combines the advantages of mediation and arbitration to resolve cross-border disputes. MHJMC accepts all kinds of international and cross-border disputes involving Hong Kong, the Mainland or overseas, happening home and abroad on equal subjects of natural persons, legal persons or any organizations. Hong Kong and international enterprises which have business or investment in the Mainland or different places in the world can also benefit from this service.



This mechanism ensures the enforceability of relevant Settlement Agreement. Under this mechanism, the Settlement Agreement achieved by parties involved will then be referred to an international arbitration centre for an arbitral award, enabling this award to be executed in over 150 allying countries or regions under the New York Convention. Therefore, the Settlement Agreement signed by parties involved can be executed in the Mainland and places where that enterprise has business registration. Even if the parties cannot reach a settlement, they can still continue dispute resolution through arbitration.

## Mediation Clause

MHJMC recommends the following Mediation Clause be inserted in any contract:

“Any dispute arising from or in connection with this contract shall be submitted to the Mainland - Hong Kong Joint Mediation Center for the Cross-border Dispute Resolution Mechanism which shall be conducted in accordance with the Center’s Mediation Rules in effect at the time of mediation.”

## Mediation Training Courses

MHJMC is keen on training up mediation talents which are essential to the development of the field. We provide various courses for those who aspire to become professional mediator:

### Professional Mediator Training Certificate Course

This Course focuses on mediation concepts, procedures, skills and related legal knowledge of the Mainland and Hong Kong through various teaching approaches such as group discussion, sharing of real cases, and simulated cases (role play) exercises. Through this variety of in-class activities, participants can have a firmer grasp on different mediation skills required to become a professional mediator. This Course is conducted in Putonghua, integrates the international mediation model and the Chinese diversified dispute resolution mechanism, and introduces “Mediator’s Proposal” to ensure participants are kept up with the latest development of the mediation industry.

Participants who have completed this Professional Mediator Training Certificate Course and attained relevant requirements are eligible to apply for MHJMC Professional Mediator Accreditation Assessment and apply to become International Accredited Professional Mediators of MHJMC.

### Professional Development Path



### Certificate Course on Cross-Border Mediator Training

This Course is specially designed for Hong Kong accredited mediators who aspire to deal with cross-border commercial disputes. The content of this Course mainly covers the diversified dispute resolution mechanism of China and mediation model used to handle cross-border commercial disputes. This Course serves also to equip Hong Kong mediators with the flexibility to adapt to the difference in judiciary systems in different jurisdictions, to enhance and reinforce the acquired mediation knowledge and professional skills, so as to learn to manage mediation cases involved in cross-border commercial disputes. Participants who have completed this Course and attained relevant requirements are eligible to apply to become International Accredited Professional Mediator of MHJMC.

## Objectives

- ◆ To provide a well-developed cross-border dispute resolution platform for Hong Kong, Mainland and international enterprises;
- ◆ To promote and encourage the use of mediation in resolving commercial disputes by Hong Kong, Mainland and international enterprises;
- ◆ To establish professional mediation accreditation mechanism and assist in raising training standards in China; and
- ◆ To promote cross-border and international commercial and trading development in Hong Kong and the Mainland.

## Corporate Training

To raise public awareness on mediation, MHJMC also offers training to different enterprises and organizations. Tailor-made mediation-related training will be designed to suit individual needs of organizations, in order to broadly introduce the application of mediation in different corporations.

## Advanced Professional Training

MHJMC also provides mediators with advanced training, for example, Certificate Course on Mediation Coach Training, Certificate Course for Mediation Trainers and Certificate Course for Mediation Assessors, etc.