



*Ministry of Justice
Japan*

**MEMORANDUM OF COOPERATION
BETWEEN
THE MINISTRY OF JUSTICE OF JAPAN
AND
THE DEPARTMENT OF JUSTICE OF THE HONG KONG SPECIAL
ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF
CHINA**

The Ministry of Justice of Japan and the Department of Justice of the Hong Kong Special Administrative Region of the People's Republic of China (hereinafter referred to individually as a “Participant” and collectively as “the Participants”),

Acting in the spirit of partnership and cooperation;

Desiring to strengthen communication, collaboration and cooperation between the Participants on issues relating to international arbitration and mediation and to facilitate the development of services for international arbitration and mediation in their respective jurisdictions;

Have reached the following recognition:

Paragraph 1

Purpose and Scope

1. This Memorandum of Cooperation (hereinafter referred to as “MoC”) aims to provide a

general administrative framework for cooperation between the Participants in the areas identified herein, in order to foster further cooperation with the goal of strengthening the friendly relationship between the Participants in the future. It does not create any binding rights and obligations under international law or domestic law and does not affect the rights and obligations of the respective Governments of the Participants under any international agreements.

2. The Participants will, subject to their respective domestic laws, regulations and policies in force from time to time and without prejudice to their benefits and commitments under existing and future arrangements or their respective Governments' rights and obligations under existing and future agreements, and subject to their respective available resources, implement this MoC and endeavor to develop mutually beneficial cooperation in the areas identified herein.

Paragraph 2
Areas of Cooperation

1. The Participants will:
 - (a) exchange information on their legal framework, case law, as well as views and experience relating to international arbitration and mediation;
 - (b) provide training on international arbitration and mediation to individuals and institutions of Japan and the Hong Kong Special Administrative Region of the People's Republic of China;
 - (c) jointly organize forums and seminars on the promotion of international arbitration and mediation; and
 - (d) cooperate in other areas as mutually decided by the Participants.
2. The Participants will consult with each other to decide jointly on the detailed cooperation arrangements and may identify priority areas or other areas of mutual interest.
3. Unless otherwise jointly decided, each Participant will bear the cost and expenses for its participation in the cooperation under this MoC.

Paragraph 3
Confidentiality

1. Each Participant will not disclose to any third party, without the prior written consent of the other Participant, any information received from or supplied by the other Participant under this MoC.
2. Unless otherwise jointly decided, the Participants will continue to observe the confidentiality requirement under this Paragraph, notwithstanding the discontinuation of this MoC.

Paragraph 4
Focal Points

1. The focal points of the Participants, which are responsible for implementing and reviewing this MoC, are the following:
 - (a) For the Ministry of Justice of Japan: International Affairs Division, Minister's Secretariat
 - (b) For the Department of Justice of the Hong Kong Special Administrative Region of the People's Republic of China: Inclusive Dispute Avoidance and Resolution Office
2. Each Participant will promptly inform the other Participant in case of any change of the focal point.

Paragraph 5
Modification

This MoC may be modified at any time by the mutual written consent of the Participants. The modification will come into operation on such date as may be jointly determined by the Participants.

Paragraph 6
Settlement of Disputes

Any disputes between the Participants concerning the interpretation or implementation of this MoC will be resolved amicably by consultation.

Paragraph 7
Effective Date and Discontinuation

1. This MoC will come into operation on the date of its signature, and will remain in operation until discontinued by either Participant giving the other six months' advance written notice of discontinuation.
2. Unless otherwise jointly decided, the discontinuation of this MoC will not affect the implementation of any ongoing cooperation which has commenced before the date of the discontinuation of this MoC.

SIGNED in duplicate, in Hong Kong, on 9 January in 2019, in the English language.

For the
Ministry of Justice of Japan



Takashi Yamashita
Minister of Justice

For the
Department of Justice
of the Hong Kong Special Administrative
Region of the
People's Republic of China



Teresa Cheng
Secretary for Justice