

# ERA-Conference on Cross-border Mediation, ADR & ODR

On April 25 and 26, 2013 the Academy of European Law (ERA) will host a conference on cross-border mediation, ADR & ODR. The conference will cover various aspects of cross-border alternative dispute resolution including the latest trends and developments in legislation at national, international and EU level. Further information is available [here](#). The programme reads as follows:

## Thursday, 25 April 2013

- 08:45 Arrival and registration

- 09:10 Welcome

*Angelika Fuchs*

Moderator: *Ana Gonçalves*

## I. CURRENT SITUATION OF MEDIATION IN A COMPARATIVE PERSPECTIVE

- 09:15 State of play following the implementation of the Mediation Directive: concepts and practice of mediation

*Jeremy Lack*

- 09:45 Discussion

- 10:00 Integration of mediation in dispute resolution procedures, including the effects of mediation on limitation and prescription periods

*Carlos Esplugues*

- 10:30 Discussion

- 10:45 Coffee break

- 11:15 Learning from the experience of others: what incentives for mediation are given?

- The Netherlands, England and Wales: *Naomi Creutzfeldt-Banda*

- France and Belgium: *Vincent Tilman*

- Poland and Czech Republic: *Rafal Morek*

- Italy and Spain: *Carlos Esplugues*

- Portugal: *Ana Gonçalves*

- 13:00 Lunch

Moderator: *Jeremy Lack*

## II. INNOVATIVE PROCESSES FOR CONSUMER AND E-COMMERCE DISPUTE RESOLUTION

- 14:15 Consumer ADR & ODR: recent experiences in the member states  
*Naomi Creutzfeldt-Banda*
- 15:00 Discussion
- 15:15 Coffee break
- 15:45 Opportunities and challenges for ODR: how will consumers and traders benefit from the new EU legislation?
- 16:15 ODR and consumer protection: high standards or low costs? Taking a fresh look at the EU and UNCITRAL initiatives  
*Hans Schulte-Nölke*
- 16:45 Discussion
- 17:15 Towards an instrument on B2B ADR?  
*Vincent Tilman*
- 17:45 Discussion
- 18:00 End of the first conference day
- 19:00 Evening programme and dinner

### **Friday, 26 April 2013**

Moderator: *Diana Wallis*

## III. MEDIATORS AND MEDIATION PROCEDURE

- 09:00 How to ensure the quality of mediation? Code of conduct and professional law for mediators  
*Manon Schonewille* (live via videolink)
- 09:30 Discussion
- 09:45 Skills of (e-) mediators  
*Ana Gonçalves*
- 10:15 Discussion
- 10:30 Coffee break
- 11:00 Results of mediation and enforcement of mediation agreements  
*Elena D'Alessandro*
- 11:30 Discussion
- 11:45 Confidentiality in mediation

- Functions of confidentiality
  - What information is subject to confidentiality?
  - Which persons are bound to respect it?
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- Disclosure of information in subsequent litigation or enforcement proceedings  
*Rafal Morek*
  - 12:15 Discussion
  - 12:45 Self-regulation or regulatory approach: how to further encourage parties to the mediation table?  
*Diana Wallis*
  - 13:15 Lunch and end of the conference