



**International Mediation Institute**  
[www.IMImediation.org](http://www.IMImediation.org)

## **The Mission of the International Mediation Institute**

### **Overview**

"Professional Mediation Worldwide". These three words summarize the Vision of the International Mediation Institute - IMI. Implementing such a Vision requires a focused Mission: to (a) set and achieve high mediation standards; (b) convene stakeholders and parties; (c) promote understanding and adoption of mediation among users and their advisers, and (d) disseminate skills for parties, counsel and mediators. Let's dig deeper.

### **The Organization**

IMI is the only organization in the world to adopt such a Vision and Mission internationally for mediation. IMI is a non-profit charity registered in The Hague, supported financially and practically by a group of corporate users and by a group comprising the main international ADR service providers. IMI is not a membership body, so it does not serve the wishes of a small number, but aims to address the needs of all stakeholders, starting with users - i.e. disputants. To deliver the needs of users, also means understanding the collective interests of the other players in the dispute resolution field, namely mediators and conciliators, law firms and others that advise users, adjudicators such as judges and arbitrators, service providing organizations, trainers and educators, and policy makers. IMI does not compete with any other body because it sells nothing and it provides no billable services. IMI is funded by donations. IMI's physical office is in the NGO building close to the Peace Palace in The Hague but its main presence is on the internet, at [www.IMImediation.org](http://www.IMImediation.org).

### **Setting Mediation Standards Globally**

If mediation is to grow and be used by disputants, quality is absolutely critical. Almost everywhere, anyone can call themselves a "mediator" and mediation is not a recognized independent profession in any country of the world. IMI has set out to change that defect by establishing high competency standards backed up by transparency enabling users to know when they select a mediator that they are buying the services of a quality professional who is the right person to assist them in resolving their dispute.

The IMI quality standards have been established and published, and are now maintained, by IMI's Independent Standards Commission (ISC), a 70+ strong body of users, highly experienced mediators, leading judges, providers, trainers and educators from 27 countries. The standards are applied in practice by service provider organizations that are approved by the ISC to run Qualifying Assessment Programs (QAPs) to assess and qualify experienced and competent mediators for IMI Certification. There are

currently 31 QAPs in 21 countries, with more in the pipeline, and over 400 IMI Certified Mediators in 45 countries. All members of the ISC and all QAPs are listed on the IMI web portal at [www.IMImediation.org](http://www.IMImediation.org).

All IMI Certified Mediators have Profiles arranged in a similar format that can be searched on the IMI portal. Users can key in their criteria, such as practice area, style of mediator, location and language and then compare the Profiles of IMI Certified Mediators that meet their requirements.

The IMI credentialing scheme not only sets high standards, but also makes those standards transparent to Users. This is done by requiring IMI Certified Mediators to collect feedback on their performance as a mediator from Users (disputants and their professional representatives), appoint an independent organization or individual to summarize it into a Feedback Digest, and include it in the IMI Certified Mediator's Profile. In this way, the mediator's ongoing competency is assessed and validated by the community they serve. Users can read a summary of what previous users have said about the performance of that mediator.

### **The Unique Value Propositions of IMI**

The Mediator Feedback Digest is one of the unique value propositions behind IMI's certification scheme. Increasingly, providers and policy makers are appreciating the value of transparency into skills and competencies in this field. For example, the Singapore International Mediation Institute, a non-profit body established in 2015 by the National University of Singapore, has adopted the IMI mediator credentialing scheme, including the Feedback Digest requirement. IMI actively encourages others to follow this example and to assist users to find the right, quality, mediators.

Not only is IMI the only body setting practice standards for mediators on a global scale, but it is also the only body promoting mediation as a dispute resolution and deal-making process globally. IMI has established a series of international task forces that help to drive mediation into new areas internationally, such as disputes between corporate and other investors and Sovereign States, which, until now, are only addressed by arbitration. Other IMI task forces are focused on standards in online dispute resolution (ODR), standards for trainers and skills assessors, and the development of an UNCITRAL Convention on the recognition and enforcement of mediated settlements.

IMI is the only mediation organization to hold Consultative Status with the United Nations Economic and Social Council ECOSOC, and IMI also holds Observer Status with the United Nations Commission on International Trade Law UNCITRAL.

One of the unique values of IMI is that - because it competes with no other body - it can convene service providers and provide a platform where that can work together on policy developments that will advance the development of mediation.

For that reason, IMI has launched the Global Pound Conference series (GPC) to take place around the world in 2016, the 40th Anniversary of the Pound Conference in the United States, which was the event that began the development of modern mediation. The GPC will be held in numerous countries around the world where delegates - both present in person and participating online, will be able to vote on a number of

propositions and questions. The results at each event will be instantly presented, and combined together will enable all stakeholders, led by users, to define the future of dispute resolution.

## **Stakeholder Value**

The value of IMI depends to some extent on the stakeholder:

### **Users:**

For disputants (users), the widespread adoption of common high international standards in mediation facilitates the choice to use mediation both locally as well as in multiple jurisdictions. It means users can rely more on objective and proven quality standards and assessment criteria to make an informed decision on choosing a mediator rather than relying on word-of-mouth, hearsay, gossip, directory listings, self-proclamations by mediators and other notoriously unreliable methods. It means greater confidence in suggesting mediation to another party (or agreeing to a proposal) knowing that a high level of transparent professional competency will be applied. It also means a greater ability to trust choices of other parties (re-starting the relationship building process) based on the known element of IMI Certification (even if the specific individual is unknown). Making suitable choices between a number of competent mediators is made much easier. Ultimately it means lower costs and risks and less time focusing on process aspects – leaving more opportunity to manage the conflict itself.

### **Mediators and mediation service providers:**

For service organizations that qualify for QAP status, IMI standards raise their game. Experienced mediators accredited through their organization will be able to deliver better results for users which in turn builds the reputations of the mediators and their organizations. By improving the quality of mediators through IMI Certification, mediation becomes more trusted and widely used, translating to more business for mediators and service providers. The IMI search engine also extends the reach of mediators to a wider constituency of users. The search engine optimization techniques used by IMI mean that an IMI Certified Mediators' Profile appears in the top three positions 86% of the time when a user enters the mediator's name followed by the word "mediator", and in over 50% of cases it appears top of the list.

### **Professional firms:**

IMI standards make it easier for law firms and other professional advisers to suggest mediation as a viable tool for their clients. Sustainable solutions reached through mediation help legal advisers to be viewed by clients more as solution providers who strive for the best and fastest outcome to a conflict (in terms of risk, quality of result, reputation, relationships, costs, and time), rather than focusing on legal positions. Legal counsel accredited as IMI Certified Mediation Advocates will build further trust with clients, thereby distinguishing themselves from their competitors and leading to repeat business as the representative of choice proven to act in the best interests of the client.

### **Regulators:**

When a profession is properly self-regulated, the regulator can focus on protecting users. In the case of mediation, this includes enshrining confidentiality and privilege in law, supporting and implementing ethics considerations, encouraging mediation in court

process and the enforceability of settlements. This enables a balance to be struck between the responsibility of the profession to self-regulate efficiently and the role of the Regulator in protecting the interests of users.

### **What else has been achieved?**

IMI has published a Code of Professional Conduct for Mediators, which is backed up by a disciplinary process, similar to any other leading profession.

IMI has established criteria for IMI Inter-Cultural Certification (launched April 2012) and for IMI Certified Mediation Advocates.

IMI has developed several tools for users, which are available on the IMI web portal - for example, the online case analysis tool, called Olé, enables users and their advisers to analyze any case to determine objectively the most appropriate dispute resolution options. This highly advanced tool was adapted for online use as a result of a grant by the GE Foundation.

There is an online advice forum on the IMI portal that enables users to ask questions about mediation and secure a quick response from the IMI Certified Mediator community.

Mediation training materials are being made available to trainers and educators in countries where mediation is largely undeveloped.

IMI makes all informative materials and tools available to everyone copyright-free.

There is an active Young Mediators Initiative that enables aspiring mediators to gain experience by assisting established mediators in real mediations.

### **The Future**

Mediation has come a long way since the Pound Conference in 1976, but still has much further to go. Mediation must develop into a widely-recognized, independent profession otherwise mediation will not be accepted by users as the preferred and automatic way to resolve disputes when negotiations fail. This means that a single set of high-level competency and practice standards need to be adopted around the world.

Mediation needs to be far better promoted if it is to be far better understood and accepted. It begins with competency standards but does not end there. Mediated settlements need to be internationally enforceable, like arbitral awards. Governments need to use mediation as the prime way to resolve disputes. Users need to see the value of using mediators to make deals. Providers need to be more transparent and to come together to expand the use of mediation.

IMI sets out to achieve all these things, and more. It needs everyone in the dispute resolution field to support this Vision and this Mission.

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