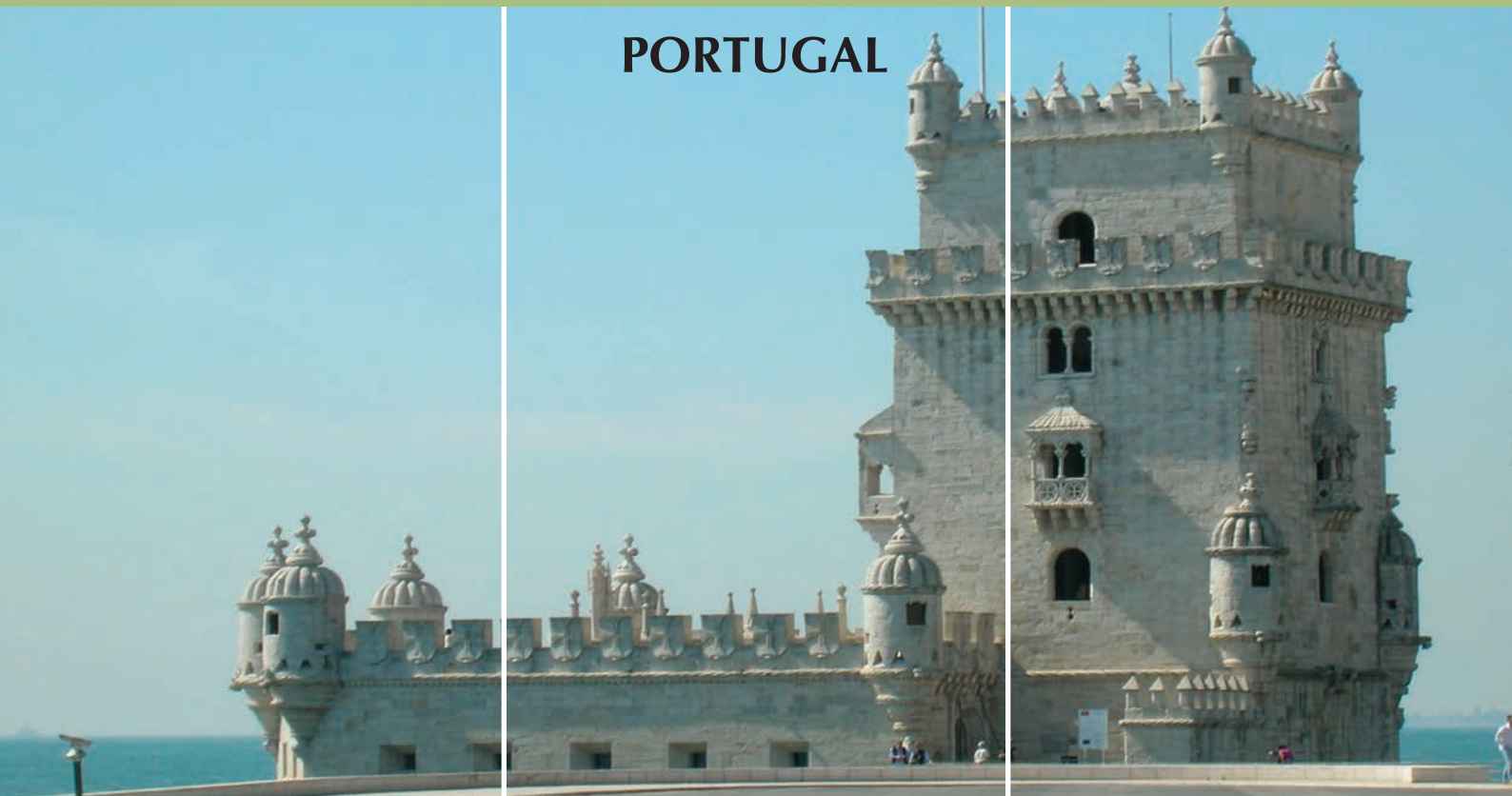




Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

# Lisbon

Friday, January 27 & Saturday, January 28, 2012



**PORTUGAL**

## UIA World Forum of Mediation Centres

Meet the Officers of the World's Leading Commercial Mediation Centres

Seminar organised by the UIA Mediation Commission

American Arbitration Association / International Centre for Dispute Resolution - Arbitration Court at the Bulgarian Chamber of Commerce and Industry - ADR Center - Aequitas ADR - Asociación Mexicana de Mediación y Arbitraje Comercial - Beijing Arbitration Commission - Brussels Business Mediation Centre - Centre for Effective Dispute Resolution (CEDR) - Centre Professionnel de Médiation - Chamber of National and International Arbitration of Milan - Chambre Suisse de Médiation Commerciale - Chambre vaudoise du commerce et de l'industrie - Cour Européenne d'Arbitrage - InterMediation - International Chamber of Commerce - Centre de Médiation et d'Arbitrage de Paris - Centre de Résolution des Conflits - Concilia - Conciliation Centre of CCPIT/CCOIC - Consolat de Mar de Barcelona - CPR: The International Institute for Conflict Prevention and Resolution - Court of International Commercial Arbitration of the Chamber of Commerce and Industry of Romania - Euroarbitrage - Hellenic Mediation and Arbitration Centre - Henning Mediation and Arbitration - Hong Kong Mediation Council - Institut d'Expertise, d'Arbitrage et de Médiation - London Court of International Arbitration - Malaysian Mediation Centre - Mediation Centre of Thessaloniki Bar Association - Netherlands Mediation Institute - Organismo di Conciliazione di Firenze (OCF) - Resolutia Gestione delle Controversie - Slovenian Association of Mediators - Societa Italiana per la Risoluzione Alternativa delle Controversie - The Chartered Institute of Arbitrators - The Law Society of New South Wales - World Intellectual Property Organisation

# Introduction

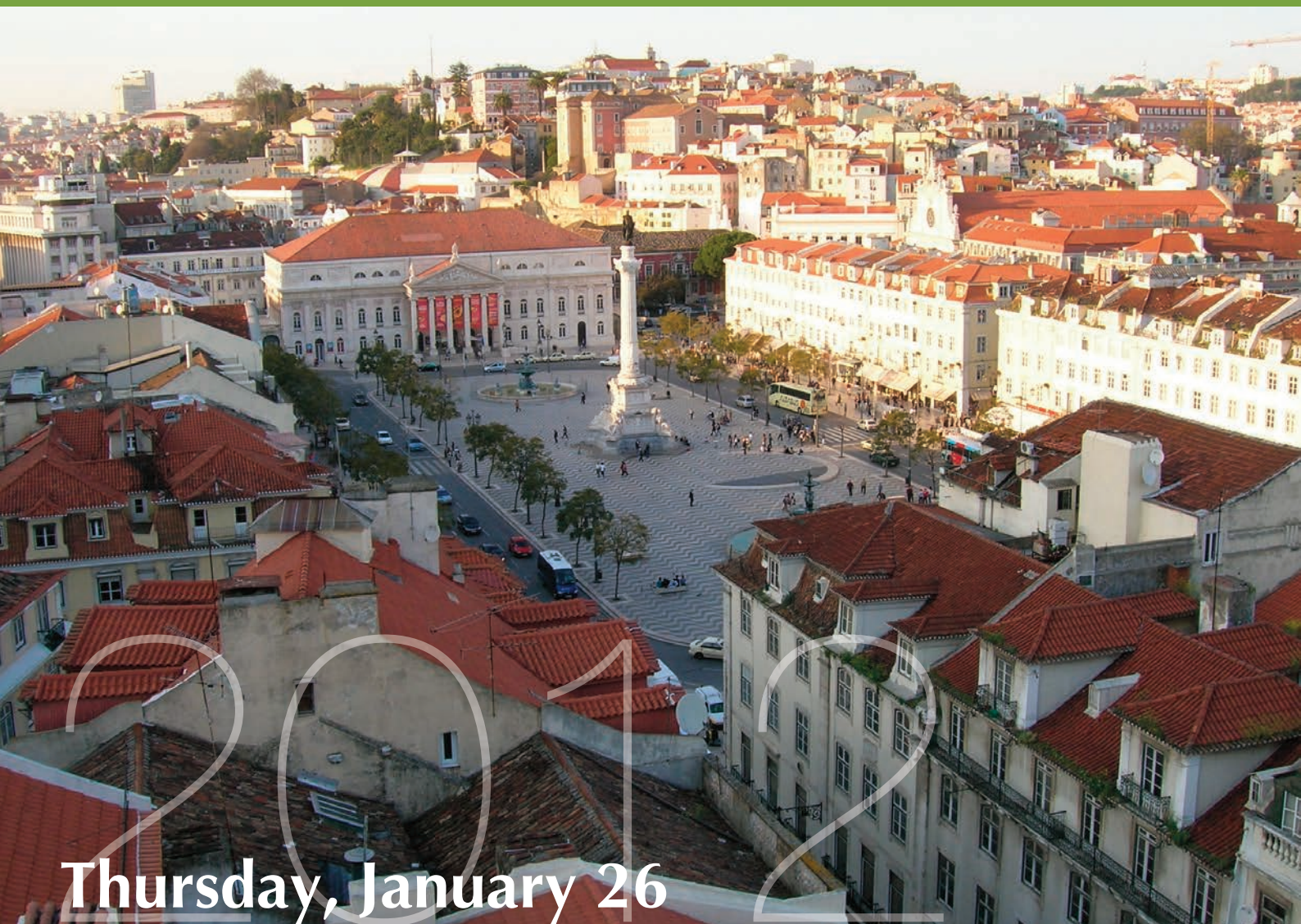
The Forum of Mediation Centres was created in 2001 by the Mediation and Conflict Prevention Commission of the UIA. It brings together the most important commercial mediation and ADR centres from around the world and offers an occasion to exchange views on the development of ADR and best practices. It is also an occasion for centres to collaborate on specific programmes.

The meeting in Lisbon will be the 16<sup>th</sup> since the creation of the Forum.

In this meeting of the Forum we are exploring the all important topic of training for lawyers in mediation and how that differs from litigation, looking afresh at the combined use of mediation with arbitration in the light of recent developments, considering the continuing influence of the European Union Directive on Mediation and in particular how countries relatively new to mediation, like Portugal, Greece and Italy have reacted

to meet the challenge, including the perhaps controversial use of mandatory mediation. We will hear about the use of creativity in mediation, from new and experienced mediators on how do you establish a successful mediation practice, how mediation is being increasing used in sports disputes, how mediation can be used to resolve disputes between the indigenous population and commercial entities and the very important subject that all Mediation Centres have to grapple with – exactly how do you select suitable mediators for specific cases? As usual the Forum will be interactive with ample opportunity for audience participation and include the by now standard topics of News from the Centres and conclude with an optional session on healthcare mediation.

Yet again, if you want to remain at the forefront of the latest thinking in mediation and ADR this is an event you cannot afford to miss.



## Thursday, January 26

**19:00**

**WELCOME COCKTAIL**

**Offered by Abreu Advogados**

Avenida das Forças Armadas, 125 – 12°

Lisbon, Portugal



**Friday, January 27**

**08:30 - 09:00**

**REGISTRATION OF PARTICIPANTS**

Hotel Lisboa Plaza

Travessa do Salitre / Avenida de Liberdade  
1269-066 Lisbon, Portugal

**09:00 - 09:30**

► **Welcome and Opening of the Seminar**

**Helena DE BACKER**, *President of the UIA Mediation and Conflict Resolution Commission, DS De Backer & Bastin, Brussels, Belgium*

**Ministry of Justice Representative**, *Lisbon, Portugal*

**Portugal Bar Representative**, *Lisbon, Portugal*

**Colin J. WALL**, *Co-President of the UIA World Forum of Mediation Centres, Global Mediation Services Ltd, Hong Kong, China*

**09:30 - 10:30**

► **Training of Lawyers in Mediation – Differences when compared to Litigation**

Law Schools and Continuing Professional Development providers have processes for training lawyers in litigation skills that have been developed over many generations, often with the support and encouragement of the legal profession and the judiciary. Training in non-adjudicative processes, particularly mediation, is a relative newcomer. Speakers in this session will share their views on the significant differences which characterise mediation training and where it fits in the dispute resolution curriculum.

**Rosemary HOWELL**, *Strategic Action, Sydney, Australia*

**Thierry BÉRIAULT**, *Institut de Médiation et d'Arbitrage du Québec, Montreal, Canada*

**Elena KOLTSAKI**, *Nemesis Law Office, Thessaloniki, Greece*

**Georges FEGHALI**, *Cabinet Feghali, Beirut, Lebanon*

**10:30 - 11:00**

**COFFEE BREAK**

**11:00 - 11:45**

► **Med-Arb and Arb-Med**

What if any, is the role for Mediation in Arbitral proceedings? If Mediation has a role, can we define it? Our speakers will explore this topic by looking at Institutional Rules, confidentiality matters, validity of awards, issues related to natural justice and the extent of current practice.

**Joe BEHAN**, *Behan Dispute Resolution, Dublin, Ireland*

**Mark APPEL**, *International Centre for Dispute Resolution, Valetta, Malta*

**Giorgio GRASSO**, *Gelex, Rome, Italy*

**11:45 - 12:45**

► **From Theory to Practice, the Tricks and Traps**

Accredited Mediators working in Belgium, France, Greece and UK will give to the participants some expert tips and tricks, based upon concrete experiences. The purpose of this session consists in describing plainly specific traps you may encounter at each phase of the mediation, in order to help you to avoid or handle them efficiently.

**Fabienne VAN DER VLEUGEL**, *VDV Avocats, Serris, France*

**Nana PAPADOGEORGAKI**, *Attorney at law, Accredited Mediator, Athens, Greece*

**Christopher MIERS**, *Probyn Miers, London, UK*

**12:45 - 14:15**

**LUNCH**

Hotel Lisboa Plaza

**14:15 - 15:30**

► **Local Perspective on Mediation**

As private mediation is still in its early stages in Portugal, the speakers will define the legal framework of mediation as well as share their views on the current and upcoming developments to be seen and expected regarding mediation in this country.

**Thomas GAULTIER**, *Abreu Advogados, Lisbon, Portugal*

**Ana GONÇALVES**, *Convirgente, Lisbon, Portugal*

**José ALVES PEREIRA**, *Alves Pereira, Teixeira de Sousa & Associados, Lisbon, Portugal*

**João CORREIA**, *Correia, Seara, Caldas e Associados, Lisbon, Portugal*

**15:30 - 16:20**

► **Matching Mediators to Cases**

The mediator's skill is of paramount importance for the success of the mediation, but can any mediator mediate any case? How do you find the right mediator for a specific case? Should the mediator have a background in the subject matter of the dispute? Who should decide; the parties or the

administering institution? The speakers will examine these issues and current administrative practices in their mediation centers and invite the participants to share their perspectives.

**Calliope SUDBOROUGH**, *International Chamber of Commerce (ICC), Paris, France*

**Roberta REGAZZONI**, *Chamber of National and International Arbitration of Milan, Milan, Italy*

**16:20 - 16:50**

**COFFEE BREAK**

**16:50 - 18:00**

► **Mandatory Mediation**

In implementing the European Directive on mediation, Italy introduced mandatory mediation for a great number of disputes as a precondition to bringing proceedings in court. This has raised heated discussions within the country and great interest abroad. Is this against the spirit of mediation or

is it in line with a general trend already established in common law countries and spreading to civil law ones? How do you establish a mediation practice in such an environment? Our speakers will report from different jurisdictions and stimulate a discussion on where the world of mediation is heading to.

**Giovanni DE BERTI**, *De Berti Jacchia, Milan, Italy*

**Jeffrey S. ABRAMS**, *Jeffrey S. Abrams – Attorney/Mediator/Arbitrator, Houston, TX, USA*

**Stefano PAVLETIC**, *Studio Pavletic, Milan, Italy*

**Alan LIMBURY**, *Strategic Resolution, Sydney, Australia*

**20:00**

**Dinner at Faz Figura**

Rua do Paraíso 15B

Lisbon, Portugal



**Saturday, January 28**

**09:00 - 09:30**

**REGISTRATION OF PARTICIPANTS**

Hotel Lisboa Plaza

**09:30 - 10:30**

► **Using ADR to Defuse Corporate-Community Tensions**

**F. Peter PHILLIPS**, *Business Conflict Management LLC, Montclair, NJ, USA*

Harvard University, in conjunction with the United Nations and the World Bank, has been studying the role of mediation in resolving tensions between multinational corporations and the communities in which they operate. The study focuses on corporate/community relations connected with a hydroelectric dam in rural Philippines; a copper mine in Andean Peru and oil extraction in the Niger Delta. A report will be presented on these efforts, and a film will be shown documenting the work of mediation and facilitated negotiation in these difficult problems. The stories are enlightening and unexpectedly moving.

**10:30 - 11:00**

**COFFEE BREAK**

**11:00 - 12:30**

► **Sports Disputes - Mock Mediation**

**Andreea-Livia TURCULEANU**, *Turculeanu & Stanciulescu Law Firm, Craiova, Romania*

**Helena DE BACKER**, *DS De Backer & Bastin, Brussels, Belgium*

**Jorge VERISSIMO**, *BFV – Sociedade de Advogados, Lisbon, Portugal*

**12:30 - 14:00**

**LUNCH**

Hotel Lisboa Plaza

**14:00 - 14:45**

► **Creativity in Mediation**

To achieve the best results in mediation, mediators need to be able to encourage creativity in others and to express their own creativity. This session will explore where our creativity as

mediators comes from and how we can tap into our inherent creativity to enhance our skills.

**Jane GUNN**, *Corporate Peacemakers, Reading, UK*

**Aleksandra WEBER**, *Medical Doctor / Mediator, Mediation Weber, Munich, Germany*

#### **14:45 - 15:30**

##### **► News from the Centres – Future Business of the Forum**

Anyone willing to inform the Forum on new developments in a centre or in a jurisdiction, please inform Colin J. WALL in advance (cmahk@attglobal.net).

Participants will be invited to suggest new topics for future meetings

**Colin J. WALL**, *Co-President of the UIA World Forum of Mediation Centres, Global Mediation Services Ltd, Hong Kong, China*

**Thierry GARBY**, *Co-President of the UIA World Forum of Mediation Centres, Avocat honoraire, Mediator and Arbitrator, Paris, France*

#### **15:30 - 16:00**

**COFFEE BREAK**

#### **OPTIONAL AFTERNOON**

#### **16:00 - 17:30**

##### **► Health Care Group**

Health is a major topic of the 21<sup>st</sup> century and healthcare systems are facing challenges around the globe. The structures have to adapt to meet the needs locally and globally in a holistic way. Pooling the expertise is a crucial way of saving valuable time for assuring quality and delivering sustainable results. Cooperation is key to achieving rapid progress based on mutual trust and understanding. International dialogue in this field is essential. A new paradigm of partnership requires true collaboration and close links of different stakeholders in the healthcare system that also includes active conflict management concepts and ADR options.

**Aleksandra WEBER**, *Medical Doctor / Mediator, Mediation Weber, Munich, Germany*

**Jane GUNN**, *Corporate Peacemakers, Reading, UK*

#### **20:00**

##### **Optional Dinner at Lisboa à Noite**

Rua das Gáveas 69

(Bairro Alto)

Lisbon, Portugal

## Organising Committee

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## General Information

#### **VENUE OF THE SEMINAR**

##### **Hotel Lisboa Plaza**

Tv. Salitre/ Av. Liberdade

1269-066 Lisbon, Portugal

T +351 213 218 218

## REGISTRATION FEES

The registration fees for the Forum are

**290 €** until December 27, 2011 included

**340 €** from December 28, 2011 onwards

These fees cover participation in the seminar, coffee breaks, lunches on Friday, January 27 and Saturday, January 28 and dinner on Friday, January 27, 2012. The Welcome Reception on Thursday night, January 26, is complimentary as it is sponsored by Abreu Advogados. The dinner on Saturday, January 28 is optional and an additional charge. Please note that the number of places at the seminar is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

## VISAS

Any person, who would like to receive a visa invitation letter to attend the Forum, should register and pay their registration fees, before December 27, to ensure there is enough time to obtain a visa. Only then it will be possible to benefit from a reimbursement in case the visa is refused.\* - \*\*

Should we receive your registration after December 27, 2011, only 50% of the registration fees will be reimbursed.

Should your visa be issued after the seminar date, you will not be reimbursed.

\* 100% refund of the amount paid minus € 50 (administrative costs).

\*\* We need to receive proof of refusal before we proceed with the reimbursement.

## CONTINUING LEGAL EDUCATION

Every participant attending the seminar will receive a "Certificate of Participation" at the end of the event, that may be used for obtaining "Credits" for "Continuing Legal Education" - "Continuing Professional Development" purposes, depending on national rules. For more information, please contact the UIA Paris office.

## LANGUAGES

The working language will be English. There will be no simultaneous translation.

## HOTEL ROOM RESERVATION

A limited number of rooms have been pre-booked, at a preferential rate, at the hotels listed below. Reservations should be made directly through the hotel. Credit card details must be given in order to secure your reservation. Please note that room numbers are limited, we recommend that you proceed with your reservations as soon as possible.

Hotels	Rates	
<b>Hotel Lisboa Plaza (4*)</b> Tv. Salitre/ Av. Liberdade 1269-066 Lisbon, Portugal T +351 213 218 218 F +351 213 218 219 E plaza.hotels@heritage.pt	Standard Single Room Standard Double Room	<b>85 €</b> <b>85 €</b>
	<b>Breakfast and taxes included</b> Please download the hotel reservation form from our website: <a href="http://www.uianet.org">www.uianet.org</a>	
<b>Hotel Dom Carlos Liberty (3*)</b> Rua Alexandre Herculano 13 1150-089 Lisbon, Portugal T +351 213 512 528 F +351 213 520 272 E reservas@domcarloshoteis.com	Standard Single Room Standard Double Room	<b>64 €</b> <b>70 €</b>
	<b>Breakfast and taxes included</b> Please download the hotel reservation form from our website: <a href="http://www.uianet.org">www.uianet.org</a>	

## NOTE

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the seminar, change its venue or any other published details.