

## MEDIATION IN THE EU: LANGUAGE, LAW & PRACTICE

- Language training for judges, lawyers and mediators
- Focus on civil and commercial mediation

Barcelona, 4-7 February 2019

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE



### Speakers

**Miguel Ángel Abadías**

Linguistic Advisor, Translator and Interpreter, Barcelona

**Professor Renate Dendorfer-Ditges**

Attorney-at-Law, Arbitrator and Commercial Mediator, Bonn

**Professor Brian Hutchinson**

Arbitrator, Mediator, Barrister, GBH Dispute Resolution Consultancy; University College Dublin

**Professor Eva Samaniego Fernández**

Department of Foreign Languages, National Distance Education University (UNED), Madrid

**Mercedes Tarrazón**

Lawyer, Arbitrator and Mediator, Partner Dispute Management, Barcelona

### Key topics

- Legal framework of cross-border civil and commercial mediation
- Interaction between mediation and civil proceedings
- Key features and different phases of the mediation process
- Online dispute resolution schemes
- Enforcement of settlement agreements
- English legal terminology in mediation

Language  
English

Event number  
119DT01

Organiser  
ERA (Anastasia Patta) in cooperation with the Spanish Judicial School, General Council for the Judiciary

Location  
Escuela Judicial  
Carretera de Vallvidrera a Barcelona,



Co-funded by the Justice Programme  
2014-2020 of the European Union

# Mediation in the EU: Language, Law & Practice

## Monday, 4 February 2019

- 14:45 Arrival of participants
- 15:00 **Opening session: introduction to the programme and project**  
*Anastasia Patta*
- 15:10 **Key legal terminology in EU civil law**  
*Eva Samaniego Fernández*
- 16:30 Coffee break
- 16:45 **The mediation landscape in the EU**
- Legal framework of cross-border mediation in civil and commercial cases
  - Mediation Directive
  - Concepts and practice of mediation
- Mercedes Tarrazón*
- 18:00 End of the first day

## Tuesday, 5 February 2019

- 09:15 **GROUP A: Starting the mediation process – the key to mediation success**
- Settling the agreement to mediate and practical preparation
  - Opening of the procedure and building trust
  - Methods for handling deadlocks
  - Confidentiality clauses
- Mercedes Tarrazón*
- 09:15 **GROUP B: Legal language training (Part I)**  
Oral and written exercises  
*Eva Samaniego Fernández*
- 10:45 Coffee break
- 11:15 **GROUP A: Legal language training (Part I)**  
Oral and written exercises  
*Eva Samaniego Fernández*
- 11:15 **GROUP B: Starting the mediation process – the key to mediation success**
- Settling the agreement to mediate and practical preparation
  - Opening of the procedure and building trust
  - Methods for handling deadlocks
  - Confidentiality clauses
- Mercedes Tarrazón*
- 12:45 Lunch break
- 13:45 **WORKSHOP:**  
**Preparing a mediation procedure in an international sales and distribution contract dispute**  
*Renate Dendorfer-Ditges & Eva Samaniego Fernández*
- 15:30 Coffee break
- 15:45 **WORKSHOP (cont'd):**  
**Opening a mediation procedure in an international sales and distribution contract dispute**
- 17:15 End of the second day
- 20:00 Dinner

## Objective

The purpose of this interactive seminar is twofold: first, to introduce participants to the law and practice of cross-border civil and commercial mediation and, secondly, to improve their English language skills.

Participants will be encouraged to make use of mediation techniques and procedures, while they will also receive the tools and develop the ability to communicate effectively in English in cross-border situations.

## Who should attend?

Judges (nominated by the project partners), mediators and lawyers in private practice from EU Member States.

## Your contact persons



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## Wednesday, 6 February 2019

- 09:15 **GROUP A: Key features of mediation**
- Different phases of the mediation process
  - Scope and borders of confidentiality
  - Mediators' skills and negotiation techniques
- Renate Dendorfer-Ditges*
- 09:15 **GROUP B: Legal language training (Part II)**  
Written comprehension & exercises  
*Eva Samaniego Fernández*
- 10:45 Coffee break
- 11:15 **GROUP A: Legal language training (Part II)**  
Written comprehension & exercises  
*Eva Samaniego Fernández*
- 11:15 **GROUP B: Key features of mediation**
- Different phases of the mediation process
  - Scope and borders of confidentiality
  - Mediators' skills and negotiation techniques
- Renate Dendorfer-Ditges*
- 12:45 Lunch break
- 13:45 **WORKSHOP** (Coffee & tea will be served during the workshop):  
**Solving an employment dispute out of court**
- The role of the lawyer, the mediator and the parties
  - Negotiation techniques and efficiency by caucus
  - Drafting a settlement agreement
- Brian Hutchinson & Miguel Ángel Abadías*
- 17:15 End of the third day

## Thursday, 7 February 2019

- 09:15 **GROUP A: Interaction between mediation and civil proceedings**
- Effects of mediation on limitation and prescription periods
  - Enforcement of settlement agreements
  - **Workshop – Online dispute resolution schemes in a cross-border consumer dispute**
- Brian Hutchinson*
- 09:15 **GROUP B: Legal language training (Part III)**  
Preparation of short oral presentations & exercises  
*Miguel Ángel Abadías*
- 10:45 Coffee break
- 11:15 **GROUP A: Legal language training (Part III)**  
Preparation of short oral presentations & exercises  
*Miguel Ángel Abadías*
- 11:15 **GROUP B: Interaction between mediation and civil proceedings**
- Effects of mediation on limitation and prescription periods
  - Enforcement of settlement agreements
  - **Workshop – Online dispute resolution schemes in a cross-border consumer dispute**
- Brian Hutchinson*
- 12:45 **Judicial, court-annexed or extra-judicial mediation? Experiences in the Member States** *Short oral presentations by the participants*
- 13:30 End of training

## Calendar of events

### Civil and commercial mediation

Barcelona, 4-7 February 2019  
Event no.: 119DT01

Lisbon, 6-9 May 2019  
Event no.: 119DT03

### Family mediation

Trier, 11-14 March 2019  
Event no.: 119DT02

## Project partners

- European Judges Group for Mediation (GEMME)
- European Judicial Training Network (EJTN)
- Bulgaria – National Institute of Justice
- Lithuania – National Courts Administration
- Poland – National School of Judiciary and Public Prosecution
- Portugal – Centre of Judicial Studies
- Spain – General Council for the Judiciary



For programme updates:  
Programme may be subject to amendment.

# Registration

## MEDIATION IN THE EU: LANGUAGE, LAW & PRACTICE

### Civil and commercial mediation



Europäische Rechtsakademie  
Academy of European Law  
Académie de Droit Européen  
Accademia di Diritto Europeo

### Application procedure

This seminar series is co-funded by the Justice Programme of the European Union 2014-2020. The following terms and conditions of participation apply:

### For lawyers & mediators

Applications for  
**Mediation in the EU: Language, Law & Practice**  
on 4-7 February 2019, Barcelona

can be made online at:



[www.era.int/?128304&en](http://www.era.int/?128304&en)



### Project description

Within the framework of the Justice Programme the European Union is co-financing a series of seven language training activities on cross-border mediation.

Each seminar will have a duration of 3 days and will be organised in the partnering Member States. The number of participants (judges, lawyers and mediators) will be limited to 30 per event.

The training activities will combine interactive language training and legal training with a focus on cross-border mediation.

**More information about the project on:**

[www.era.int/language\\_mediation](http://www.era.int/language_mediation)

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#### Location

Escuela Judicial  
Carretera de Vallvidrera a Barcelona, 43-45  
08017 Barcelona

#### Language

English

#### Contact Person

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#### Participation

Please note that the **number of places available is limited**. Applications will be accepted on a first come, first served basis. Participants should have a working knowledge of English.

#### Participation fee

300 EUR (including documentation).

#### Travel expenses

Travel costs are not reimbursed by ERA and participants are asked to book their own travel.

#### Accommodation

The **participation fee includes hotel accommodation: maximum 3 nights** at the hotel booked by ERA will be covered directly by ERA. Coffee breaks and lunches are included. ERA will invite all participants for a joint dinner.

### For judges

Interested judges from the partnering Member States (Bulgaria, Lithuania, Poland, Portugal and Spain) may register via their national judicial training institutions. Interested members of the Association of European Judges for Mediation (GEMME) may register via GEMME. Participation is on selection.