

FICPI 17th Open Forum

Mediation – An Interactive Experience

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Venice

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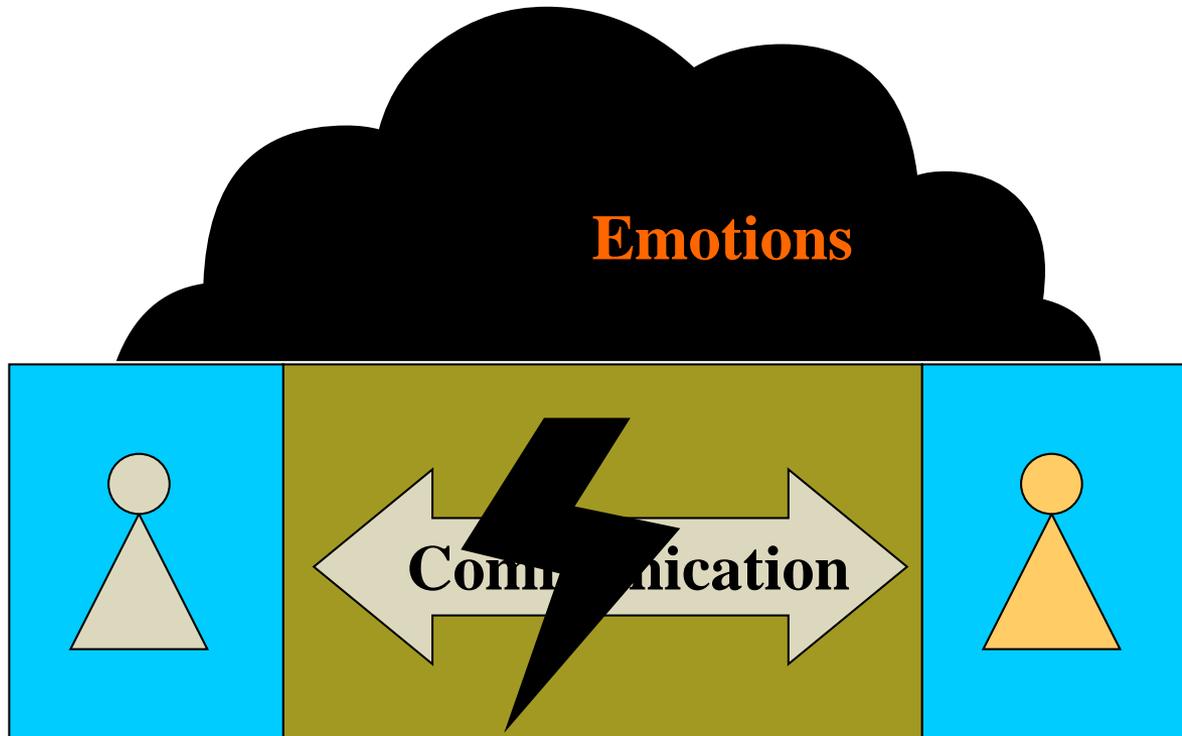
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BUTTS ASSOCIATES Conflict Management & Dispute Resolution

The Problems of an Existing Conflict



Conflict

Definitions in Mediation

Definitions

(1) Mediation is a **confidential** and **structured** process, in which the parties **assisted** by one or more mediators attempt to reach a settlement of their dispute on a **voluntary** base in their **own responsibility**. The settlement agreement has the force of a contract.

(2) A mediator is an **independent** and **impartial** person, who **cannot impose a decision** and who leads the parties through the mediation.

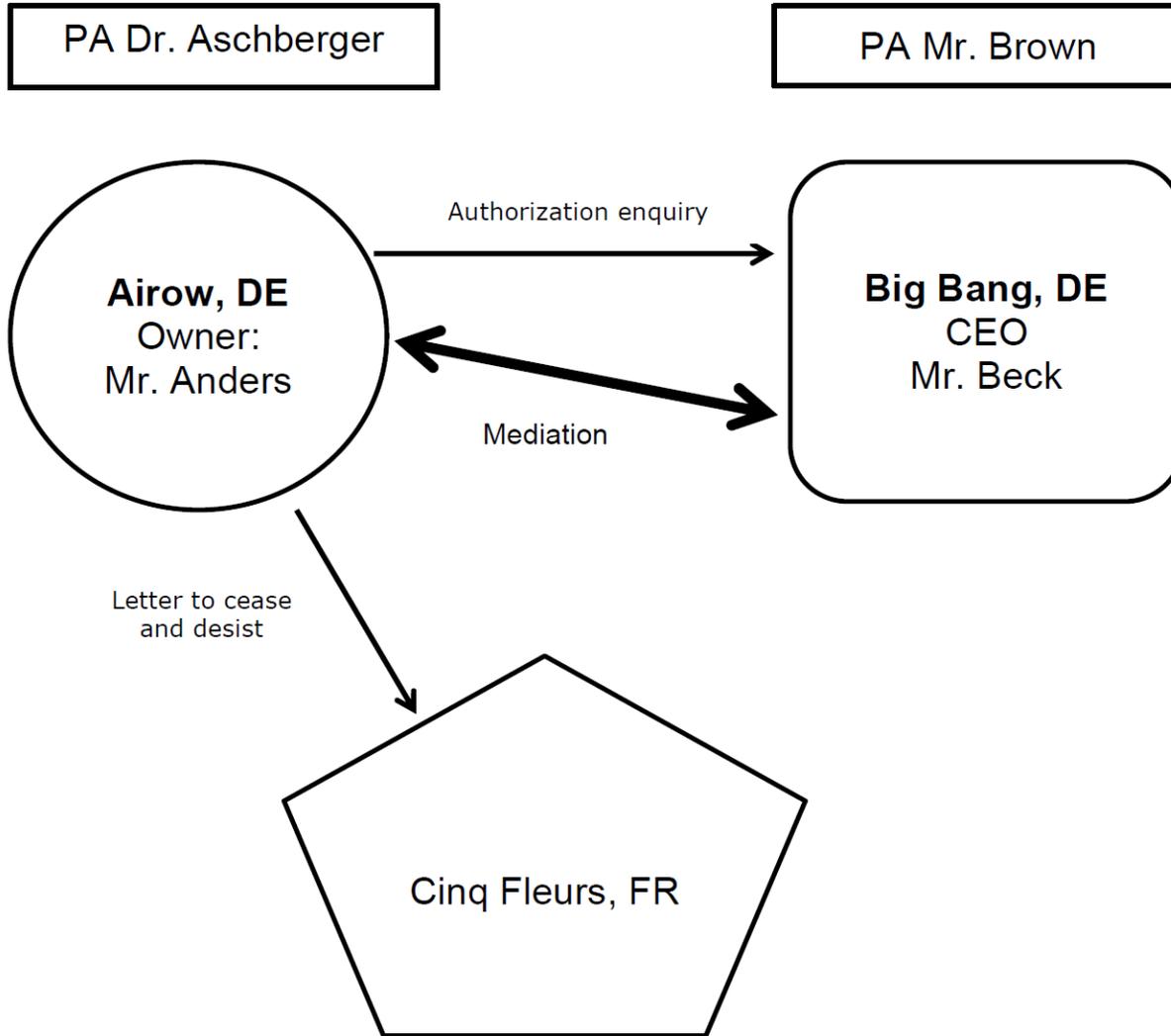
Steps/Phases of a Mediation Process

- Phase 1: Preparation/Opening**
- Phase 2: Exploration the Issues in Dispute**
- Phase 3: Identification of Interests/Motivations**
- Phase 4: Negotiation of Solution Options**
- Phase 5: Settlement and Enforcement**

What does a mediator add to conflict resolution?

- Reframing existing patterns
- Reflection Opportunity
- „Renovating“ and Establishing Trust
- Quick, Confidential and Interest-based Solution
- Structure tailored to the conflict
- Integration of Alternatives / All in one batch
- Allpartial Position

Mediation Mock Case



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Thank you

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