

Academic Year: (2021 / 2022)

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Department assigned to the subject: Criminal Law, Procedural Law and History Law Department

Coordinating teacher: JULLIEN DE ASIS, JESSICA LAURA

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 0

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

It is not necessary to have passed other subjects previously.

OBJECTIVES

CORE COMPETENCES

- Possess and understand knowledge that provides a basis or opportunity to be original in the development and/or application of ideas, often in a research context
- That the student knows how to apply the knowledge acquired and his/her problem-solving ability in new or unfamiliar environments within broader (or multidisciplinary) contexts related to his/her area of study
- That the student is capable of integrating knowledge and facing the complexity of making judgements based on information which, being incomplete or limited, includes reflections on the social and ethical responsibilities linked to the application of their knowledge and judgements
- That the student possesses the learning skills that will enable them to continue studying in a largely self-directed or autonomous manner.

GENERAL SKILLS

- Students must be able to identify the conflict, as well as its specialties and its dynamics
- Students will learn to detect, within the spectrum of conflict resolution, which is the most appropriate mechanism to deal with it and how to use it
- Students will know how to develop a mediation procedure and is aware of its principles, aims, characteristics and areas
- Students should be aware of the limits of mediation and its uses at the national and international level

SPECIFIC SKILLS

- To have the first knowledge and essential tools that facilitate the correct understanding and learning of the subsequent modules
- Profounding in the field of alternative dispute resolution in general and mediation in particular
- Dominance of each of the techniques used in the different fields, as well as the basic communication skills used in them
- To acquire theoretical knowledge of civil and commercial mediation and general procedure and tools applied to this type of mediation
- Learn concepts used in the different methods discussed

LEARNING OUTCOMES

- At the end of the block, the student will have acquired a sufficient theoretical and practical base to be able to face the following modules with due guarantees, already focused on more specialized aspects of mediation and other forms of conflict resolution
- At the end of the module, the student will have acquired the necessary knowledge about the process of family, neighbourhood or community, school and labour mediation, the legislation applicable to them, as well as the different techniques and specific communication tools.

DESCRIPTION OF CONTENTS: PROGRAMME

Common topics:

- The conflict and its various treatments
- Suitable methods of conflict resolution
- Mediation and its peculiarities in different areas
- Legal regulation of mediation

Specific topics:

- Conflict resolution methods: autotutela, autocomposición and heterocomposición
- Sociology and psychology of conflict
- Conflict analysis techniques
- Styles to conflict
- Dynamics of conflict
- Mediation as a method of conflict management
- Principles, aims and characteristics of mediation
- The legal framework of mediation in Spain. Legal regulation in different areas (civil, criminal, family, labor, etc.)
- The legal framework of mediation in the countries of the European Union. Legal regulation in different areas (civil, criminal, family, labor, etc.)

LEARNING ACTIVITIES AND METHODOLOGY

EDUCATIONAL ACTIVITIES

- Exposure of the theoretical material, individual and/or group practices
- Student's individual work

TEACHING METHODS

- Provision of materials (including audiovisual material) through the Aula Global platform in which the main concepts of the subject will be developed and the bibliography will be provided to complement the students' learning
- Resolution of practical cases, tasks, etc., raised by the teacher, individually or in groups
- Exposure and discussion of topics related to the content of the subject proposed by the teacher and moderated by him/her through the Forums and other digital collaborative spaces
- Development of individual or group work
- Critical reading of texts recommended by the teacher of the subject: press articles, reports, manuals and/or academic articles, either for subsequent discussion or reflection, or to expand and consolidate knowledge of the subject

ASSESSMENT SYSTEM

% end-of-term-examination/test:	30
% of continuous assessment (assignments, laboratory, practicals...):	70

Ordinary call:

- Active participation:30%
- Practices (carried out individually or in group):40%
- Exam:30%

Extraordinary call:

- Exam:100%

BASIC BIBLIOGRAPHY

- Alzate Sáez de Heredia, R. Análisis y resolución de conflictos una perspectiva psicológica, Universidad del País Vasco, Servicio Editorial, 1998
- Soleto Muñoz, H. (Dir.) Mediación y resolución de conflictos: técnicas y ámbitos, Tecnos, 2017
- Soleto Muñoz, H. y Otero Parga, M. (Coords.) Mediación y solución de conflictos: habilidades para una necesidad emergente, Tecnos, 2007

- Soleto Muñoz, H. y Otero Parga, M. (Coords.) Mediación y solución de conflictos: habilidades para una necesidad emergente, Tecnos, 2007
- Suárez, M. Mediación: conducción de disputas, comunicación y técnicas, Paidós, 1996
- Ury, W., Brett, J. y Goldberg, S. cómo resolver las disputas: diseño de sistemas para reducir los costos del conflicto, Rubinza - Culzoni, 1995

ADDITIONAL BIBLIOGRAPHY

- Carretero Morales, E. La mediación civil y mercantil en el sistema de justicia, Dykinson, 2016
- Moore, C. El proceso de mediación: métodos prácticos para la resolución de conflictos, Ediciones Granica, 2010
- Moreno Catena, V., y Cortés Domínguez, V. Introducción al Derecho Procesal, Tirant lo Blanch, 2019

BASIC ELECTRONIC RESOURCES

- . mediaICAM: centro de resolución de conflictos: https://mediacion.icam.es/web3/cache/P_MED_ciudadano.html
- . Consejo General del Poder Judicial - Mediación: <http://www.poderjudicial.es/cgpj/es/Temas/Mediacion/>
- Soleto Muñoz, H. . La conferencia Pound y la adecuación del método de resolución de conflictos: <https://revistademediacion.com/wp-content/uploads/2017/06/Revista19-e2.pdf>