



## Navigating Peace: Hong Kong as an International Mediation Centre

This has been a significant moment for me and an exciting declaration for Hong Kong. It was announced last week that Hong Kong has been officially represented as an international mediation centre. The International Organisation for Mediation (IOMed) is the world's first inter-governmental international legal organisation dedicated to resolving international disputes through mediation, a crucial mechanism for upholding the principles of the United Nations Charter.

Most of you might recognize me as an asset manager and financial adviser. There is also a side to me that I have always had a passion to help families stay out of court, litigation, and maintain family harmony, "Guan-Xi." [Cooley Family Office](#) specializes in protecting family legacies through mediation and collaboration. With my Juris Doctorate in Law, I have focused on mediation to handle family and family business disputes, which I serve on the Board of the [Hong Kong Collaborative Practice Group \(HKCPG\)](#) and am an accredited family mediator with the [Hong Kong International Arbitration Centre \(HKIAC\)](#).

Although mediation has been practiced in China for hundreds of years, the decision to establish headquarters in Hong Kong is a resounding vote of confidence in the common law system, its robust legal framework, talent pool, bilingual legal environment, and international connectivity.

Mediation stands apart from other legal pathways as a process grounded in mutual consent. A skilled mediator guides parties towards a harmonious agreement. Through mediation, each side presents its arguments, listens to the perspectives and demands of the other, and engages in a constructive dialogue. The mediator acts as a catalyst, encouraging both sides to examine the merits and flaws of their positions while suggesting potential avenues for compromise. Ultimately, the resolution derived from mediation is crafted by the disputing parties themselves.





## How does Mediation Differ from Other Legal Instruments?

While **mediation** thrives on collaboration, arbitration offers an alternative path that bypasses the courts but doesn't rely on mutual agreement.

Here, a designated arbitrator renders a binding decision known as an arbitration award. This award carries the same legal heft as a court ruling and can be enforced with equal authority.

**Litigation**, on the other hand, takes disputes into the courtroom. A judge evaluates the case and delivers a verdict that determines the fate of both parties. Often, the losing party is mandated to cover the expenses incurred by the victor, including legal fees and trial costs.

Hong Kong Chief Executive John Lee Ka-chiu has said, "the IOMed will enjoy a status comparable to the International Court of Justice, based in The Hague. The establishment of the IOMed will amplify Hong Kong's influence in international mediation, reinforcing its reputation as a neutral, rule-of-law-based jurisdiction bridging Eastern and Western legal traditions."

Hong Kong's Secretary for Justice Paul Lam noted that the IOMed will have the capacity to handle three types of disputes:

- Disputes between different countries
- Disputes between a country and the citizens of another country, as well as
- International commercial disputes between private entities from different countries



Thirty-three countries from Africa, Asia, Oceania, and Europe, were represented at the signing ceremony. Foreign Minister Wang Yi said, "The birth of the mediation centre will help transcend the 'you-lose-I-win' zero-sum mentality, promote the amicable resolution of international disputes and foster more harmonious international relations."

This is an important time for Hong Kong. Recognition on this level builds mutual respect, "Guan-Xi", and compromise in resolving international disputes through dialogue.

Congratulations Hong Kong!

*Ann Cooley*

[ann@cooleyfamilyoffice.com](mailto:ann@cooleyfamilyoffice.com)



The mission of Pacific Hawk is to help families maintain harmony and create legacies.

Pacific Hawk was founded in 1997 by Ann Cooley. Pacific Hawk maintains long-term relationships with clients by offering bespoke investment and wealth protection solutions, including Pacific Hawk Global Fund OFC, investment advisory, family/business mediation, and collaboration services. With Ann's unique qualifications as a JD, CFP, Family Mediator, and Collaborative Practice negotiator, she has helped families in New York, London, and Hong Kong including the Rothschild, Rockefeller, and Cadbury families.

Please visit our website [www.pacifichawkgroup.com](http://www.pacifichawkgroup.com) or [LinkedIn](#)

You can reach me with your questions or comments:

Ann Cooley at 852 2362-8816 or [contact@pacifichawk.com](mailto:contact@pacifichawk.com)