

## The 3 minutes of GENEVACCORD ADR - No.12, February 2015

### CMAP presents the 7<sup>th</sup> International French-speaking Mediation Contest in March 2015

The Centre for Mediation and Arbitration of Paris (CMAP)'s 7th International French-speaking Mediation Contest will be held from 16 to 20 March 2015.

The contest is aimed at students planning to become lawyers, entrepreneurs, jurists and notaries.

It aims to raise their awareness of the practice of mediation, through a simulated situation in which they have to play the role of mediator.

They are judged by a jury of legal, economic and judiciary professionals, who select the students who have best performed the role of mediator.

More than 120 students take part in the contest each year; this year they will be competing for the following prizes:

1st prize: 56 hours of mediation training from CMAP

2<sup>nd</sup> prize: an internship at a partner firm
 3<sup>rd</sup> prize: a 3 month internship at CMAP



For the past two years, GENEVACCORD ADR has coached a team from the University of Neuchâtel in non-verbal communication.

The 2013 team reached the semi-final.

The 2014 team *(see photo)*, comprising Geneviève Robert-Grandpierre and Jonathan Jenny, won first prize.

Download the information leaflet, rules and registration form (in French): www.cmap.fr/Concours-201-fr.html

For more information, contact Fanny Bloy at CMAP: <a href="mailto:fbloy@cmap.fr">fbloy@cmap.fr</a>

### Sweet Justice: film of the play soon available!

Were you unable to attend the performances of Sweet Justice in Geneva, or would you like to see the show again and relive it?

The film of the play Sweet Justice will soon be available on 8GB USB stick.

In the film (90 mins), you will see an original theatre production, inspired by real-life mediation cases and punctuated by educational commentaries.

This is an educational tool for all mediators but also for the general public.

It raises awareness about mediation in a way which is both informative and entertaining!





### New article on Sweet Justice and mediation in Switzerland in the **Entreprise Romande magazine, December 2014**

Read the full article (in French): genevaccord.com/useruploads/ordonsfil es/entreprise\_romande\_magazine.pdf



SENSIBILISER LE PUBLIC à la médiation grâce à une pièce de théâtre: une bonne idée

## La médiation mise en scène

La médiation, un terme et un outil mal connu? Et s'il était possible de montrer l'intérêt de ce dernier grâce à l'attrait des mots? C'est en partant de cette hypothèse que la Fédération suisse des associations de médiation et Genevacord ont imaginé un spectacle destiné au grand public. Parmi les comédiens, Alain Carré et Stéphanie Leclef se sont donné la réplique, tandis que Marc Bonnant est venu utiliser ses qualités d'orateur lors d'une des quatre soirées qui se sont déroulées en octobre dernier, à Genève.

FLAVIA GIOVANNELLI

n couple qui se déchire lors entreprises). d'un divorce, c'est monnaie courante. Elle est gynécologue, il est cardiologue, et tous deux travaillent au sein de la même clinique, ce qui devient une autre cause de litige. Tel est le point de départ du spectacle Sweet Justice, mis en scène d'après un scé-nario original de Guy Bottequin, tiré d'un cas

Très vite, les spectateurs ont été plongés au cœur du problème de ce couple: monsieur souhaite quitter la clinique, mais une clause de non-concurrence le contrarie dans son projet d'avenir. Que faire? Les ex-conjoints projet d'avenit. Que faire? Les exconjoins pourraient se déchirer longtemps, mais heureusement, on leur montre qu'il est possible de passer par l'étape de la médiation-c'ellectiest mal comprise-, a expliqué, en marge de la pièce, Guy Bottequin, fervent défenseur de la médiation, métier qu'il exerce à Genève, à travers la société Genevaccord, dans les

domaines les plus variés, dont les affaires commerciales internationales (inter-et intra-

médiation gagnerait à être davantage utilisée si ses avantages étaient mieux connus, Parmi si ses avantages étaient mieux connus. Parmi ceuxci, citors un gain de temps et souvent d'argent. En outre, la médiation offre aux victimes comme aux accusés, y compris dans les cas les plus graves, la possibilité de s'exprimer de manière différente qu'en audience, la médiation, qui ne passe pas par les anexes, permet à chacun de faire plus facilement un pas vers l'autre. Alf faut me justice restauratrice et non pas seulement punitive-, se plaît à répéter Guy Bottequin.

Marc Bonnant a mis sa verve au service de cette Sweet Justice. L'exercice prévoyait une première partie consacrée à une critique

### Mediation, a unique space for dialogue

Mediation focuses above all on the origin of a disagreement and places the human dimension at the heart of conflict resolution.

One of the major benefits of this process is that it enables, and encourages, the parties to express themselves.

Each can take a turn to speak without being interrupted by the other party; the mediator makes sure of this.

Each expresses their feelings and emotions, as well as their individual needs.

This enables solutions to be sought through creativity and through identifying common interests.

No other process provides this space for dialogue.

Whereas, during legal proceedings, the parties have cut all communication and have only a few minutes to express themselves before the judge, mediation gives them a chance to speak, while maintaining strict confidentiality.

This proves to be an crucial step in resolving the conflict, as it reveals the divisions but also, and more importantly, the points of convergence.

All too often, dialogue has broken down between the conflicting parties, both have their vision impaired and neither can or will listen to the other's grievances.

Having each party speak to the other, without interruption and with rephrasing by the mediator, allows the party expressing themselves to receive validation of what they are saying, and allows the other party to interpret this correctly.

It's a great relief for the parties who have been able to express themselves, although some are up in arms because they have not been allowed to respond.

The parties must understand and accept that they are both at least agreed on one point: their disagreement!

It is this process of mediation, which forms an integral part of restorative justice, that GENEVACCORD ADR wished to promote and make known to the general public through theatre.

By opening the boundaries, mediation does not perform miracles but it does show there is a much wider field of opportunities than might be imagined!

tout le monde. L'avocat a même souligné l'aspect «rousseauiste» de la médiation. Le philosophe Bernard Benattar, de l'Université du succès de la pièce, les producteurs du représentations l'an prochain à Lausanne, Neuchâtel et Fribourg. ■

### La médiation en Suisse

spécialisée, sans compter une pratique fréquente et réguliée ou puradre un niveau de professionalisers élèvé. Ensuite tout inédiateur se fait un nom en fonction de sa spécialisé. Le ste internet de Coordination Médiation Sisse group des adresses de médiations et de médiations «I les trégulement possible de procéder à une recherche par canton et selon leur affiliation à une association. Association faîtière suisse de la médiation: 0800 001 444

### Mediation on the stage in London!

Our British neighbours have been inspired by the idea of combining mediation and theatre and are taking their own initiative to raise public awareness.

"Live mediation theatre" productions have been launched in London café theatres from February 2015.



### The Institute for Mediation in French-speaking Countries (IMEF)

The IMEF was formed in 2011, following various international meetings. It is cochaired by Gabrielle Planes, President of the ANM (National Association of Mediators) and Thierry Beriault, President of the IMAQ (Institute of Mediation and Arbitration in Quebec).

The IMEF is made up of mediators from a variety of backgrounds, united by common interests in mediation and the French-speaking world, which covers 75 countries.





The IMEF has two main goals: to create an active community of mediation professionals and to promote and professionalize mediation.

### Its work focuses on:

- representing IMEF mediators at national and international level,
- researching mediation values, interests, standards, methods, tools and practices,
- training in mediation and its guidelines,
- supporting delivery of any activity which incorporates mediation goals, methods and tools, and
- promoting mediation by all information and communication methods.

The IMEF is also a French-speaking resource centre.

Executive committee members and IMEF supporters met at Liege, Belgium, at the end of 2014 for the General Assembly, attended by the representatives from Quebec. Guy A Bottequin is a member of the committee.

New projects and new French-speaking gatherings are planned for 2015.

Watch this space!

# The poetic reflection of the month is a summary of <u>L'Esprit de la médiation</u> (The Spirit of Mediation), a book by Jacqueline Morineau:

"We seek happiness but too often we find conflict and suffering.

We don't know what to make of this suffering; it has no place in a society where our acts are supposed to be controlled by reason.

Modern man, physically and spiritually separate, no longer has access to transcendence. He is alone faced with the void.

Suppressed suffering then manifests itself through violence and creates disorder. Mediation accommodates disorder; it provides the stage on which the drama can unfold.

It provides a special time and place, to make it possible to move from chaos to a new order.

Harmony can arise from contrast."

Jacqueline Morineau, L'Esprit de la Médiation, published by Erès, 1998

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