

International Mediation

Academic Year: (2024 / 2025)

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

Coordinating teacher: SOLETO MUÑOZ, HELENA

Type: Electives ECTS Credits : 2.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Negotiation

DESCRIPTION OF CONTENTS: PROGRAMME

International Mediation

Session 1.

- 1.1. International mediation. Mediation in the European Union. Comparative Civil and Common Law.
- 1.2. International mediation institutions. Mediation clause, effects of mediation.
- 1.3. Practice: international mediation.

Session 2.

- 2.1. Mediation: concept, types, advantages and disadvantages.
- 2.2. Commercial Mediation: UNCITRAL Model Law.

Session 3.

- 3.1. Mediation micro-techniques.
- 3.2. Practical: mediation techniques

Session 4.

- 4.1. Phases, agreement and role of the lawyer in mediation.
- 4.2. Role of the mediator.
- 4.3. Role-play: briefing, constitutive session, mediation process, caucus, cross-caucus and agreement.

LEARNING ACTIVITIES AND METHODOLOGY

- AF1 Lecture
- AF2 Practice/Case
- AF3 Lecture-plus-practice
- AF6 Group work
- AF7 Students individual work

TEACHING METHODOLOGIES

-Lecture in class by the professor aided by computer and audiovisual tools, in which the course's main concepts will be developed, and the main literature will be provided.

-Critical reading of the texts recommended by the course's professor: press articles, reports, manuals and/or academic articles, for their discussion in class, or to expand and consolidate the lessons of the

course.

-Resolution of cases, problems, etc, provided by the professor, individually or in group.

-Exposition and discussion in class, moderated by the professor, on topics regarding the contents of the course, as well as practical cases.

-Making of works and reports individually or in group.

TUTORING: Students will have access to tutorials with the person responsible for coordinating the subject. With the tutoring it is intended to organize the teaching and learning processes that are based on the interaction between the student and the teacher in order to: (i) Guide the autonomous and group work of the students (ii) Deepen in different aspects of the subject (iii) Guide the academic and comprehensive training of the student. The tutorials will take place at the time and under the conditions determined by the teacher in Aula Global.

ASSESSMENT SYSTEM

% end-of-term-examination/test: 30

% of continuous assessment (assignments, laboratory, practicals...): 70

SE1 Participation and engagement in class

SE2 Individual or group Works done during the course

SE3 Final exam

Evaluation

systems	Minimum weigh (%)	Maximum weigh (%)
SE1	20%	30%
SE2	40%	60%
SE3	20%	40%

The master in International advocacy is a master's degree that is taught in person. Therefore, students are required to attend all the theoretical and practical classes that the master has programmed. A student may only be absent for no reason from a maximum of 15 per cent of the classroom hours (i.e. not the sessions or days) in each subject. In case of excused absences, the total maximum will be 25%. If the student hold an absence greater than those indicated, a "0" will be computed on the continuous evaluation rating. Likewise, the absences lower than those percentages may be taken into account when it comes to modulate downward the qualification of the continuous evaluation, especially if it includes a participation note.

In the extraordinary call the weight will be:

-Final examination: 60%

-Continuous evaluation: 40%.

BASIC BIBLIOGRAPHY

- MOORE The mediation process, Jossey-Bass, 2014

ADDITIONAL BIBLIOGRAPHY

- ALZATE SÁEZ DE HEREDIA, Ramón Análisis y resolución de conflictos, una perspectiva psicológica, Universidad del País Vasco, 2002

- CARRASCAL GUTIÉRREZ, Ángel La mediación internacional en el sistema de Naciones Unidas y en la Unión Europea: evolución y retos de futuro, Revista de Mediación, núm. 8.

- MOORE, Christopher El proceso de mediación: métodos prácticos para la resolución de conflictos, Granica, 2010

- RODRÍGUEZ, Luis Fernando Mediación comercial internacional , Dykinson, 2016

- SOLETO MUÑOZ, Helena Mediación y resolución de conflictos: técnicas y ámbitos, Tecnos, 2017

- SUARES, Marínés Mediación: conducción de disputas, comunicación y técnicas, Paidós, 1996
- URY, William L, BRET Jean M. y GOLBERTS, STEPHEN B. Cómo resolver las disputas: diseño de sistemas para reducir los costos del conflicto., Rubinzal Culzoni, 1995

BASIC ELECTRONIC RESOURCES

- . Mediation in Member States: https://e-justice.europa.eu/content_mediation_in_member_states-64-en.do
- . International Mediation Institute: <https://www.imimmediation.org/>