



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

Forum organised by the **UIA** with the support of the Milan Chamber of Arbitration, the Ordine degli Avvocati di Milano, the UNAM – Unione Nazionale Avvocati per la Mediazione and the Coordinamento della Conciliazione Forense

# 27<sup>th</sup> World Forum of Mediation Centres

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

## MILAN ITALY

Friday, January 17 & Saturday, January 18, 2020

*With a welcome evening cocktail on Thursday, January 16*

#UIAWFMC



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## Introduction

The **World Forum of Mediation Centres** was created in 2001. It brings together the best commercial mediation practitioners and ADR centres from around the world, together with managers, academics, teachers, trainers, young practitioners, and all those interested in learning more about mediation.

The Forum takes place every 9 months in different countries around the world. It fosters the exchange of views on the development of ADR, enhancing knowledge, and best practices, giving new ideas, ensuring the best understanding of ADR, and learning from other cultures.

This 27<sup>th</sup> Forum promises to be **again very exceptional** because it will be the opportunity to gather experiences, ideas, observations about development of mediation and make comparison to enhance our knowledge and our practice. Do not miss this opportunity to meet with your colleagues, other professions connected to mediation practices, and other cultures.

**Milan is a town to discover, a mediation discovery, a place to have a great Forum.**

The various sessions of the Forum will be again stimulating and attractive, bringing together managers interested in the understanding and development of mediation for their companies, experienced and younger mediators, lawyers, academics, judges, students who are our future decision makers.

**Do not miss this opportunity to learn and enhance your knowledge and practice about mediation.**

**The 27<sup>th</sup> Forum will be an unforgettable international event. Practitioners from the USA, Australia, China, Africa and Europe have already confirmed their participation.**

**We are looking forward to welcoming you to Milan!**

The UIA would like to thank the following partners:



C S M C    Chambre Suisse de Médiation Commerciale  
S K W M    Schweizer Kammer für Wirtschaftsmediation  
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American Arbitration Association / International Centre For Dispute Resolution • Arbitration Court at the Bulgarian Chamber of Commerce and Industry • ADR Center • Aequitas • ADR • ADRg UK • Association des Médiateurs Indépendants d'Île de France (AMIDIF) • Asociación Mexicana de Mediación y Arbitraje Comercial • Beijing Arbitration Commission • bMediation • Centre for Effective Dispute Resolution (CEDR) • Centre Professionnel de Médiation • Milan Chamber of Arbitration • 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 • Croatian Bar Association • Euroarbitrage • European Center for Dispute Resolution (ECDR) • Greek Mediation Institute • Hellenic Mediation and Arbitration Centre • InMediazione ADR • International Mediation Institute (IMI) • Institut d'Expertise, d'Arbitrage et de Médiation (IEAM) • LAMAC - Lebanese Association for Mediation And Conciliation • London Court of International Arbitration • Malaysian Mediation Centre • Mediators' Training Institute of Thessaloniki • Mediators-federatie Nederland (MfN) • Organismo di Conciliazione di Firenze (OCF) • Rakmo Institute • Resolutia Gestione delle Controversie • Slovenian Association of Mediators • Società Italiana per la Risoluzione Alternativa delle Controversie • The Chartered Institute of Arbitrators • The Law Society of New South Wales • WIPO Arbitration and Mediation Center



## Thursday, January 16

19:30 WELCOME COCKTAIL

LAVAZZA FLAGSHIP STORE, Piazza s. Fedele 2, 20122 Milan

## Friday, January 17

08:30 – 09:00 Registration of Participants

PALAZZO EMILIO TURATI – Sala Conferenze  
Via Meravigli, 9/b, 20123 Milan

09:00 – 09:30 Welcome and Opening of the Forum

- Mrs. Marina TAVASSI, President of the Court of Appeal of Milan, Italy
- Fabienne VAN DER VLEUGEL, President of the UIA World Forum of Mediation Centres, Lawyer at the Meaux and New York Bars, Mediator, VDV Avocats, Serris, France
- Francesca Maria ZANASI, President of the Committee for International Matters at the Milan Bar Association, Milan, Italy
- Stefano AZZALI, General Director of the Milan Chamber of Arbitration, Milan, Italy

09:30 – 10:30 The Italian Outlook

Mediation in Italy has been growing significantly since the late '90s, also through the introduction of mandatory attempt in many subjects. An effective tool within a promising market, it is trying to gain new ground and secure a bright future.

**Moderator & speaker:** • Stefano PAVLETIČ, Mediator CCPIT and Italy-China Mediation Centre, Studio Pavletič, Milan, Italy

**Speakers:**

- Nicola GIUDICE, Head Officer of Mediation Service, Milan Chamber of Arbitration, Milan, Italy
- Angelo SANTI, Lawyer and Mediator, President of UNAM (Unione Nazionale Avvocati per la Mediazione), Perugia, Italy
- Adriana CAPOZZOLI, Adjunct Professor of Mediation, University of Florence, Advocate and civil and commercial Mediator, Family Mediator, Florence, Italy

10:30 – 11:30 Innovative Approaches to Mediation

As mediators, our understanding of dispute resolution naturally expands and evolves over time. Increasingly, evidence-based practice plays an important role in revealing new insights into the way we might approach our craft. This session will showcase two new evidence-based approaches that are having an impact on mediation in New Zealand and Australia.

**Moderator & speaker:** • Danielle HUTCHINSON, Lawyer and Mediator, Resolution Resources, Melbourne, Australia

**Speaker:**

- Jill GOLDSON, Mediator, Family Matters Centre, Auckland, New Zealand

11:30 – 11:45 Coffee Break

Kindly offered by Studio Legale Associato Arlenghi e Agostini

11:45 – 12:45 Africa in Need of Mediation?  
The answer of OHADA

Mediation has been introduced in the OHADA legal documentation. From the conception of the Uniform Act on Mediation (UAM) of OHADA to its promotion. After description of the conception process, the audience will be informed about the current situation, and specific developments that may be expected or that, surprisingly, may arise. A concrete example of AVOMARC actions in DRC will be described.

**Moderator & speaker:** • Brigitte BOUVIER, BBMT Avocats, CEDR Accredited Mediator, Co-founder of the association Avomarc, Paris, France

**Speaker:**

- Christian HAUSMANN, Lawyer and Mediator, Paris, France

12:45 – 14:00 Lunch

14:00 – 15:15 Conflict Management

- What are enterprise level integrated conflict management systems – what do they consist of, how are they created
- What are the roles of the neutral in these systems – how must a neutral perceive themselves in order to be effective (i.e., not seeing themselves as simply a mediator, but as a “change agent” or “connector”)
- How does this translate to the commercial world – what are the crossover points

**Moderator & speaker:** • Pete SWANSON, Director, Office of Conflict Management and Prevention, Federal Mediation and Conciliation Service (FMCS), Washington, DC, USA

**Speakers:**

- Paul LATREILLE, Professor of Management from the Sheffield University Management School, Sheffield, UK
- Corina BÖLSTERLI MAIER, Mediator and Coach, cbm Office for Mediation, Coaching and Supervision, Lindau, Germany
- David THALER, Senior Advisor, Federal Mediation and Conciliation Service (FMCS), Washington, DC, USA

15:15 – 15:30 Coffee Break

Kindly offered by Centro Servizi Investigativi

15:30 – 16:45 Abuse in the Mediation Process

How can mediators deal with unethical behaviour in mediation? How can we deal with downright and obvious intentional lies of parties in mediation? Are there any legal, factual or ethical sanctions we could use in such situations? Should mediation confidentiality privilege for acting in bad faith be reevaluated? Are there cultural differences to demand the truth in mediation? Are there any obligations of mediators if misbehaviour or unwillingness to continue the mediation in good faith becomes obvious, e.g. in Caucus sessions?

**Moderator & speaker:** • Professor Dr. Renate DENDORFER-DITGES, Partner / Lawyer / Arbitrator / Mediator, DITGES Partnerschaft mbB, Bonn, Germany

**Speakers:**

- Diana PARAGUACUTO-MAHÉO, Partner/Lawyer/Arbitrator/Mediator, Foley Hoag LLP, Paris, France
- Galyna YEROMENKO, Lawyer/Mediator, Ph.D., First-President at National Ukrainian Association of Mediators, Founder and CEO of Ukrainian Mediation Center (UMC) at Kyiv-Mohyla Business School, Kiev, Ukraine
- Anne-Karin GRILL, Partner/Lawyer/Arbitrator/Mediator, Vavrovsky Heine Marth Rechtsanwälte, Vienna, Austria

16:45 – 18:00 Opportunities and Obstacles for  
Business Mediation and Conflict Management

In this session we will discuss the current opportunities and obstacles for business mediation and conflict management programmes in profit and non-profit organisations. How does business mediation relates to (the effectiveness of) other forms of conflict resolution? What the reasons are for whether or not using business mediation and what are the desired qualifications in terms of background and experience of the mediator, the role of lawyers and the method of conducting mediation (approach and mediation style).

**Moderator & speaker:** • Monique VAN DE GRIENDT, Director and Mediator at Dialogue BV, Bussum, Netherlands

**Speakers:**

- Ellen VAN GESTEL, Mediator at Dialogue BV, Bussum, Netherlands
- Pasquale ORRICO, Advocate at Arlenghi Agostini Avvocati and Mediator, Milan, Italy

20:00 Optionnal Dinner

Hostaria Borromei, Via Borromei 4, 20123 Milan



## 08:45 – 09:00 Registration of Participants

PALAZZO EMILIO TURATI – Sala Conferenze  
Via Meravigli, 9/b, 20123 Milan

## 09:00 – 10:15 Practices and Benefits of Self-Regulated and Imposed Dispute Resolution Systems and Designs Within and Across Industries, Continents, and Into Cyber-Space

*Diverging interests between different actors, sectors of activities or industries, can give rise to competitive tensions and disputes, may threaten its sustainability and also impact all of the stakeholders of the ecosystem.*

*Initiatives have arisen where organisations and industries in such systems have set up – or have been imposed – multi-stakeholder bodies in order to better handle these tensions, improve collaboration, foster good partnership relations and resolve disputes.*

*This session draws on International practitioners to explore examples from the food supply chain and energy sectors, as well as from the realms of sports and arts. It addresses the role of mediators, experts and peers, and explores how systems can be effectively designed and implemented, whilst highlighting how technology can play a significant role as an enabler.*

**Moderator & speaker:** • Georges HANOT, Mediator, Founding Partner at Con-Sent ADR; Chair of the Belgian Supply Chain Initiative and Initiator of other self-regulated bodies, Ghent, Belgium  
**Speakers:**

- Shirli KIRSCHNER, Dispute System Designer, Consultant and Mediator; CEO of Resolve Advisors, Dispute Resolution Adviser for the wholesale energy market and music industry; Co-founder of the Elker-app for feedback and reporting, Sydney, Australia
- Thiruvengadam BC, Advocate, International Mediator and Arbitrator, Honorary Director, Bangalore International Mediation, Arbitration and Conciliation Centre, Bangalore, India

## 10:15 – 10:30 Coffee Break

## 10:30 – 11:30 Seeing the Glass as Half-Full, Not Half-Empty — Use and Impact of Mediators' Optimism During the Mediation Process

*Have you ever sensed that, as mediator, your perspective on the possibility of the parties reaching a settlement actually has impacted whether or not it occurs? During this interactive session, we will explore a variety of ways in which the mediator's optimism can positively impact the mediation process; and help keep it "alive" and moving towards settlement. Our objective is for you – whether innately an optimist, pessimist or realist – to become better equipped to recognize opportunities to exhibit optimism at critical junctures in the mediation process. (...though if you innately lean more towards pessimism, we understand that you are pretty sure that those opportunities do not exist!).*

**Moderator & speaker:** • Ross W. STODDARD, III, Attorney-Mediator, Dallas, TX, USA

## 11:30 – 12:30 Does the Mediator Improve the Performance Level of the Negotiators?

*Scientific studies as well as practice show that professionals can make errors of assessment that impact the quality of the decisions they make. The scientific literature explains this poor performance by the tendency of professionals and specialists to overestimate the quality of the information they hold and to underestimate the quality of the information held by the other party. This cognitive bias is known as "overconfidence bias". Under the title "The impact of cognitive biases in the assessment of offers made by the opposing party", Gérard Kuyper will highlight the mediator's contribution to countering this overconfidence bias and improving the quality of agreements negotiated by professionals, including lawyers.*

*Bruno Gomart will share his 18 years of experience in Risk & Contract Management in the field of international industrial projects and will discuss the theme "How the implementation of preventive risk management is an effective safeguard against cognitive bias".*

**Moderator & speaker:** • Gérard KUYPER, Partner Alterys, Accredited Mediator, Brussels, Belgium

**Speaker:**

- Bruno GOMART, Chief Operating Officer, MAREEX Consulting SA, Lausanne, Switzerland

## 12:30 – 13:30 Lunch

## 13:30 – 14:30 The Acceleration of the Development of International Business Mediation after the Singapore Convention

*The adoption, by the United Nations' Member States, of the Singapore Convention on International Settlement Agreements Resulting from Mediation offers economical actors a securing and efficient tool. It clearly frames mediation in the landscape of ADRs at a worldwide level. This tool, which completes regional and national judicial systems more and more favorable to mediation, should significantly contribute to the development of international mediation in the following years.*

*This round-table will get the speakers to talk about, notably, the stakes and interest of an international convention on the recognition of international settlement agreements resulting from mediation; the perception of various representative Member States parties to the Convention; the impacts of such a tool on the use of mediation in business relationships worldwide and other contexts.*

**Moderator & speaker:** • David LUTRAN, Lawyer, Mediator, Lutran & Associés, Paris, France

**Speaker:**

- Danielle HUTCHINSON, Lawyer and Mediator, Resolution Resources, Melbourne, Australia

## 14:30 – 14:45 Coffee Break

## 14:45 – 15:45 Mediation in China – an Insight on Recent Developments and Main Trends in the Dynamic Chinese Market

*Experience on the field, professional background and personal feed-back to draw a lively and effective picture on Chinese mediation's potential. Commercial mediation in the Greater Bay Area and Belt and Road Initiatives: opportunities not to be missed.*

**Moderator & speaker:** • Stefano PAVLETIČ, Business consultant, Mediator CCPIT and Italy-China Mediation Centre, Studio Pavletič, Milan, Italy

**Speakers:**

- Antonietta MARSAGLIA, Mediator CCPIT and Italy-China Mediation Centre, Studio Legale Marsaglia, Milan, Italy
- Chun Wai LING, Chairman of the Hong Kong Mediation Council, Hong Kong, S.A.R, China

## 15:45 – 16:45 Companies Testimony

*This session will be dedicated to the users of mediation, inviting enterprises, to give concrete testimonies confirming the utility of mediation in international/national commercial disputes.*

**Moderator:** • Pasquale ORRICO, Advocate at Arlenghi Agostini Avvocati and Mediator, Milan, Italy

**Speakers:**

- Raffaella M. PILERI, Lawyer, Mediator, Founder and Managing Partner at In Mediazione ADR, Perugia, Italy
- Andrea CASTALDI, Vice President – Coordinator Litigation Area, Deutsche Bank SpA., Milan, Italy

## 16:45 – 17:15 News from the Centres

*Announcement of the 28<sup>th</sup> UIA World Forum of Mediation Centres.*

## 20:00 Optional Dinner

Taverna Moriggi

Via Moriggi, 8, 20123 Milan





LA SCELTA PER L'ACCORDO  
**INMEDIAZIONE**

**EFFICIENZA | FLESSIBILITÀ  
DISPONIBILITÀ**



### **EFFICIENZA**

È sufficiente inviare una PEC per avviare la mediazione



### **FLESSIBILITÀ**

Nell'utilizzo di Skype e altri strumenti in caso di necessità



### **DISPONIBILITÀ**

Nella scelta di luoghi, date e orari per gli incontri

Le nostre sedi sono presenti presso il circondario dei tribunali di  
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**INMEDIAZIONE**

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**SAVE  
THE  
DATE!**

Forum organised by the UIA

## **28<sup>th</sup> World Forum of Mediation Centres**

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

# SYDNEY AUSTRALIA

Friday, September 4 & Saturday, September 5, 2020

*With a welcome evening cocktail on Thursday, September 3*

#UIAWFMC



Information and online registration at  
**[www.uianet.org](http://www.uianet.org)**