

# **Mediation: The practice**

## **Fundamental Skills Training**

*Directed by the Centre for Effective Dispute Resolution (CEDR)*

**As a result of the agreement reached by FIDE and CEDR.**

***Fide, January 31<sup>st</sup>, February 1<sup>st</sup>, 2<sup>nd</sup>, 28<sup>th</sup>, March 1<sup>st</sup> and 2<sup>nd</sup> of 2018***

### **Presentation:**

This 6-day course will revolve around CEDR specialty; highly qualified trainers, who also are experienced mediators, helping participants learn and apply the process and skills in their mediation procedures. These 6 days will include practical exercises, role-play cases where participants will have the chance to act as mediators and receive real-time coaching and feedback from experienced mediators.

### **Objectives:**

To offer participants a wide perspective on conflict management, the program will revolve around the process of mediation and the skills required. It includes:

- A review of the conflict resolution methods.
- A comparison between negotiation, arbitration and mediation
- Practice and instruction in mediation skills which will include the phases of mediation and necessary communication skills.
- Evaluation of mediation skills of the participants.

### **Content:**

#### **MODULE 1: Developing skills for Commercial Mediation.**

**Date: 31 Jan- 2 Feb, 2018**

##### **Day 1. January 31st, 2018.**

- Will look at the practical application of processes and skills of a mediator in the opening and exploration phases of the mediation.
- The sessions will cover the phases of mediation, preparation, the mediator's opening, what and how to explore, active listening skills and trust and relationship developing or *rapport*.

##### **Day 2. February 1st, 2018.**

- Participants will carry on with the practice of key skills and processes of an efficient mediator, focusing on the initial negotiation phases of the mediation.
- The sessions will cover: non-verbal communication, managing emotions, offer management, negotiation skills for mediators, and managing status and power imbalance in negotiations.

##### **Day 3: February 2nd, 2018**

- The final stage of negotiation and conclusion phase will be analyzed in detail, and all the participants will have the opportunity to do evening mediation with coaching and feedback from the mediators.
- The sessions will cover: managing a deadlock situation, challenging the parties, reality checks and ethics in mediation.

## MODULE 2: Accreditation by the CEDR

**Dates: 28 Feb – 2 Mar, 2018**

### Day 1: February 28th, 2018: Practice

- The day will revolve around one practical case. All will have the opportunity to mediate, as well as play the role of the party and the lawyer.
- Each roleplay will be supervised by a coach. He/she will give extensive coaching to each participant, followed by personal feedback, focusing on strengths and development of certain areas so that they may be ready for evaluation day.

### Days 2 and 3: March 1st and 2nd, 2018: Evaluation for the CEDR Accreditation

- Participants who have undergone the evaluation successfully will receive the internationally recognized quality insignia as: Mediator Accredited by CEDR.
- Throughout day 2, each participant will be evaluated on the initial phases of mediation.
- Throughout day 3, each participant will be evaluated in the intermediate and final phases of mediation.

**Date and Place:** The program will be celebrated for 6 days: January 31<sup>st</sup>, February 1<sup>st</sup> and 2<sup>nd</sup> (from 9.00 a.m. to 17.00 p.m.) and February 28th, March 1<sup>st</sup> and 2<sup>nd</sup> (from 8.30 a.m. to 18.00 p.m.), of 2018 in Fide's offices at (C/ Serrano, 26-4<sup>da</sup>. Madrid).

**Language:** The language for this course will be English. However, all CEDR trainers speak Spanish and will adapt the language if this were necessary for the dynamics of the sessions.

**Enrollment:** Will be managed by Fide (914359239 o [fidefundacion@fidefundacion.es](mailto:fidefundacion@fidefundacion.es)). The price of the course is 4.500€, it includes lunch and coffee. Fide's Academic Council members and Business Advisory Council will have a 5% discount.

**Contact:** If you are interested in this course please contact:

Carmen Hermida Díaz. General Manager, FIDE

T: +34 91 435 92 39 Email: [carmen.hermida@fidefundacion.es](mailto:carmen.hermida@fidefundacion.es)

## **CV trainers**

### **James South**



James is a Barrister and Solicitor of the High Court of New Zealand. He has over 18 years' experience as mediator in a wide range of disputes in different contexts and jurisdictions; the first 4 years spent of which were spent as a Government employed mediator for the New Zealand Ministry of Justice, during which time he mediated over 500 disputes. In 2000, James became a full-time CEDR employee and accredited mediator. He now mediates regularly.

As CEDR's Director of Training and lead trainer of the CEDR training faculty, James is one of Europe's most experienced mediation and dispute resolution trainers. He has extensive experience in delivering training and consultancy services to governments, corporates, the judiciary and universities and has worked in over 20 jurisdictions. Recent assignments include being Director for an IFC-funded skills training and capacity building project in the Middle East and North Africa (2012-present) and Director for a 10-country UNHCR managerial training project (2011-2013). He has directed and managed numerous other projects funded by the World Bank, International Finance Corporation and other international donors in a variety of alternative dispute resolution initiatives.

He holds a Masters in Law (Distinction) in Dispute Prevention and Resolution from University of Westminster, London, and is currently a Lecturer on the International Commercial Mediation module of the Masters programme at University of Westminster. He has written and lectured on the Negotiation/Mediation Course for undergraduates at the University of Westminster and has taught ADR at Birkbeck College, University of London, London South Bank University, Straus Institute for Dispute Resolution, Pepperdine University, Los Angeles, and the University of San Francisco.

Recent mediation experience includes a wide range of disputes including general contract, property and discrimination with particular emphasis on the resolution of disputes between individuals and organisations, and situations where there is a perceived or actual power imbalance between the parties. James is also trained and experienced in mediating cross-border and cross-cultural disputes recently mediating cases with Spanish and Austrian parties.

#### Recent Presentations and Publications

- "Avoiding boardroom warfare – remedying board disputes," Effective Conflict Management, ICSA Information and Training, 2013;
- 'Mediator as Negotiation Coach'; Stockholm Chamber of Commerce, Sweden, October 2006
- 'Mediation as a means of out of Court Settlement', Institute of Legal Studies, Academy of Sciences; Budapest, Hungary; October 2005
- 'Training Business Mediators'; Catalan Association for Development of Mediation and Arbitration, Barcelona, Spain, November 2005
- 'Mediator Skills Training in Nigeria-A Cooperative Model'; International Bar Association Mediation.

## Susanne Schuler



Susanne Schuler joined CEDR (Center for Effective Dispute Resolution) as Assistant Director of training in 2013. As part of her role she contributes a combination of strategic input, team leadership and training delivery across the entire range of CEDR training and consultancy services, with primary focus on CEDR's conflict consultancy programmes.

Susanne is an experienced business and intercultural facilitator, conflict mediator and coach. Her legal studies, business experience and her work in diversity combine effectively in her mediation and consultancy role. She speaks 5 languages fluently and has worked in more than 20 different countries. Susanne works with international organisations such as Tesco, KPMG, SAP, BASF, Unilever, Roche, Novartis, Syngenta, IKEA, Unilever, P&G, Laufen (Roca), and institutions such as the UN and the European Bank for Reconstruction and Development as well as major UK organisations including the BBC and Lloyds Bank.

Susanne has trained and coached over 1,000 delegates from more than 30 different nationalities in negotiation techniques, mediation, conflict management, and diversity and inclusion. Susanne leads also a programme focused on resolving board conflicts which she delivers around the world.

A qualified lawyer and accredited mediator (in Germany and the UK) Susanne has facilitated more than 100 mediation and conflict management cases to a constructive resolution. She has written papers on effective conflict resolution and negotiation in French, German and English.

Her latest publications are the first chapter in "How to master negotiation" (Bloomsbury) and her book "Intercultural Mediation at Work" (bookboon).

Born in Namibia, Susanne has lived, studied and worked in Germany, Switzerland, Spain, France, Belgium, the Americas and the UK.

## Ana Virginia Bauder



Ana Virginia is a dual qualified lawyer, trainer, practising CEDR accredited mediator, conciliator and adjudicator who works on commercial and consumer disputes as a member of CEDR's in-house professional neutrals team.

Ana has experience delivering a diverse range of training courses for organisations and individuals to become trainers and mediators internationally from a variety of cultural and professional backgrounds.

As Senior Dispute Resolution Adviser, Ana is responsible for increasing CEDR's global profile, representing the organisation at events and implementing certain elements of the broader marketing and business development strategy. She works closely with different clients, mainly in the legal field, to contribute to the development of relationships with key stakeholder groups.

She started working for CEDR in 2008 as Client Adviser, recommending users on the full range of ADR processes that CEDR offers, and was responsible for managing the CEDR Dispute Resolution team and Panel of Neutrals.

Ana Virginia is a lawyer, qualified in both Venezuela and Spain, and has graduated with merit from LSE with an LLM focused on ADR. She has experience working at both national and international law firms, at real estate agencies and at leading educational associations in Venezuela.

Ana gained valuable work experience at the International Chamber of Commerce (ICC) in the Dispute Resolution Services in Paris, where she helped to set up the International Commercial Mediation Competition in 2007 and has been involved as a volunteer Judge and Mediator ever since. She is also the current Vice-President - International of INADR, where she is constantly raising awareness on mediation around the world.

Ana is a member of the INADR Board Executive Committee, and of a number of other organisations including: the Madrid Bar, the Venezuela Bar, the International Centre for Dispute Resolution Young & International, and Globalaw.

Born in Venezuela, Ana Virginia is a native Spanish speaker, fluent in English and Italian, and also has basic knowledge of French.

### **Hugues de Roquette-Buisson**



Hugues started his career at the French Ministry of Finance. He has since worked in Banking and Insurance. In Banking he acted as Manager of the Project Finance Department for Banque Francaise du Commerce Extérieur. In Insurance he worked with Allianz Group and acted initially as CFO in Spain and Benelux, before being appointed CEO for Africa and Middle East. He is now a director in banks and insurance companies' boards in Africa and the Middle East.

He holds an MBA from the Institut d'Etudes Politiques de Paris (Sciences Po) and a Master's degree in economics from Paris Assas University.

Hugues is an Accredited Mediator with CMAP in Paris and with CEDR in London. He has mediated to date a considerable number of commercial cases both nationally and internationally.

He teaches Mediation with CEDR, IFOMENE, the Catholic University of Paris, the French Ministry of Finance and the Catholic Universities in Abidjan and Beirut. He has worked in more than 25 countries worldwide.

Hugues was educated in Latin America and he is a native French and Spanish speaker, fluent in English and has basic knowledge of Portuguese.

### **About CEDR**

CEDR is a leading non-profit ADR institution, based in London and operating internationally. CEDR has an annual income of around Euro €7 million. In addition to working with a panel of some 140 practising mediators and arbitrators and around 30 trainers and consultants, we employ 50 full-time staff. This makes us by far the largest commercial mediation body within Europe.

For 25 years we have been promoting, growing and shaping the use of Alternative Dispute Resolution (ADR) in commercial disputes in Europe and around the world. We operate in five main areas:

- CEDR is called upon by international organisations and governments to enhance the business environment and civil justice through developing the use of ADR within their jurisdictions.
- CEDR's training arm, CEDR Skills, is held in the highest regard around the globe as providing outstanding quality training in mediation, negotiation and conflict management skills. CEDR Skills has trained approximately 7,000 people in over 50 countries to become commercial mediators, and in last two years have trained over 1,000 people in how to more effectively handle conflict and difficulties in the workplace.
- CEDR's dispute resolution team has worked with over 300,000 parties in deadlocked negotiations, working with its panel of highly skilled mediators, arbitrators, adjudicators and other neutrals to resolve disputes across a huge variety of commercial areas.
- CEDR's consumer services arm, IDRS, has resolved tens of thousands of consumer and small business disputes, mainly through the use of tailor made adjudication and arbitration services.
- CEDR works consistently to promote the use of mediation and conflict management in all areas of business life and civil justice whilst developing the field of ADR for the benefit of all.

### ***About Fide***

The Foundation for Research in Law and Business (Fide) is a project born at the heart of the civil society, with a clearly defined purpose: become a meeting place for private companies, public administration and independent professionals.

Each year Fide organizes over 300 forums and debates which allow professionals to learn, first hand, about resolutions, laws, and matters that arise daily in the legal-economic environment, and the conclusions reached, which not only gives them direct approximation to such relevant questions, but it allows them to debate them directly with their authors.

Fide is a legal-economic think-tank, a center for operational knowledge in its most practical state, which is made possible by the active contributions of all levels of the civil society who have something to say: from boards of directors to Law Firms, from University chairs to Justice Courts, from all instances of the Public Administration, to professionals from all areas related to the world of Law and Business. Each and every one of these has a preferred place at Fide.