

**A Small Experiment in International Negotiations:
Chuo Law School, Japan and Chulalongkorn Law Faculty, Thailand**

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- I. Background
- II. The Players
- III. The Negotiation
- IV. The Evaluation Session
- V. Post-Negotiations

I. BACKGROUND

This brief Report describes a small experiment in transnational negotiating between law students from Thailand and Japan. Unlike the experiments described by Professor Foote and Professors Anderson and Eizumi in companion articles in this issue¹, it did not involve new technology or even the negotiation of an entire contract. Further, it did not involve negotiations between Western and Asian cultures, but between two groups of Asian law students. Rather, the project I oversaw involved the willingness of one group of students to travel abroad, a focus on negotiating dispute resolution clauses for a commercial contract, and the opportunistic use of my involvement in law programs in Japan and Thailand. I believe these differences provide some interesting comparative lessons when set against Foote's and Anderson/Eizumi's conclusions. More importantly perhaps, the results of my project were satisfying enough for all involved to plan to repeat the experiment in the next two academic years.

For several years I have been teaching a subject "Alternative Commercial Dispute Resolution in Asia" in the LLM (Business Law) Program at Chulalongkorn University, Thailand (commonly abbreviated to "Chula").² My co-teachers are Judge Vichai Ariyanutaka, formerly Deputy President of the Central Intellectual Property and International Trade Court of Thailand, and since October 2004, Chief Justice of the Labor Court of Thailand, and Professor Richard Garnett of the University of Melbourne Law School. The Chula program is taught entirely in English, as it has been developed to train a new generation of Thai lawyers for international legal work. Judge Vichai has been a leader in ADR circles in Thailand, and in Asia in general. He was the first Director of the Thai

1 See the contributions in this issue by D.H. FOOTE, Information Technology Meets International Contracting (p. 69), and K. ANDERSON / Y. EIZUMI, Cross-Border Legal Education (p. 101).

2 The program website is at: <<http://www.law.chula.ac.th/en/02/structure.html>>.