

## Comparison of Dispute Resolution Through Mediation in Indonesia and Japan

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**Abstract.** This study aims to compare the mediation systems in Indonesia and Japan, focusing on procedural differences and similarities, as well as the factors influencing their implementation in both countries. Mediation as an alternative dispute resolution offers a more peaceful and efficient solution, reducing the burden on courts. In Indonesia, mediation is regulated by the Supreme Court Regulation (PERMA) No. 1 of 2016, which mandates that mediation be conducted at the early stages of the trial with non-judge mediators. In contrast, Japan's wakai system allows mediation to occur at various stages of the judicial process with judges serving as mediators. Additional differences include the procedures for conducting mediation, the authority of mediators, and the mechanisms for ratifying mediation results that hold the force of law in both countries. Despite the fundamental differences in their systems, both countries share the same goal of achieving a fair resolution beneficial to both parties. Cultural factors, legal systems, and court structures are essential elements influencing these differences and similarities. This research provides important insights for the development of mediation practices in Indonesia by considering the implementation of a more flexible system similar to Japan's.

**Keywords:** Mediation, Comparison, Dispute, Resolution, Wakai System

### 1. INTRODUCTION

Dispute resolution is a crucial element within the legal system, as it plays a fundamental role in ensuring the achievement of justice and the maintenance of social order in society. Every conflict or dispute, whether personal, business-related, or social, if left unresolved, can escalate and disrupt the stability of relationships between the parties involved, potentially leading to broader social tensions. Therefore, a mechanism for effective and just dispute resolution is necessary to prevent conflict escalation and preserve relationships that should ideally be maintained peacefully. With appropriate dispute resolution, whether through litigation in court or alternative methods like mediation, it can be ensured that the rights of the disputing parties are protected and agreements beneficial to all parties are reached, thereby creating harmony and order in social life. Success in dispute resolution also reflects the effectiveness of the legal system itself in regulating and enforcing existing laws for the common good.

Dispute resolution must be addressed due to the conflicting interests between the two parties, which are then presented to a third party to find a solution. This resolution can occur through reconciliation, where both parties agree to solutions offered by the judicial institution, aiming to achieve a sense of justice for both parties involved. Mediation can take

place both in court (litigated) and outside of court (non-litigated). For disputes resolved outside of court, mediation can be conducted through arbitration bodies, while for litigated mediation, the process can take place in court according to Article 130 HIR. In this case, the judge's role is to reconcile the parties involved through mediation. The Civil Procedure Law in Indonesia, as regulated in Article 130 HIR, encourages the disputing parties to seek peaceful solutions. If mediation fails, a deed of agreement is drafted, which must be adhered to by both parties. This deed possesses legal force equivalent to that of a court decision and can be enforced like a normal court ruling but cannot be appealed or contested.

In efforts for dispute resolution, a legal framework supporting mediation exists in Indonesia. The mediation process as a dispute resolution method has been recognized since the issuance of Supreme Court Regulation (PERMA) No. 2 of 2003, which was updated by PERMA No. 1 of 2008 and subsequently replaced by PERMA No. 1 of 2016 regarding the mediation procedures in court, which is still in effect today. PERMA No. 1 of 2016 was issued as an improvement to PERMA No. 1 of 2008, regulating the same procedures. The Supreme Court considered that the implementation of mediation procedures under the Court based on PERMA No. 1 of 2008 had not optimally fulfilled the needs to conduct mediation more effectively and efficiently. Therefore, this change is expected to provide a robust foundation in strengthening mediation as an alternative dispute resolution, both inside and outside the court.

The concepts of mediation in Indonesia and *wakai* in Japan share similarities in legal objectives, which is to achieve peace. *Wakai*, used as a dispute resolution method, has no time restrictions from the stage of a lawsuit to the final decision, with the purpose of achieving a mutual agreement between the disputing parties. The court process is considered complete when the mediation outcome possesses the same legal force as a binding court decision, even though the dispute resolution through *wakai* is documented in minutes. In civil cases, *wakai* is also regulated in Article 275 of the Japanese Civil Procedure Code, suggesting mediation before a lawsuit is filed.

Mediation in Indonesia and Japan has been implemented as a crucial dispute resolution method, although with different approaches and procedures. In Indonesia, mediation is regulated under the Supreme Court Regulation (PERMA) No. 1 of 2016, which provides a legal framework for mediation in courts and encourages conflict resolution peacefully before reaching full litigation. Meanwhile, Japan has developed the *wakai* system, established since 1980, as a flexible form of mediation without time restrictions, allowing parties to achieve mutual agreements before a lawsuit is filed and providing decisions that hold the force of law.

Both countries allow room for mediation in both civil disputes and other disputes, both in court and outside court, but with regulations reflecting each country's legal system.

Japan has developed a mediation system known as *wakai* since the 1980s, designed to be an alternative dispute resolution that values social relationships and harmony among disputing parties. Unlike the formal court system, *wakai* aims to reach solutions that can be mutually accepted without involving formal court decisions. In this system, mediators play a vital role as neutral third parties, not only assisting parties in finding agreements but also ensuring that the mediation outcomes align with interests and societal values that prevail within the Japanese community. The primary advantage of *wakai* is its ability to maintain good relationships among disputing parties, making dispute resolution more humane and allowing for quicker and more cost-effective outcomes.

*Wakai* in Japan has several advantages that make it highly popular among the public. One of these is easy access, as its less formal procedures allow many disputes to be resolved quickly without going through court channels. The involvement of a neutral but influential third party also strengthens the mediation process, as mediators are usually respected and trusted by the disputing parties. Furthermore, the mediation procedure in Japan is flexible and can be tailored to the characteristics of the disputes being faced, making it the primary choice for resolving various legal and non-legal problems. The Japanese community has a high level of trust in this system, viewing mediation as a more effective way to avoid prolonged conflicts compared to dispute resolution through formal court proceedings.

Although the legal systems in Indonesia and Japan differ, both countries share the same objectives in prioritizing peaceful dispute resolution that is efficient and reduces court burdens. In Indonesia, mediation is formally regulated under Supreme Court Regulation (PERMA) No. 1 of 2016, which provides a clear legal framework for the implementation of mediation in court, whereas Japan relies on a more flexible *wakai* system that is not bound by formal rules. Both countries also recognize the importance of mediation in supporting the dispute resolution process, although Japan prioritizes flexibility and informal approaches in its practices. The main differences lie in their procedures, where mediation in Indonesia is more structured and formal, while *wakai* in Japan is more relaxed and often occurs outside courtrooms, enabling a more values-based and harmonious approach.

The discussion in this research aims to identify and analyze the differences and similarities between the mediation systems in Indonesia and Japan, particularly regarding their execution and regulation. The primary questions to be addressed include: How is the mediation system in Indonesia regulated and executed through Supreme Court Regulation

(PERMA) No. 1 of 2016, and what are the procedures and underlying principles guiding its implementation in court? Additionally, this research will also examine what significant differences exist between the mediation system in Indonesia and the wakai system practiced in Japan, including the characteristics of each system in resolving disputes. Moreover, this study will analyze the factors that influence the success of mediation implementation in both countries, including the roles of mediators, legal culture, and public trust in mediation systems as alternative dispute resolution mechanisms.

## **2. METHOD**

The normative legal research method is employed in this legal study, focusing on the examination of documents and legal norms. This method aims to analyze applicable legal rules and how these rules are implemented or interpreted within a specific regulation. In normative legal research, the primary sources used are legislation and other legal literature. This approach is particularly relevant when researching legal issues of a theoretical and conceptual nature, such as the differences in the mediation systems in Indonesia compared to the wakai system in Japan, as well as the factors influencing the success and divergences in mediation implementations in both countries. One approach utilized within this method is the statutory approach and the conceptual approach. The statutory approach involves reviewing and analyzing various regulations governing specific issues, such as Supreme Court Regulation (PERMA) No. 1 of 2016 regarding mediation procedures in court and relevant regulations. Through this approach, researchers can discuss the necessity of exploring the differences in the mediation systems in Indonesia and the wakai system in Japan, as well as factors influencing the effectiveness and distinct features of mediation practice between Indonesia and Japan.

## **3. RESULT AND DISCUSSION**

### **Differences Between the Mediation System in Indonesia and the Mediation System in Japan**

Mediation in Indonesia is detailed in the Supreme Court Regulation (PERMA) No. 1 of 2016 regarding Mediation Procedures in Court. This regulation governs how mediation processes are to be conducted in courts, primarily aimed at providing parties in dispute with the opportunity to achieve a fair, peaceful, and mutually beneficial resolution. Mediation in Indonesia seeks to avoid lengthy, expensive litigation that can worsen relationships between

parties. This mediation process involves the engagement of a neutral and independent mediator who assists the parties in reaching an agreement without favoring either side. Generally, mediation occurs at the early hearing stage, before the case proceeds to a more formal court setting, allowing parties to engage in dialogue and find a mutual solution prior to involving the judge in a binding decision. Mediation is only conducted if both parties agree to follow the process. If one party declines, mediation does not take place, and the litigation process proceeds as usual.

The main advantage of mediation in Indonesia is its ability to alleviate the burden on courts. By directing dispute resolution towards mediation channels, courts can save valuable time and resources that would otherwise be expended dealing with cases through litigation. Additionally, mediation offers more flexible solutions that meet the needs of both parties since the decisions made prioritize mutual agreement. This contrasts with court decisions, which are binding and may result in one party winning or losing. Therefore, mediation can be viewed as a friendlier alternative for parties wishing to avoid prolonged conflict while preserving good relationships post-dispute resolution.

Furthermore, PERMA No. 1 of 2016 specifies that even if agreements reached in mediation only cover certain aspects, the mediation process can continue to resolve other matters. A similar provision exists in Japan's wakai system, allowing for partial resolution of issues before proceeding to others. Thus, despite procedural differences between PERMA No. 1 of 2016 in Indonesia and the wakai system in Japan, both aim to achieve peaceful and effective dispute resolution.

In practice within Indonesian courts, mediation typically occurs at the first hearing prior to the filing of the lawsuit. In contrast, in Japan, wakai can be undertaken after the exchange of documents, which in Indonesian civil procedure corresponds to the stage after the reply and rejoinder are exchanged. Based on Articles 6 paragraphs (2) and (3) of PERMA No. 1 of 2016, if one party is absent for valid reasons, they can still participate in the mediation process via audio-visual communications. Regarding the absence of litigants, wakai in Japan also stipulates that mediation is considered to be effective when the absent party submits a written statement indicating their willingness to accept the agreed-upon wakai clauses set out by the court.

Legal foundations regarding wakai in Japan are stated in the Japanese Civil Procedure Code (Minji-soshô-hô, 1996) Article 267, which mentions that if a resolution or acknowledgment of a claim is recorded in the minutes, the statement has the same legal force as a final and binding judicial decision. This concept aligns with the provision in Article 1858

paragraph (1) of the Indonesian Civil Code (BW), which states that reconciliation among disputing parties has legal force equivalent to a final judicial decision. Similarly, Articles 130 paragraph (2) of the HIR and Article 154 of the RBg stipulate that conciliation deeds carry legal power equivalent to decisions that have become final and binding. This is also articulated in Article 27 paragraph (4) of PERMA No. 1 of 2016, which mentions that the results of reconciliation or mediation in Indonesia have permanent legal force, provided that a peace deed is created by the judge.

Differences between PERMA No. 1 of 2016 in Indonesia and the wakai system in Japan can be seen from several aspects. First, in PERMA No. 1 of 2016, the priority is given to licensed non-judge mediators, while in the wakai system in Japan, mediators are judges who are handling the cases. Secondly, mediation in PERMA No. 1 of 2016 starts at the first hearing before the filing of the lawsuit when both parties are present, while under wakai regulation, mediation starts after the exchange of documents, such as replies or rejoinders. Thirdly, peace agreements in PERMA No. 1 of 2016 must be documented in a peace deed endorsed by the judge, whereas in wakai, solutions achieved through mediation possess permanent legal force (*inkracht*) once recorded in the minutes.

However, there are also several similarities between the two. First, both in PERMA No. 1 of 2016 and wakai, mediation can resolve partial disputes, and such agreements remain valid even if they address only part of the issues. Secondly, both systems allow for the substitution of absentees during dispute resolution through written statements or audiovisual communications.

The distinctive features of the wakai system in Japan are that mediation can occur at any stage, whether during a lawsuit, evidence examination, or even at the judgment phase, and can be conducted outside of court. Wakai can be applied at various levels of the judiciary, including first instance, appeal, and cassation, and may involve third parties with an interest in resolving the disputed subject. Moreover, the outcome of an agreement in wakai is regarded as equivalent to a judge's ruling. Since its introduction in the 1980s, the wakai method has become increasingly favored by judges in Japan, who are proactive in promoting dispute resolution through mediation.

In Indonesia, mediation occurs only during the judicial process and is typically limited to one attempt per case, although the Indonesian legal system does not explicitly prohibit reconciliation after the first hearing, its practical application is more restrictive. In Indonesia, mediation costs are not incurred if the judge serves as a mediator, unless a non-judge

mediator is engaged, which may impose costs on the disputing parties. Conversely, in Japan, the payment system for mediation varies based on the procedures implemented.

In Japan, mediation is divided into two types: *chotei* and *wakai*. *Chotei* is mediation conducted by the parties before the case is registered in court, while *wakai* is conducted after a case is registered and forms part of the litigation process. All civil cases in Japan are required to undergo the *wakai* process, while *chotei* remains optional, except in family civil matters. In family civil cases, before filing a lawsuit in Family Court, parties must first go through the *chotei* process. If this process fails, only then can the case be registered in Family Court for the continuation of the *wakai* process before judges examine the core issues.

The judicial system in Japan, similar to Indonesia, recognizes three levels of courts: first instance, appeal, and cassation. The first instance includes summary courts handling civil and minor criminal cases, district courts that approximately correspond to district-level courts, and family courts dealing with family-related disputes, such as divorce, matrimonial property distribution, child custody, and inheritance. Family courts also handle cases of child recognition based on relevant laws. In resolving family civil matters, both through *chotei* and *wakai*, judges refer to legal procedures regulated in acts pertaining to domestic relations and personal status litigation, which are similar to the Marriage Law in Indonesia.

Though *chotei* and *wakai* share the common goal of achieving peaceful resolution through agreements among the parties, *wakai* tends to be more popular in Japan. A significant advantage of *wakai* is the mediation process, which involves only one judge as the mediator, who is free to develop techniques for resolving disputes. The *wakai* process also offers a considerable opportunity for parties in dispute to actively participate in seeking solutions, and judges may propose conciliatory proposals to them. The *wakai* process can occur at every stage of the court system, from first instance, appeal, to cassation, allowing mediation to transpire whenever during legal proceedings.

Conversely, while in Indonesia, mediation also aims to achieve just dispute resolutions and seek win-win solutions or compromises, the differences lie in procedures and opportunities for mediation to take place. In Indonesia, mediation occurs at specific points during the legal proceedings, while in Japan, *wakai* can be conducted at all stages of court proceedings and even involve third parties in the process. In Japan, both *wakai* and *chotei* are widely used as dispute resolution methods at all levels, especially in civil matters. Under *wakai*, parties in dispute may file mediation requests to the court based on Article 275 of the Japanese Civil Procedure Code. The *sokketsu* process (mediation before litigation) often

serves as an initial step in dispute resolution, frequently resulting in substantial agreements between the two parties before judicial intervention occurs.

### **Comparison Between Mediation in Indonesia and Mediation in Japan, as Well as Factors Influencing the Differences and Similarities Between the Two**

Peaceful dispute resolution through mediation has long been recognized as an efficient and effective alternative to avoid lengthy and costly litigation processes. In many countries, including Indonesia and Japan, mediation has become an essential method within the judicial system for seeking fair solutions for disputing parties. Although they share the same goal of achieving peaceful agreements and reducing court burdens, the mechanisms and implementations of mediation in Indonesia and Japan exhibit distinct characteristics. Indonesia adopts a more structured and formal mediation system, regulated by rules such as PERMA No. 1 of 2016 that stipulate the role of non-judge mediators and mediation processes that must be conducted at the early trial stage. In contrast, Japan has a more flexible *wakai* system, allowing mediation processes to be carried out at various stages of the judicial process, even after the cassation phase. These differences are influenced by various factors, including legal culture, court structure, and legal policies in each country. Therefore, a deep understanding of the factors influencing the differences and similarities in these mediation practices is crucial in comprehending how both countries manage their dispute resolution processes and how each mediation system can be adapted to meet the needs and characteristics of their respective legal communities.

The purpose of mediation in Indonesia is to provide an alternative dispute resolution outside the formal court channels, utilizing a peaceful approach that involves a neutral third-party mediator. This process aims to reduce the court's burden by giving parties the opportunity to seek win-win solutions without waiting for lengthy and costly legal proceedings. Mediation is also anticipated to promptly, economically, and efficiently resolve disputes while creating agreements satisfying to both parties. While the mediation process in Indonesia offers flexibility to determine resolutions, it still prioritizes respect for the legal rights of each party, ultimately intending to reach an agreement that can be recognized and has permanent legal force after court approval. Thus, mediation in Indonesia aims not only to minimize tensions between disputing parties but also to create a more effective and accessible justice system for all sectors of society.



The goals of wakai in Japan align with the mediation objectives in Indonesia, seeking peaceful resolutions through agreements achieved by disputing parties. However, wakai in Japan offers greater flexibility, as the mediation process can occur at several stages within the Japanese judicial system, whether at the first, appeal, or cassation level, facilitating faster agreements without the need to await court rulings. Wakai is aimed at alleviating tension among disputing parties by fostering open dialogue and constructive discussions to forge a solution that is accepted by all. Unlike mediation in Indonesia, which is generally conducted before the case is processed further in court, wakai can occur at any stage of the trial process and is not limited to an initial phase. Additionally, wakai in Japan allows disputing parties to actively participate in resolution processes, with judges or the court acting as mediators capable of proposing peaceful solutions to facilitate prompt dispute resolution, thereby reducing time and costs that would otherwise be incurred in litigation.

In Indonesia, mediation is typically conducted at the early trial stage before the lawsuit is filed, providing parties in dispute the opportunity to solve their issues without pursuing lengthy and costly legal processes. If mediation fails, the case will continue through the regular legal procedures, where the court decides based on the evidence and arguments presented. Furthermore, mediation can only be attempted once per case, meaning if mediation fails on the first attempt, no further chances are available for mediation within the same process. This scenario limits the flexibility of the parties in searching for alternative resolutions but still ensures efficiency in legal processes.

Meanwhile, in Japan, wakai can occur at any point throughout the litigation process, beginning from the first instance, appeals, to cassations. This affords disputing parties greater flexibility to pursue their resolutions at various stages during the litigation. Wakai is not confined only to initial stages but can take place while the trial is ongoing or even outside the trial context. Consequently, disputing parties in Japan have more opportunities to reach a peaceful agreement at multiple junctions throughout their legal journey, which potentially reduces tensions and accelerates dispute resolution without waiting for a final court decision.

In Indonesia, mediation is generally facilitated by non-judge mediators who hold specialized licenses and have undergone mediation training. These mediators act as neutral parties, facilitating communication between disputing parties to find peaceful conclusions. However, in certain cases, judges can also serve as mediators, particularly if the disputing parties agree to involve a judge in the mediation process. This decision is usually made when expedited resolution is deemed necessary or if a non-judge mediator is unavailable. Thus,

while the preference leans toward non-judge mediators, judges can assume mediator roles to support achieving dispute resolutions.

In Japan, the execution of *wakai* is typically led by the judges presiding over the case, who not only serve as arbiters but also as active mediators in the dispute resolution process. Judges in *wakai* enjoy greater liberty in developing dispute resolution techniques, including proposing various amicable solutions acceptable to the disputing parties. Judges act more as facilitators in achieving agreements, a role highly valued due to their in-depth case understanding and authority to propose structured solutions. Within this system, judges not only adjudicate cases but also work towards reconciliation, offering flexibility and efficiency in mediating processes.

In Indonesia, mediation can be conducted for almost all types of civil matters, including family disputes, business disputes, or other disagreements involving rights and obligations between parties. This mediation aims to provide a faster and more cost-effective alternative to traditional court processes. Certain types of disputes, such as family disputes, are also mandated to undergo mediation first before progressing to litigation. Indonesian legislation, such as Law No. 30 of 1999 concerning Arbitration and Mediation, requires mediation to be conducted in various specific circumstances, such as family-related disputes, as well as disputes in district courts defined by legal stipulations. However, mediation remains optional in some cases, depending on the agreement between the parties involved.

In Japan, *wakai* applies to all types of civil disputes, including family disputes as well as other civil issues such as contract disagreements or property issues. *Wakai* is an integral part of the Japanese judicial process, potentially occurring at various litigation stages, including first instance, appeals, and cassations. Before individuals can register a case in court, the mediation process known as *chotei* must also be pursued, particularly for family disputes like divorce, property division, and child custody. While *chotei* is optional, it is compulsory in family matters before cases ascend into formal court procedures. The primary distinction lies in the regulation that, for family-related disputes, mediation must be conducted prior to legal proceedings commencing, whereas it is permissible to perform mediation for other disputes at any point throughout the legal process.

Successful mediation outcomes are documented via a peace deed prepared by the mediator after an agreement is reached between the disputing parties. This peace deed is then submitted for court approval and transformed into a court ruling that possesses permanent legal authority. This process provides legitimate legal standing to the agreements made, allowing them an equal status to judicial decisions rendered by judges during trials.

Consequently, even though the initial process is classified as an alternative, mediation results can possess the same legal implications as court rulings.

In Japan, outcomes from *wakai* hold the same legal standing as court decisions once recorded in the minutes by the court. This indicates that agreements reached through *wakai* are not merely agreements between the disputing parties but also decisions that are binding and hold permanent legal enforceability (*inkracht*). After the conduction of *wakai* and the achievement of an agreement, the court will document the outcome in the minutes, subsequently providing evidence that the dispute has been peacefully and legally resolved. These agreements bind all parties involved and provide legal certainty, as they are regarded as equivalent to court judgments enforceable should one party fail to comply with the terms agreed upon.

In addition to these comparisons, various key factors influence the similarities and differences between mediation in Indonesia and Japan, including legal culture, structural court systems, and applicable legal policies. Firstly, the legal culture in Indonesia and Japan has significant disparities, which are manifest in the perspectives held regarding the role of courts and dispute resolution. In Japan, there exists a stronger value placed on consensual dispute resolution with mediation recognized as a core aspect of the judicial system, with judges taking an active role as mediators. Conversely, in Indonesia, while mediation is acknowledged as an alternative resolution method, the legal culture, which tends to stress court formality, can sometimes result in more structured and constrained mediation applications. Secondly, the court system's structure influences how mediation is implemented. Japan demonstrates greater flexibility, permitting mediation to be conducted at various stages of litigation, while in Indonesia, mediation primarily takes place at the onset of trials. Thirdly, existing legal policies within both countries also influence execution mediation, with regulations such as PERMA in Indonesia providing specific guidelines regarding the role of non-judge mediators and standardization of mediation procedures. In Japan, policies emphasizing the role of judges within mediation allow for a more flexible process capable of occurring at any point during court proceedings. All these factors shape the distinctions and commonalities between the mediation practices in both countries, although their ultimate aims remain to attain fair and beneficial resolutions for all parties involved.

#### **4. CONCLUSION**

The comparison between mediation in Indonesia and the wakai system in Japan demonstrates similarities in their primary objective of achieving peaceful, just, and efficient dispute resolutions, albeit differences regarding procedures and applications. In Indonesia, mediation is regulated by PERMA No. 1 of 2016, typically occurring at the early stages of proceedings, emphasizing non-judge mediators, with peace outcomes that have to be documented in a peace deed endorsed by the court. In contrast, Japan's wakai system is more flexible, allowing execution at various stages of the judicial process, even involving relevant third parties, with mediators generally being judges handling the cases, and mediation results acquiring binding legal force directly after being recorded in the minutes. While Indonesia imposes more limits on mediation opportunities, the implementation in Japan provides greater flexibility, with mediation permissible before and after lawsuits are filed in court. These variances illustrate the differences in legal culture and procedural operations between these two nations, yet align with initiatives to reduce court workloads and foster more peaceful resolutions while prioritizing collaborative agreement as foundational to dispute resolution.

Despite both Indonesia and Japan having shared goals in implementing mediation or wakai, namely to reach peaceful resolutions to disputes and alleviate the burdens on courts, there are notable differences in execution shaped by distinct legal cultures, structural judicial frameworks, and legal policies. In Indonesia, mediation is more structured and confined to early proceedings with non-judge mediators playing pivotal roles in facilitating agreements, while in Japan, wakai presents much broader flexibility, permitting mediation at various stages of the judicial process with judges operating as active mediators. Moreover, mediation outcomes in both countries possess binding legal stature, as Indonesia validates mediation results through a peace deed submitted for court endorsement, whereas in Japan, mediation agreements are recognized as being equivalent to court decisions once documented in the minutes. This disparity encapsulates the divergent perspectives on dispute resolution and the role courts play in supporting these processes, yet both ultimately aim to achieve just, efficient, and beneficial resolutions for the parties involved.

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