

Submission of IAM information to Qianhai Management Board (QMB)

1、IAM 的注册登记资料 [details of IAM's incorporation]

International Academy of Mediators (IAM) is a 501/C6 entity and is incorporated in the state of Nevada in the United States. Its registered address is:

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2、IAM 的会员情况描述 [details of IAM's membership and members]

- a. All IAM members are professional independent commercial mediators who are well-established and recognized in their local or regional community as leading mediators in the field. The admission to membership is invitation-only. All members of IAM are in the category of Distinguished Fellows.

IAM maintains a stringent minimum requirement on admission to membership. To be qualified as a member, such mediator must be:

- in commercial mediation practice for at least 3 to 5 years, with the corresponding certification for those mediators who practise in jurisdictions that have certifications for commercial mediation;
- at least a majority of his professional efforts are dedicated to commercial mediation;
- in developed markets, the mediator must have worked at least 300 to 600 commercial mediation days;
- in emerging markets¹, must have worked at least 150 to 300 commercial mediation days
- in undeveloped markets², must have worked at least 50 to 100 commercial mediation days
- mediation days consist of at least 4 hours of work focused on the *mediation of commercial disputes* (including teaching, training, or facilitating as well as mediating disputes and excluding days spent mediating pro bono, small claims, and domestic relations matters)

¹ "Emerging" markets are those areas or regions where relatively fewer commercial disputes are mediated, in contrast with developed markets where the majority of commercial disputes get referred to mediation, whether by courts, counsel, or parties. Factors include: the extent to which mediation is mandatory, the length of time mediation has been in use, the types of disputes that go to mediation, and the numbers of mediators who practice on a full or substantial-time basis.

² "Undeveloped" markets are those areas or regions where mediation is just beginning to be utilized and thus very few commercial disputes are mediated and very few mediators practice on a full or substantial-time basis.

- *alternative mediator experience* may be considered provided it is *substantially equivalent* (participation in mediations as party or counsel is not considered mediator experience)

Apart from ordinary members, IAM also has 23 Honorary members.

b. IAM has 158 members in North America (includes US, Canada, Mexico), and the number of members in other jurisdictions/regions are:

- 4 Australia
- 1 Belgium
- 2 Brazil
- 3 Switzerland
- 3 Germany
- 1 Spain
- 4 France
- 14 Great Britain
- 1 Hong Kong
- 1 Israel
- 4 India
- 2 Italy
- 2 Kenya
- 3 New Zealand
- 1 Russia
- 1 Singapore

3、IAM 的近三年的主要活动（有无在中国的相关活动，如有，活动详情尽量描述）

[details of important activities organised by IAM during the last 3 years (including whether or not IAM has organised activities in China, and if so, to provide as much details as possible on such activities)]

a. Before the outbreak of COVID-19, the major activities of IAM were the annual conferences which were held twice a year. Each conference lasted for 2.5 days, and there was a special theme, relevant to the practice of mediation, designed for each of them. For instance:

Year	Spring/Fall	Theme
2018	Spring Conference (Edinburgh)	Looking Outward Mediation: A New Enlightenment?
2018	Fall Conference (Cleveland, OH)	Finding Trust in the Rock & Roll World of Conflict: Back to the Basics
2019	Spring Conference (Banff)	Moving from the Unconscious to the Self-Aware
2019	Fall Conference (Scottsdale AZ)	Deconstructing the Mediation Process: Learning from the Best Mediators Around the World

2020	Spring Virtual Conference	Virtually Yours: A Look to the Future
2020	Fall Virtual Conference	A Time for Reflection & Conversation
2021	Fall Virtual Symposiums (Americas, Asia-Pacific and Europe)	Mediation 2021: Where Do We Go From Here

All of the above conference brochures are attached to this note as Appendix One.

- b. Distinguished speakers on different topics or subject areas concerning mediation practice were invited to speak at each conference. There were also discussions and exchanges of practices, skills and techniques amongst members during the period of conferences. These opportunities enable members to learn from each other and further enhance their professional knowledge and techniques in the practice of mediation.
- c. In October 2020, IAM collaborated with the Hong Kong Mediation Council (HKMC) and organized a symposium known as *International Commercial Mediation in Asia: The Essentials for the Way Forward (“Hong Kong Symposium”)*. The Hong Kong Symposium was led by some of the world’s leading international mediators and experts on dispute resolution. Most of the speakers and delegates came from the IAM membership in the USA, Hong Kong, Singapore, Australia, New Zealand, UK, and other European countries who shared their expertise and insights on topical issues. The mix of the speakers brought about an international and cross-cultural perspective to the discussion.
- d. One of the objectives of the Hong Kong Symposium was to enable all the stakeholders, practitioners and users of dispute resolution services in Hong Kong and other parts of Asia to be benefitted from the insights and experience shared by the veteran mediators and academics of IAM coming from different jurisdictions. Hence, simultaneous interpretation (English and Mandarin) of all the sessions of the Hong Kong Symposium was arranged to facilitate the mutual exchange of perspectives between the panellists and audiences and enable a full interaction between them. In all five sessions, there were participants from Mainland China who registered and attended the Symposium.

5、IAM 的主要业务范围； [IAM’s main scope of business and activities]

IAM is a professional membership academy of the most successful and highly trained professional independent mediators in the world. It was established in 1996 and has been an invitation-only academy whose Distinguished Fellows adhere to the highest practice and ethical qualifications. It is highly respected for its education programs, including internationally acclaimed speakers and cutting-edge mediation techniques.

IAM’s mission is to promote excellence among the pre-eminent commercial mediators through educational enhancement, fellowship and the delivery of the highest ethical service. It fosters the highest standards of integrity and competence in the mediation of commercial disputes. It also

promotes the study and understanding of the mediation process and the education of the public, courts and legislative bodies on effective and appropriate uses of mediation. Further, IAM encourages friendly association among the professional members and cooperation with other organisations, institutions and societies interested in mediation. Its goal is the general acceptance of the concept of mediation as a separate discipline and profession, this aspect of the mission imposes a requirement of high qualifications and standards for consideration for IAM membership.

6、IAM 的业界影响力描述（如获奖情况） [describe IAM's standing, impact and influence in the industry]

As an international mediation academy, IAM has an international standing second to none. Its members hail from every corner of the globe. They are leaders in their respective jurisdictions, and many are widely regarded as thought leaders and ranked among the global elite of international mediators. The diversity of IAM's membership enables IAM to impact and influence the future developments of mediation in all parts of the world. Members of IAM are regularly consulted by governments and international organisations on all matters affecting the development and practice of mediation.

In addition, two of IAM's Distinguished Fellows attended the UNCITRAL Working Group II meetings in Vienna and New York which drafted the Singapore Convention.

7. IAM 进入前海开展业务的设想以及对前海建设国际法律服务中心的意义 [IAM's plans regarding the proposed collaboration with Qianhai and the possibility of building an international legal service centre]

- a. IAM is an academy of leading experienced civil and commercial mediators. It was founded by a small group of pre-eminent mediators in North America and since its inception in 1996, it has expanded its membership world-wide. It does not have a panel of mediators, nor is it an institutional mediation services provider.
- i. Notwithstanding the above, IAM has Distinguished Fellows who are able to provide professional advice on the development of mediation to the Qianhai Court if required. Distinguished Fellows have conducted training courses for the judiciary in Hong Kong, Easter Europe, the United Kingdom and Singapore. Such training has included advising on the necessary court procedures, mechanisms to encourage litigating parties to attempt mediation, advice on draft mediation rules, and collaboration with arbitral bodies to develop med-arb procedures. However, IAM does not itself provide such training but can identify those of its Distinguished Fellows who have the necessary experience and skill and effect an introduction to the Qianhai Court administration.
- ii. IAM is not a training organisation but many of its Distinguished Fellows have conducted training for judges, mediators, lawyers, and other stakeholders in different jurisdictions world-wide.

b. Key areas that IAM Distinguished Fellows could support

There are several target areas that Distinguished Fellows of IAM could support Qianhai Court in the development of international commercial mediation.

i. Advising on mediation development

Some Distinguished Fellows of IAM have the experience and expertise to advise the Qianhai Court on shaping the future development of mediation in order to ensure that the development of professional mediation in Qianhai is consistent with the model of mediation used worldwide. Such advice could include how the court can support the use of mediation by incorporating mediation as part of the civil litigation procedures; written legislation on mediation; provision of facilities in conducting the mediation process; how the Qianhai Court and arbitral bodies could jointly design dispute resolution procedures to encourage the multi-avenues in dispute resolution.

ii. Provision of training

Many IAM Distinguished Fellows conduct training programs in different parts of the world. These programs range from the usual 40 hours training for mediators to those training programs for lawyers to become mediation advocates. Therefore, the members of IAM will be a valuable source of training expertise and programs for prospective mediators in QH or even the Greater Bay Area (GBA).

Further, Qianhai Court could if it wished introduce suitably qualified and experienced Distinguished Fellows of IAM to the professional association of lawyers in the Greater Bay Area with a view to their providing local lawyers with training in mediation advocacy to assist them in conducting international civil and commercial disputes.

In addition, many IAM Distinguished Fellows have the experience in educating the younger generation of lawyers in many jurisdictions. Qianhai Court may wish to facilitate the liaison between suitably qualified and experienced IAM Distinguished Fellows and the law schools in GBA and southern China to support the education on alternative dispute resolution or the design of conflict resolution programs in the law schools.