



**3rd EUROPEAN
CONFERENCE ON
MEDIATION**
27th & 28th MAY 2010
BOURG LA REINE / GRAND PARIS

THIRD EUROPEAN CONFERENCE ON MEDIATION

MEDIATION AND CIVIL SOCIETY IN EUROPE, TOWARDS A NEW MINDSET

Bourg-La-Reine / Grand Paris

May 27 & 28, 2010

**Organization:
Association Nationale des Médiateurs (ANM)
in partnership with ESSEC IRÉNÉ**

Under the high patronage of Mrs Michèle ALLIOT-MARIE, French Minister of Justice



EMNI
European
Mediation
Network
Initiative



**Association
Nationale des
Médiateurs**

ESSEC

IRENE

INSTITUTE FOR RESEARCH
AND EDUCATION
ON NEGOTIATION

THIRD EUROPEAN CONFERENCE ON MEDIATION

PRESENTATION

The **European Mediation Network Initiative (EMNI)** gathers mediators from over 20 countries and aims at:

- a) promoting an international exchange of information, know-how and mutual support amongst mediators;
- b) promoting the development of effective mediation policies, services and legislation;
- c) exploring and developing the theoretical basis of mediation and promotion of research;
- d) promoting the development of principles, ethics, standards and good practice.

In this perspective, and to provide an opportunity for sharing information, know-how and above all for the development of mediation, **EMNI organizes in Bourg La Reine – Grand Paris (Hauts-de-Seine), on May 27 & 28, 2010, the third European Conference on Mediation:**

"MEDIATION AND CIVIL SOCIETY IN EUROPE, TOWARDS A NEW MINDSET"

This event will gather approximately 400 participants: mediators, researchers in mediation and conflict management, lawyers, managers, consultants, company owners, elected representatives from European countries and people in charge of local and regional non-profit organizations.

During these two days, thematic meetings and workshops, carefully selected by an International Scientific Committee, will enable to cover all fields of mediation. Within society, mediation facilitates human relationships; it carries the fundamental values of listening, mutual respect and quality of everyday relationships, thus easing collective efficiency through a decrease in conflict. It is in such sense that it can lead towards a new mindset.



More information on our website :

<http://www.europemediation2010.com/>

THIRD EUROPEAN CONFERENCE ON MEDIATION

INTERNATIONAL SCIENTIFIC COMMITTEE

Eric BATTISTONI (Belgium) – Magistrate
Linda BÉRUBÉ (Canada) – Sherbrooke University
Jean-Pierre BONAFE-SCHMITT (France) – Lyon II University and CNRS
Hervé CASSAN (France – Canada) – Sherbrooke University and ESSEC IRÉNÉ
Paola CECCHI DIMEGLIO (France – The Netherlands) – The Hague University and Stanford – UC Hastings
Aurélien COLSON (France & Singapore) – ESSEC Business School – Coordination of the Scientific Committee
Esra ÇUHADAR-GÜRKAYNAK (Turkey) – Bilkent University
Jacques FAGET (France) – IEP Bordeaux and CNRS
Ewald FILLER (Austria) – Graz University
Thomas FIUTAK (USA) – Minnesota University
Antje HERRBERG (Germany) – Crisis Management Initiative
Peter KAMMINGA (The Netherlands) – Tilburg University and Stanford – UC Hastings
Alain LEMPEREUR (France & Singapore) – ESSEC Business School
Christina LENZ (Germany) – Graz and Salzburg Universities
Jacques SALZER (France) – Paris Dauphine University
Tsisana SHAMLIKASHVILI (Russia) – Scientific and Methodological Centre for Mediation and Law
Arnaud STIMEC (France) – Université de Nantes
Jose VASCONCELOS-SOUSA (Portugal) – University Nova of Lisbon
Andrew WILLIAMS (United Kingdom) – St. Andrews University

STEERING COMMITTEE

EMNI delegated the event's organization to the *Association Nationale des Médiateurs* (ANM), who established for this purpose a partnership with ESSEC IRÉNÉ (Institute for Research and Education on Negotiation – www.essec-irene.com).

A non-profit structure called "*Conférence Européenne de la Médiation Ile de France* (CEMIF)" was created to raise funds for the event (registered under number W921000274 at the Prefecture of Antony).

Gabrielle PLANES (Coordination – Public Relations – Sponsors)
Aurélien COLSON (Scientific coordination)
Adrian BORBELY (Coordination)
Yvette COLIN (Logistics and Website)
Christiane GUTIERREZ (Sponsors)
Patricia MALBOSC (Sponsors and Press Relations)
Nicole MARTIN (Public Subsidies)
Anna PENFRAT (Coordination)
Ricardo PEREZ-NUCKEL (Coordination)

THIRD EUROPEAN CONFERENCE ON MEDIATION

PREVIEW OF THE PROGRAM

During these two days, participants will benefit from:

- Speeches delivered by key public figures interested in mediation. Mrs Diana WALLIS (Vice-president of the European Parliament), Dr. Alex BRENNINKMEIJER (Ombudsman of the Netherlands), Dott. Manuele BELLONZI (Civic Defender in Tuscany, Italy) and Mr Marc FISCHBACH, Ombudsman of the Grand Duchy of Luxembourg, President of the French-speaking Ombudsmen have already confirmed their presence;
- Five series of 90-minute workshops, to be chosen among a diversified list (10 simultaneous workshops). Each intervention were carefully selected upon criteria including diversity, originality and interactivity;
- Numerous encounter opportunities with the contributors and with European, American or Asian counterparts, during breaks and lunches;

**Discover the list of 50 workshops and register on-line now at
www.europemediation2010.com**

This conference is organized with the support of



**Association
Nationale des
Médiateurs**



**Étude
Bernard HOUPLAIN**
(Administrateur judiciaire)

Planet' Mediation

spie batignolles



Hammonds Hausmann



LE MEILLEUR EST À CONSTRUIRE



PRE-PROGRAMME

THURSDAY MAY 27, 2010

MORNING

- 8h30 - 9h30 Arrival of the participants
- 9h30 - 10h15 Conference opening by Mr Jean-Noël CHEVREAU, City Mayor of Bourg la Reine, Linda REIJERKERK, President of EMNI, Gabrielle PLANÈS, President of ANM and Aurélien COLSON, Director of IRENE (ESSEC).
- 10h15 – 10h30 Message of His Excellency Mister Abdou DIOUF, former President of the Republic of Senegal, Secretary General of the International Organisation of La Francophonie (*to be confirmed*)
- 10h30 - 11h00 Keynote Speaker : Mrs Diana WALLIS, Vice-president of the European Parliament
- 11h00 - 11h30 Break
- 11h30 - 12h30 Round table (plenary session): *Ombudsmen as democracy reinforcement factors* (chaired by Ursula CASER)
With Dott. Manuele BELLONZI, Civic Defender in Tuscany (Italy), Dr. Alex BRENNINKMEIJER, Ombudsman of the Netherlands, Mr Michel FISHBACH, Ombudsman of the Grand Duchy of Luxembourg and President of the French-speaking Ombudsmen.
- 12h30 - 14h00 Lunch buffet

AFTERNOON

- 14h00 - 15h30 Workshops - Session 1
- 15h30 - 16h00 Break
- 16h00 - 17h30 Workshops - Session 2
- 17h30 - 19h00 Informal meetings
- 20h00 – 23h00 Reception and dinner. Interventions by Thomas FIUTAK, Alain LEMPEREUR and Jacques SALZER



PRE-PROGRAMME

FRIDAY MAY 28, 2010

MORNING

- 8h30 - 9h00 Arrival of the participants
- 9h00 - 10h30 Workshops - Session 3
- 10h30 - 11h00 Break
- 11h00 - 12h30 Workshops - Session 4
- 12h30 - 14h00 Lunch buffet

AFTERNOON

- 14h00 - 15h30 Workshops - Session 5
- 15h30 - 16h00 Break
- 16h00 - 16h30 Synthesis of the conference by Mr Yves CHAPUT, Professor at Paris I Panthéon-Sorbonne University
- 16h30 - 17h00 Conclusion : Mrs Michèle ALLIOT-MARIE, French Minister for Justice (*to be confirmed*)
- 17h00 - 17h15 Closing by Linda REIJERKERK, President of EMNI, Gabrielle PLANÈS, President of ANM, and Aurélien COLSON, Professor at ESSEC Business School and Director of IRENE (ESSEC)

With the support of





THEMATIC LIST OF THE 50 WORKSHOPS

In addition to the plenary sessions, participants to the Third European Conference on Mediation will be able to attend five workshops, to be chosen among this list and depending on the limited number of available seats. To register for the workshops, the participants will use the references in brackets.

FLAGSHIP WORKSHOPS (IN THE AUDITORIUM)

Simulation of the Role of Lawyers in Mediation: The Case of the Mule "Antoine" [4A]

Manon Schoneville and Giuseppe De Palo (The Netherlands and Italy)

Come discover a tool financed by the EU and aimed at presenting mediation to attorneys



Table ronde sur la médiation institutionnelle en France [1A]

Michel Astruc (GDF SUEZ), Robert Espérou (Aéroports de Paris) et Monique Sassier (Education nationale) (France)

Au travers d'expériences multiples, réflexions sur les atouts, spécificités et limites de la médiation institutionnelle telle qu'elle est pratiquée en France

La médiation dans les systèmes internes aux entreprises [2A]

Animé par Jean-Edouard Grésy (France), avec Béatrice Blohorn-Brenneur et Jean-Robert Viallet

A la rencontre de Jean-Robert Viallet, réalisateur du documentaire « la mise à mort du travail » (dont un extrait sera projeté)

MEDIATION AND CITIZENSHIP

Successes in Community Mediation [2E]

David Clifton (UK): *Mediation building better communities*

Thomas Dorg (Norway): *The Street Mediation Program – An Urban Arena for Change and Reconciliation*

Hania Fedorowicz (Austria): *Mediation in large groups – from the classroom to city hall*

Le Médiateur dans la Cité : au service du vivre ensemble [1F]

Animé par Nicole Martin, avec Laurent Giraud (médiation sociale et interculturelle) et Paul Mauriac (médiation sportive)

Présentation d'extraits de films et de scénettes de théâtre par les médiateurs de France Médiation

Médiation, urbanisme and citoyenneté [3A]

Marthe Marandola (France) : *Médiation et nouvel urbanisme*

Roberta Di Rosa (Italie) : *Au delà de l'opposition entre sécurité and accueil, de nouveaux procédés de cohabitation et de citoyenneté. Le cas du quartier "San Domenico" à Agrigente*

CRIMINAL MEDIATION

Médiation et prison [2H]

Table ronde animée par Patricia Malbosc en collaboration avec la Médiature de la République

Médiations pénales – sous la contrainte une opportunité [5D]

Catherine Commune (France)

FAMILY MEDIATION

International (Parental) Child Abduction: a Comparison of Mediation Models [1D]

Kitty Duell (The Netherlands)

Proactive Marital Mediation – Supporting Families [3C]

Marko Iršič et Irena Borštnar (Slovenia)

Regards croisés sur la médiation familiale [4E]

Marc Juston (France) : *Réflexion d'un magistrat pour une nouvelle Justice familiale : l'apport de la Médiation familiale*

Jean-Pierre Bonafe-Schmitt (France) : *Effets des processus de médiation familiale sur les médiés*

MEDIATION AT SCHOOL

Peer Mediation in Finland: Lessons Learned during Ten Years [1B]

Maija Gellin, Eeva Saarinen and Harri Väisänen (Finland)

MEDIATION AND ORGANIZATIONAL PERFORMANCE

Mediation, Change Management and Participatory Approaches [4B]

Alan Jenkins (France): *Mediation, Process Consultation and Organizational Change*

Ulrike Bechtold (Austria): *Mediation as a participatory approach – the fine line between methodological claims and excessive demands*

Médiation et performance des organisations [4H]

Dominique Chevaillier Boisseau, Nathalie Andrier et Isabelle Martin (France)

Médiateur de projet et chef de projet : concurrents ou partenaires ? [3E]

Alain Roy (France)

Médiation et assurance [2F]

Richard Freytag et Mourrad Nejjar (France)

20 Million-3 Languages-3 Lawsystems-1 Solution [3D]

Karl Brandt (Germany)

Commercial Mediations Conducted by a World Market Leader of the Transportation Industry: From a Survey on Mediation to a Matrix on Dispute Resolution [1I]

Isabelle Baudelaire and Ulrich Hagel (France and Germany)

Mediation of Construction Disputes [3F]

Maria da Conceiça Oliveira (Portugal)

La médiation dans les relations externes des entreprises [5A]

Ricardo Perez Nuckel (France), avec Christophe Collard, Mahamadou Sako et la participation de la Chambre de Commerce Internationale

La sensibilisation de managers à la médiation en entreprise [1E]

Antoine Adeline, Didier Chavernoz, Christian Hausmann et Dominique Retourné (France)
(This workshop will take place in English, French and German – Cet atelier se déroulera en allemand, anglais et français)

MEDIATION AND LABOUR RELATIONSHIPS

How to Deal with Power Differences and Emotion in Labor Mediation? [1C]

Martin Euwema, Katalien Bollen, Minke de Gruil, Meriem Kalter and Alain Verbeke (Belgium and the Netherlands)

Managing Workplace Conflict [5B]

David Tudor and Ruud Van Herpen (The Netherlands and France)

State-funded Mediation in Employment Disputes: Reviewing the Experience of Pre-claim Conciliation in Great Britain [4G]

Barbara Davey and Keith Mizon (UK)

L'apport du médiateur dans les relations sociales difficiles [4I]

Avec notamment Annie Cardinet (France) : *La posture de médiateur comme mode de communication et de relation alternatif dans le monde du travail*

La médiation par la Direction générale du travail [5F]

Jean Bessière, Colette Desbois, Bernard Maurin, Charles-Louis Molgo et Michel Perron

Traitement des discriminations par la médiation [1H]

Eric Battistoni et Marie Arena (Belgique)

Regards croisés sur la médiation dans les conflits du travail [3G]

Michèle Carlier (Belgique) : *La médiation comme méthode de résolution de conflits dans le secteur public*
Monique Richard (Québec) : *La médiation dans les cas de harcèlement psychologique dans le milieu du travail*

HEALTH AND MEDIATION

Mediation for Healthcare to go (Mediating Healthcare Disputes in an Interactive Dialogue with all the Participants) [3B]

Aleksandra Weber (Germany)

Approche systémique de l'impact des conflits sur la santé et conséquences au cours du processus de médiation [3I]

Sylvie Mas et Françoise Thieullent (France)

ENVIRONMENTAL MEDIATION

Mediation and Environmental Issues [2G]

Philippe Barret (France): *Mediation and Consultation at a Local Level*

Sylvie-Nuria Noguier (Canada): *Environmental mediation: key factors, successes and pitfalls*

Sue Prince (UK): *A bridge over troubled waters? Using mediation to resolve disputes after large-scale flooding*

Médiation et eau [4C]

Atelier en cours de finalisation

INTERNATIONAL MEDIATION

Lessons Learnt from International Conflict Mediations [2I]

Onur Sen (Turkey): *Effects of Context and Process on Success of International Mediation: A Comparative Study of Irish and Cyprus Cases*

Tariel Sikharulidze (Georgia): *The Russo-Georgian War, its sequences and the European mediation and negotiations*

Mediation and the Middle East [5H]

Erin Dyer (Ireland) and Sonja Arnold (Germany)

MEDIATION PHILOSOPHY, ETHICS AND PROFESSIONALISATION

Mediation as a Profession [1G]

Irena Vanenkova and Claude Amar (Netherlands and France): *The 7 Keys to Mediation as a Global Profession*

Anca-Elisabeta Ciuca (Romania): *Mediators: an emerging liberal profession*

Philosophie and déontologie dans la médiation [1J]

Alain Lempereur (France) : *Le questionnement comme fondement d'une philosophie pour la médiation*

Michèle Guillaume-Hoffnung (France) : *La médiation tire-t-elle sa légitimité et sa déontologie de la société civile ?*

MEDIATION AND LAW

L'institutionnalisation de la médiation à la Cour d'Appel de Paris [3H]

Avec notamment Christine Koehler, Catherine Peulvé et Fabrice Vert (France)

La médiation est-elle un dispositif juridique? Conséquences du débat [4D]

Adrian Borbély et Dominique Lopez Eychenié (France)

Droit collaboratif et médiation [5I]

Christophe Imhoos (Suisse)

MEDIATION EFFICIENCY

Empirical Research and Statistical Analysis of Results of Mediation Cases in Nine Brazilian States [3J]

Leslie Ferraz (Brazil)

Will Mediation Work? Factors Determining Mediation Success and Lessons from International Experiences with Mediation [2B]

Paola Cecchi Dimeglio and Peter Kamminga (Netherlands and USA)

Pourquoi choisir la médiation ? [2C]

Philippe Domont (Suisse) : *La médiation est rapide, peu coûteuse et efficace – Première enquête nationale en Suisse*

Jean Mirimanoff and Jean Gay (Suisse) : *Voies judiciaires, voies judiciaires : comment choisir la médiation ?*

TECHNIQUES FOR THE MEDIATOR

Chinese Wisdom, Mediation Lessons [5C]

Ta-Wei Chao (Taïwan)

Neuro-science, Performance Methodolgy and Mediation: Opening New Avenues in Skills Development [5G]

Fiona McAuslan and Julie McAuliffe (Ireland)

Regulating Mediation while Respecting Diversity in Practices [5E]

Jonathan Dingle and Judith Kelbie (UK) : *Promoting diversity in mediation while maintaining legitimacy and standard*

Lorraine Bramwell and Veronica Dawson (UK) : *Regulating for innovation, inclusivity and diversity*

The Art and Skill of Questioning in Mediation [4F]

Jennifer Kresge (USA) : *Asking questions which enable investment seek interests and make a difference (the art of the question)*

Delma Sweeney (Ireland) : *Evoking & Provoking : The artful use of questions in mediation*

Découvrir les enjeux de la communication non-violente par le jeu théâtral [2D]

Annie Gosselin (France)

A Tale of Three Countries: Mediation in Scotland, the USA and New Zealand [2J]

Mary Harrow (New Zealand), David Semple (Scotland) and Rachel Wohl (USA)

Mediation Development Issues in Eastern European Countries [5J]

Tsisana Shamlkashvili, president of the Scientific and Methodological Centre for Mediation and Law in Moscow (Russia)

Eva Deak (Hungary): *The role of civil organizations in establishing mediation in Hungary*

František Kutlík (Slovakia): *Promotion of mediation of civil disputes to professional and lay public in Slovak republic*

Suzana Kolesar (Croatia): *Mediation in Croatia – overview and development opportunities*

Mediation in Eastern Europe: Focus on Victim-Offender Mediation [4J]

Olga Petrova (Belarus): *Belarus is on the brink of the necessity of the victim-offender mediation introduction*

Tibor Kertész (Hungary): *Mentoring – the key towards high quality service in the victim-offender mediation system in Hungary*

ATTENTION: This programme is likely to be modified before May 27 & 28, 2010.

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More information on our website:
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