

CIVIL & COMMERCIAL MEDIATION TRAINING COURSE



04 - 09 December 2023

jointly organised by





INTERNATIONAL TRADE & INVESTMENT URGENTLY NEEDS MORE MEDIATORS

Mediation stands as a meticulously crafted and highly efficient approach to resolving professional disputes. It encompasses a comprehensive framework of methodologies, competencies, and processes. Widely acknowledged on a global scale as the preferred avenue for dispute resolution, mediation's significance was further underscored by the United Nations' endorsement of the Singapore Mediation Convention in 2018. This pivotal convention has significantly bolstered the utilization of mediation in the context of cross-border trade, investments, and commercial transactions.

The realm of civil & commercial matters now faces an escalating demand for adept mediation practitioners and experts who can adeptly facilitate dispute resolutions. Across various domains, the call for specialized professional mediators is on the rise. Mediators play an indispensable role in steering parties toward harmonious resolutions and ensuring the uninterrupted flow of business operations.



WHAT KIND OF DISPUTE IS SUITABLE FOR MEDIATION?

Mediation has been recognized as the most cost-effective and efficient dispute resolution. It suits the need for all civil and commercial disputes except criminal or illegal disputes.





WHY SHOULD THE PARTIES CHOOSE TO MEDIATE THEIR DISPUTES?

Parties will experience unique and significant benefits by choosing mediation as their preferred method of dispute resolution.

- 1 Reduces Time & Costs**

Mediation (especially at an early point in a dispute) is a more cost effective way of resolving a dispute than going to court. Most mediations settle on the day of the mediation. Those that do not, often settle within a couple of weeks.
- 2 Control**

Most mediations are more about negotiation and less about nuanced legal argument, meaning the parties remain in the driving seat.
- 3 Flexibility of Remedy**

The outcomes in mediation are much more diverse and creative; as they are ultimately decided by the parties, the outcome can be adapted to meet their commercial needs and end the dispute with a win/win settlement.
- 4 Confidentiality**

Unlike litigation, both the mediation process and any information disclosed remains confidential to the parties and is not shared with the Judge.
- 5 Less Adversarial**

Mediation is about compromise. This can enable commercial relationships to be maintained where they otherwise may have been damaged irreparably by aggressive and adversarial court proceedings.
- 6 Mediator's Role**

The Mediator's function is to overcome any impasse and encourage the parties to reach an amicable settlement.



PROGRAMME OBJECTIVES

The Civil & Commercial Mediation Training Course (“the Course”) is jointly organized by the the Mediation and Arbitration Centre (Mauritius) Ltd (“MARC”) and ADR/ODR International Ltd.

We believe that participants learn best by practicing mediation skills. This is why this Course is skill-based and focused on practical learning. During your training over 70% of your time will be spent in role-play scenarios with tutor-observed sessions. The programme is presented by highly experienced international tutors and mediation practitioners who give comprehensive feedback and guidance throughout.

The Course cultivates a dynamic and engaging atmosphere, offering numerous chances for active engagement with both course instructors and fellow participants. Through hands-on mediation exercises based on real-life cases, group dialogues, and constructive feedback sessions, you'll have the opportunity to apply and refine the skills you've acquired.



PROGRAMME OBJECTIVES

The Course will equip participants with consolidated knowledge on the framework of the advanced dispute resolution system, including dispute prevention, dispute resolution and enforcement. Meanwhile, participants will also learn the conflict resolution process and the application of mediation skills in fostering effective communication among the parties in dispute with a view to resolving conflicts in a systematic and effective manner. Participants will have the opportunities to familiarize themselves with the approaches, strategies and communication/negotiation skills and to communicate as professional mediator.



POST-TRAINING PROFESSIONAL DEVELOPMENT

A team of experienced instructors is tasked with developing the teaching materials and delivering the course. The esteemed teaching team have over 35 years of experience and have successfully trained numerous professional mediators worldwide, demonstrating their adherence to international professional standards.

Upon completion of this training course, MARC and ADR/ODR are reaching out to professionals with extensive backgrounds in dispute resolution, risk management, education, psychology, culture, technology, finance, insurance, medicine, and construction.

The objective is to form an expert panel capable of providing mediation-related services in Mauritius, Africa, Europe, and Asia. These professionals will bring their expertise to facilitate effective mediation processes across diverse industries and regions



BECOMING A PROFESSIONAL INTERNATIONAL MEDIATOR

Successful completion of this course will allow you to gain the status of 'ADR ODR International Accredited Civil/Commercial Mediator' and have the opportunity to be included in the MARC Internal Database of Mediators, granting you the ability to offer your professional mediation services in Mauritius.

The Course is recognised by Civil Mediation Council (CMC) in the UK; it is internationally recognised and certified by International Mediation Institute (IMI) and accredited by the Singapore International Mediation Institute (SIMI). This gives your qualification an internationally recognised kite mark of excellence, which means that our graduates obtain a prestigious qualification and have greater opportunities to begin their mediation practice in multiple jurisdictions across the world.



SCHEDULE MEDIATION COURSE

DAY 1

Monday

4 December

09.00 - 10.30

Welcome and
Introduction

Historical Overview
of ADR

10.45 - 11.45

ADR and the
Modern Mediation
Movement

11.45 - 12.15

Theory of Conflict

12.15 - 12.45

Mediator's Code of
Conduct

13.45 - 14.30

Introduction to the 5
Stages of Mediation

14.30 - 17.00

Practice Opening
Statements

DAY 2

Tuesday

5 December

09.00 - 09.30

Key Learning

09.30 - 10.30

Mediator Skills

10.45 - 11.15

Introduction to Online
Mediation

11.15 - 12.00

Communication Skills

12.15 - 12.30

Getting to Yes - The Ted
Talk video

13.30 - 17.00

Role-play 1, 2 and 3
(Opening and Exploration
stages)

DAY 3

Wednesday

6 December

09.30 - 10.00

Key Learning

ADR Globally

10.00 - 10.45

Psychology of
Conflict

11.00 - 12.30

Negotiation

13.30 - 16.30

Role-plays 1,2, and
3 (stages 3, 4 and 5)

16.30 - 17.00

Closing a Mediation



SCHEDULE MEDIATION COURSE

DAY 4

Thursday

7 December

09.00 - 09.30

Key Learning

09.30 - 10.00

Open Discussion

10.00 - 10.30

Skills Workshop

10.45

Role-play 4 with
Debrief

12.45

Role-play 5 with
Debrief

15.00

Role-play 6 with
Debrief

DAY 5

Friday

8 December

09.00 - 09.30

Key Learning

09.30 - 10.30

Cross-cultural Issues
in Mediation

Mock Assessments

10.45 - 12.15

Role-play 7 with
Debrief

12.15 - 13.45

Role-play 8 with
Debrief

14.45 - 16.15

Role-play 9 with
Debrief

DAY 6

Saturday

9 December

09.00 - 09.30

Key Learning

09.30 - 10.30

Assessment Role-play 1
(90 mins)

10.45 - 12.15

Assessment Role-play 2
(90 mins)

12.45 - 14.15

Assessment Role-play 3
(90 mins)



COURSE FEES & REGISTRATION

Date

04 - 09 December 2023

9 AM to 5 PM

Venue

The Mediation and Arbitration (Center) Mauritius Ltd,
2nd Floor, Anglo-Mauritius House,
6, Adolphe Plevitz Street,
Port-Louis,
Mauritius

Language

English

Course Fee

Participants eligible for HRDC refund: MUR 115,000

Participants not eligible for HRDC refund: MUR 85,000

MQA & HRDC Refundable



COURSE FEES & REGISTRATION

What is included in the fees?

- Training materials
- Stationaries
- Morning tea break & snacks
- Lunch
- Afternoon tea break & snacks

Registration

Registration must be completed by sending an email to confirm your participation in the training to secretariat@marc.mu. Once your seat has been reserved, you will receive an invoice requesting a deposit of 50% of the training fee.

Kindly note that your seat will be officially confirmed upon receipt of the deposit.

The remaining training fee must be paid in full no later than the 27th of November 2023. Payment can be made either by bank transfer or by cheque.

TERMS & CONDITIONS

1. Registration must be completed by sending an email to confirm your participation in the training to secretariat@marc.mu. Once your seat has been reserved, you will receive an invoice requesting a deposit of 50% of the training fee. Your seat will be officially confirmed by the MARC Secretariat via email upon receipt of a 50% deposit payment, which can be made through bank transfer or by cheque.
2. The remaining training fee must be paid in full no later than the 27th of November 2023.
3. Please note that once you have received the official confirmation from the MARC Secretariat, it is important to be aware that no replacement course/session will be arranged for any absences during the training.
4. If you are unable to attend the training for which you have made a booking, you may substitute your seat after prior arrangement and upon notifying the Secretariat via email.
5. In the event that you are unable to attend and are unable to substitute your place with another individual, the following charges will be applied based on the timing of cancellation:
 - a. Cancellation made 3 weeks prior to the training: 50% of the deposit.
 - b. Cancellation made 2 weeks prior to the training: 75% of the deposit.
 - c. Cancellation made 1 week prior to the training: 100% of the deposit.

TERMS & CONDITIONS

- d. Cancellation made less than 1 week prior to the training: 100% of the deposit
- 6. Failure to attend the training will result in full payment of the course fee being charged.
- 7. Participants must sign in and sign out every day. Participants who are late for more than 20 minutes or leave earlier in each session will not be qualified for the completion attendance requirement.
- 8. In case of any disputes, ADR ODR and MARC reserves the right to make final decisions.
- 9. The course is subject to change at any time without liability.



THE TRAINERS



Prof. Dr. Rahim Shamji
Director of THAC Academy at Thailand
Arbitration Centre

Areas of expertise

Civil Commercial, Family Business, Hybrid, Workplace - ODR expert and International Conflict.

Professional Memberships

The Bar Council of England and Wales 2000 Singapore International Mediation Institute (SIMI). International Mediation and Conciliation Programme Qualified in 2005 as a mediator Gatehouse Chambers - Door tenant and Mediator Inns of Court: Inner temple

Professional Experience :

2023 - Present: Director of THAC Academy at Thailand Arbitration Centre, LLM Course convener at Queen Mary- University of London

2018 - Present: Global advisor to Ismaili conciliation and Arbitration board

2016 - Present: Founder, Chief Executive and Head of Faculty – ADR ODR International 2014: Programme on Negotiation at Harvard

2012 - 2015: Academic Member of CMC Academic Committee

2011-2016: ADR Group - Director of Education and training

2007 - Present: International Faculty for Ismaili Conciliation and Arbitration boards 2005-2011: BPP Senior lecturer (free lance lecturer to date)



Prof. Dr. Rahim Shamji
Director of THAC Academy at Thailand
Arbitration Centre

Mediation style I have been mediating since 2005 and have a wide civil/commercial practice where I have undertaken over 500 cases in that time. I regularly undertake complex multi- disciplinary and multi-party cases. I always approach my mediations with a strong sense of neutrality and confidentiality to ensure that I gain the parties' trust and confidence in the process. I have a keen interest in the cross-cultural issues that can often become a barrier to settlement.

As the Founder and CEO of ODR International I am always refining new techniques to ensure that parties feel that the process has served their interests. I work extremely hard to ensure that I listen to what the parties need, which I feel is vital in reaching a meaningful settlement.



Aneesha Bhunjun
Barrister and Solicitor

Aneesha Bhunjun is a practicing lawyer and experienced professional mediator and coach. She has mediated various disputes across a broad spectrum, many within, but also extending beyond, her core practice areas as a lawyer. Many of the disputes, although commercial in nature, involve conflict between smaller communities and groups, and have a high emotional content. She has experience of multi-party and cross-cultural conflict and her areas of expertise include offshore contested probate and property litigation.

As a Director, Aneesha provides services in both negotiation and mediation to wealthy individuals and companies within the banking and finance sector. She has published articles in Mauritius regarding the necessity for mediation in conflict resolution and was a keynote speaker at the UIA International World Forum in Singapore, discussing how mediation in Mauritius will follow the growth in Singapore in the provision of dispute resolution services. She recently joined the panel for Women in ADR conference in Dubai. She is in the process of creating a dispute resolution centre in Mauritius which will assist the Government with open dialogue between neighbouring countries within the Indian Ocean.



Zoe Giannopoulou
Attorney at Law, PhD

Zoe is a practicing Lawyer and Mediator and holds an LLM and a PhD on European and Economic Law. She is an Accredited Mediator and Trainer at the Greek Ministry of Justice, an accredited Family Mediator, an accredited Online Mediator, an accredited Peer Mediation Trainer and an accredited Workplace Mediator, a Mentor and a Coach. Zoe entails extensive negotiation background knowledge (Harvard Masterclass on Negotiation) and specializes in the Psychology of Negotiation and Conflict Resolution. She is a Negotiation Trainer and the National Representative for Greece at the “International Negotiation Competition”.

Zoe is recognized in Who's Who Legal Mediation as a global leader. She has trained thousands of mediators and negotiators in Greece, Cyprus, United Kingdom, United Arab Emirates, India, Bangladesh and Thailand. She has been providing her expertise to the Greek Ministry of Justice, the National School of Judges, Bar Associations, Chambers of Commerce, ERA, ACT, IHU, UIA and FRA and since 2014 she is an MBA Lecturer at the American College of Thessaloniki in the field of Conflict Prevention and Resolution.



Zoe Giannopoulou
Attorney at Law, PhD

Zoe is a Facilitator at the OECD Panel (2020-2026) and a member of the Hellenic Ombudsman for Banking – Investment Services Panel. Zoe served as the Deputy President of Mediators Accreditation Committee at the Ministry of Justice, Greece (2014 -2017) and as a Member of the working committee on the implementation of ADR Consumer Disputes Directive as a representative of the Hellenic Ministry of Justice.

Zoe is the founding member and Director at the European Institute for Conflict Resolution, which is an Official Alternative Dispute Resolution Entity notified to the European Commission and is registered with the European ODR Platform. EICR is a non profit organization and has also created an application for the promotion of Mediation and Conflict Resolution.

Zoe is also a Member of Athens Mediation and Arbitration Organization (EODID) and a Member of the scientific committee of Greek Alternative Dispute Resolution Promotion Organization (OPEMED).