



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

Ministry of Justice of the  
Republic of Slovenia

Društvo mediatorjev  
Slovenije



# Ljubljana

**Friday, June 4 & Saturday, June 5, 2010**

**SLOVENIA**



## **UIA World Forum of Mediation Centres**

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

*Seminar organised by the UIA Mediation Commission in cooperation with the  
Ministry of Justice of the Republic of Slovenia*

American Arbitration Association / International Centre For Dispute Resolution - Arbitration Court at the Bulgarian Chamber of Commerce and Industry - ADR Center - Aequitas ADR - Asociacion Mexicana de Mediacion y Arbitraje Comercial - Beijing Arbitration Commission - Brussels Business Mediation Centre - Chamber of National and International Arbitration of Milan - Centre for Effective Dispute Resolution (CEDR) - Centre Professionnel de Médiation - 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 - Netherlands Mediation Institute - Organismo di Conciliazione di Firenze (OCF) - 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 Ljubljana will be the 14<sup>th</sup> since the creation of the Forum. This meeting covers a diverse range of topics, including what level of expertise is required from mediators, discussions on the process we use and the complications of multi-party mediations. We will also investigate how we can use psychology to stimulate creativity to help us become better mediators. As mediation

develops we explore the important issue of how the European Directive is being implemented in a variety of countries, the costs of mediation and we have a series of speakers dealing with the latest initiatives on corporate mediation across a variety of topics.

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, June 3

**19:00 - 20:30**

### **WELCOME COCKTAIL**

Offered by the Slovenian Association of Mediators Pravna  
**University of Ljubljana**  
**Faculty of law (Pravna fakulteta)**  
Poljanski nasip 2,  
1000 Ljubljana





# Friday, June 4

**08:30 - 09:00**

## **REGISTRATION OF PARTICIPANTS**

**Supreme Court**

Tavčarjeva 9

1000 Ljubljana

**09:00 - 09:15**

## **Welcome and Opening of the Seminar**

**Corrado DE MARTINI**, *UIA President, Rome, Italy*

**Aleš ZALAR**, *Slovenian Minister of Justice, Ljubljana, Slovenia*

**Gordana RISTIN**, *President of the Slovenian Association of Mediators, Judge at the Court of Appeal, Ljubljana, Slovenia*

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

## **Introduction**

**09:15 - 10:30**

## **Use of Expertise in Mediation**

In the Forum's last meeting in Florence, the speakers discussed the use of experts in mediation proceedings and at this meeting they will discuss the results of a survey carried out on the extent to which expertise is used and whether this usage differs from centre to centre, jurisdiction to jurisdiction as well as what mediators themselves think about the subject.

**Calliope SUDBOROUGH**, *Deputy Manager of ICC Dispute Resolution Services, International Chamber of Commerce, Paris, France*

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

## **TO PARTICIPATE IN THIS SURVEY PLEASE GO TO:**

[http://www.surveymonkey.com/s/uia\\_survey\\_use\\_of\\_experts\\_in\\_mediation](http://www.surveymonkey.com/s/uia_survey_use_of_experts_in_mediation)

**10:30 - 11:00**

## **COFFEE BREAK**

**11:00 - 11:30**

## **How is the brain working during mediation? A tentative model**

Our speakers will give us an overview to explain in each phase of a mediation how our brain works, what are the mechanisms inside our brain that are activated during each stage according to the behaviour of the other party.

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

**François BOGACZ**, *Convirgente, Lisbon, Portugal*

**Jeremy LACK**, *Altenburger Ltd Legal + tax, Geneva, Switzerland*

**11:30 - 12:45**

## **Stimulating creativity: new approaches to old problems. An interactive role-play with audience participation (Annie v. William)**

**Jeremy LACK**, *Altenburger Ltd Legal + tax, Geneva, Switzerland*

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

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

**12:45 - 14:15**

## **LUNCH**

**Restaurant ZZZS**

Miklošičeva 24

1000 Ljubljana

**14:15 - 15:15**

## **Costs of Mediation**

We all know that the costs in mediation can be a fraction of the costs incurred in litigation and arbitration but costs in mediation still concern us. The speakers will examine the costs of mediation for the parties, the costs of mediation for the providers and the costs associated with the promotion of mediation and how those costs vary from country to country.

**Gregory HUNT**, *Centre for Effective Dispute Resolution (CEDR), London, UK*

**Calliope SUDBOROUGH**, *Deputy Manager of ICC Dispute Resolution Services, International Chamber of Commerce, Paris, France*

**Angelo SANTI**, *Resolutia – Gestione delle Controversie, Perugia, Italy*

**15:15 - 15:45**

## **Preliminary Meetings - why they add value to mediation**

In some jurisdictions preliminary meetings are the norm, in other jurisdictions they are virtually unheard of, either because the benefits of a preliminary meeting are simply not known or the mediation centre handles all the preliminary matters direct. Our speakers will examine the use of preliminary meetings and say why they can be a valuable tool in mediation.

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

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

**15:45 - 16:15**

## **COFFEE BREAK**

**16:15 - 18:00**

## **Multi-Party Mediations**

- The complexity of multi party mediation demands in each case a tailor made process, designed before as well as during the mediation. The speakers will explore in an interactive session a multi party situation to show you a way to approach effectively complex multi party situations and demonstrate the value of conflict diagnosis and process design.

**Jacques DE WAART**, *Dutch Association of Attorney Mediators (NVVMA), Amersfoort, The Netherlands*

**Catherine COTSAKI**, *Cotsaki & Nerantzis Law Office, Athens, Greece*

**Alessandro BRUNI**, *Consilia Srl, Rome, Italy*

- Gordana Ristin, will discuss with the participants the effectiveness of public sector multi-party mediations in Slovenia and illustrate her talk by reference to a successful complex environmental mediation that took place in Slovenia in 2008 involving 9 parties and over 900 persons over a three month period and the interaction of the public interest, efficiency and legal regulation.

**Gordana RISTIN**, *President of the Slovenian Association of Mediators, Ljubljana, Slovenia*

**18:00**  
**END OF DAY ONE**

**18:30 - 19:30**  
**Guided tour city centre**

**20:30**  
**Dinner and dancing at Gostilna As (Restaurant As)**

Copova Ulica 5/A (Knafljev prehod)  
1000 Ljubljana



**Saturday, June 5**

**09:00 - 09:30**  
**REGISTRATION OF PARTICIPANTS**

**Supreme Court**  
Tavčarjeva 9  
1000 Ljubljana

**09:30 - 10:45**  
**Implementation of Directive 2008/52/EC of the European Parliament and of the Council of 21st May 2008**

The Directive 2008/52/EC was adopted in May 2008 after having been discussed in the Council and the Parliament for more than 3 years. Member States are required to implement the Directive before 21 May 2011. Although limited to cross-border disputes the Directive might have a greater impact than first anticipated. It is not only the Member States that are adopting the legislation but also certain other countries as well and the principles of the Directive are being applied to domestic as well as cross-border disputes.

**Bojana JOVIN HRASTNIK**, *Ministry of Justice of the Republic of Slovenia, Ljubljana, Slovenia*

**Branimir TUSKAN**, *President of the Croatian Bar Association, Zagreb, Croatia*

**Regina VASILJEVIC**, *Mediation Centre, Belgrade, Serbia*

**John M. BOSNAK**, *NMI, Rotterdam, The Netherlands*

**10:45 - 11:15**  
**COFFEE BREAK**

**11:15 - 12:15**  
**Implementing Mediation throughout your Organisation - Can we learn from the E.ON Experience?**

Jürgen Klowait is head of the legal department of E.ON Kernkraft, German energy supplier. In 2006, he initiated a group-wide mediation project and started to build up a pool of in-house mediators. As a result of this project, 74 E.ON - colleagues have been trained as mediators. Jürgen Klowait also is co-founder of the "Round Table Mediation & Conflict Management of German Economy". He will

give an insight into the main tasks and challenges of implementing mediation in the E.ON group, as an additional dispute resolution tool for group-internal conflicts and also explain techniques for engaging business partners in mediation. He will share his experiences in this process with the audience and we will see if the processes and procedures could also be applied to other areas of disputes with which Forum participants are familiar.

**Jürgen KLOWAIT**, *Head of Legal Affairs E. ON, Gelsenkirchen, Germany*

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

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

**12:15 - 13:00**  
**Corporate Mediation**

- How to apply mediation to inter-managerial conflicts, managers' positions and interests, mediating within powers and hierarchy
- How to apply mediation to conflicts caused by directors' liability, consequences for stakeholders and third parties
- Corporate mediation: the Group Dresser Inc. experience

**Stefano PAVLEVIC**, *Studio Pavlevic, Milan, Italy*

**Giorgio GRASSO**, *DLA Piper, Rome, Italy*

**Linda FORESE**, *Dresser Inc., Florence, Italy*

**13:00 - 14:30**  
**LUNCH**

**Restaurant ZZZS**  
Miklošičeva 24, 1000 Ljubljana

**14:30 - 15:45**  
**Hot Topics in Mediation/ News from the Centres**

Anyone willing to inform the Forum on new developments in a centre or in a jurisdiction, please inform Thierry GARBY in advance (t.garby@lerins-avocats.com).

**Future Business of the Forum**

*Participants will be invited to suggest new topics for future meetings.*



**15:45 - 16:15**  
**COFFEE BREAK**

**16:15 - 17:45**

**Optional Medical Session: ADR in Healthcare**

(Discussion Session)

Following on from the first meeting in Lausanne in February 2009, when a group of UIA attendees first discussed the use of ADR in Healthcare, a panel will discuss and present new ways in which ADR is being introduced into hospitals and other Healthcare centres in Slovenia, as well as new challenges arising from the growth of "Medical Tourism", whereby patients are beginning to travel to other countries in search of better or cheaper medical treatments, which can give rise to disputes involving a wide range of stakeholders at a cross-border level. This is likely to require new combinations of international arbitration and mediation processes.

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

**Simona MLAKAR**, *Lawyer / Mediator, Medical Chamber of Slovenia, Ljubljana, Slovenia*

**Anka STOJAN**, *Psychologist / Mediator and Mediation Trainer, AHIL Consulting, Ljubljana, Slovenia*

**Jeremy LACK**, *Altenburger Ltd Legal + tax, Geneva, Switzerland*

**Jane GUNN**, *Founder of Corporate Peacemakers, Lawyer/Mediator and Mediation Trainer, Reading, United Kingdom*

**20:00**

**Optional Dinner at Restaurant Šestica**

Slovenska cesta 40, 1000 Ljubljana



**Thierry GARBY**

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# General Information

## FORUM VENUE

**Supreme Court**  
Tavčarjeva 9  
1000 Ljubljana  
T + 386 51 390 386

## REGISTRATION FEE

**The registration fee for the Forum is 375 €**

**The registration fee for the Slovenian participants is 250 €**

These fees cover participation in the seminar, coffee breaks, lunches on Friday, June 4 and Saturday June 5 and dinner on Friday, June 4, 2010, as well as seminar papers on CD-Rom. The Welcome Reception on Thursday night, June 3, is complimentary as it is sponsored by the Slovenian Association of Mediators. The dinner on Saturday, June 5 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.

## 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.

## LANGUAGE

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

## HOTEL 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>City Hotel Ljubljana (3*)</b> Dalmatinova 15, 1000 Ljubljana Slovenia T + 386 1 239 01 41 F + 386 1 239 00 01 E info@cityhotel.si	Standard Single Room Superior Single Room  Breakfast and taxes included	114 € 142 €
Please download the hotel reservation form from our website: <a href="http://www.uianet.org">www.uianet.org</a>		
<b>Best Western Premier Hotel Slon (4*)</b> Slovenska cesta 34 1000 Ljubljana, Slovenija T + 386 1 4701 100 F +386 1 2517 164 E sales@hotelslon.com	Single Room Superior Single Room  Breakfast and taxes included	120 € 170 €
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, at their absolute discretion and without giving any reason, cancel or postpone the forum, change its venue or any other published details.

UIA

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