

# **“CIVIL JUSTICE” PROGRAMME**

**Project ”Promoting mediation in cross-border cases in civil matters”**

**Workshop I**

**CRAIOVA**

**14<sup>th</sup> - 16<sup>th</sup> March 2012**

**AGENDA**

**14<sup>th</sup> March 2012**  
**1<sup>st</sup> day**

09.30 - 09.45	The opening of the workshop; short presentation of the objectives of the project
09.45 - 10.00	Presentation of the legal framework concerning mediation and of the corresponding theoretical aspects. Definition of the cross border mediation and identifying the field to which mediation can be applied. The role of mediation in the society  <b><i>Mr. Alessandro Bruni, lawyer, CONCILIA, GEMME Italy representative</i></b>
10.00 - 10.45	Presentation of the legal sources of mediation, depending on the domain and the national and supranational character. International instruments: Directive 52/2008/EC concerning mediation. The importance of the enforcement by the courts of mediation agreements and ensuring the quality of mediation  <b><i>Mr. Alessandro Bruni, lawyer, CONCILIA, GEMME Italy representative</i></b>
10.45 - 11.00	Coffee break
11.00 - 12.00	The Bulgarian and Dutch regulations in the field. Discussions on the impact of the implementation of the international instruments in the national legislations  <i>Bulgarian Ministry of Justice representative</i> <i>Dutch Ministry of Justice representative</i>
12.00 - 12.45	Mediation in Romania: measures taken for the transposition of the Directive 52/2008/EC concerning mediation  <b><i>Mrs. Sanda Lungu, judge, Court of Appeal Craiova, GEMME Romania representative</i></b>
12.45 - 14.00	Lunch break
14.00 - 15.00	Identifying a cross border dispute which can be the subject of mediation; Specific procedural aspects, with a special view on the recognition and enforcement of the mediation agreements in other Member States; the enforceable character of these agreements.  <i>Dutch Ministry of Justice representative</i>
15.00 - 15.15	Coffee break
15.15 - 16.15	The role of mediation in cross border cases in family matters, with a special view on the Brussels II Regulation (Council Regulation no. 2201/2003), Regulation 4/2009; the 1980 Hague Convention, the 1996 Hague Convention  <i>Dutch Ministry of Justice representative</i>

**15<sup>th</sup> March 2012**  
**2<sup>nd</sup> day**

09.30 – 10.00	National instruments: Law no. 192/2006 concerning mediation and organizing the mediator profession  <i><b>Mrs. Anca Elisabeta Ciucă</b>, member of the Mediation Council, Romania</i>
10.00 – 11.00	Law no 202/2010 concerning the acceleration of trials. Law 71/2011 concerning the enforcement of the New Civil Code.  <i><b>Mrs. Sanda Lungu</b>, judge, Court of Appeal Craiova, GEMME Romania representative</i>  The role of the judge in promoting mediation. Means and difficulties  <i><b>Mrs. Sanda Lungu</b>, judge, Court of Appeal Craiova, GEMME Romania representative</i>
11.00 – 11.15	Coffee break
11.15 – 13.00	Simulation of a court session, with the referral of the parties to an informing session on mediation and its evolution  <i><b>Mrs. Adina Nica and Mr. Dan Sfirnă</b>, mediators, GEMME Romania representatives</i>
13.00 – 14.00	Lunch break
14.00 – 15.00	Special mediation techniques applicable to cross border disputes (presentation of some practical cases)  <i><b>Mr. Sever Lungu</b>, mediator, GEMME Romania representative</i>
15.00 – 15.15	Coffee break
15.15 – 17.00	Workshops with the participants, divided into groups, with a focus on simulations, interactive exercises, debating the solutions, etc.  <i><b>Mr. Mircea Rancea and Mr. Sever Lungu</b>, mediators, GEMME Romania representatives</i>

**16<sup>th</sup> March 2012**  
**3<sup>rd</sup> day**

09.30 – 10.15	Continuous training of mediators in the field of cross border cases: theoretical and practical aspects; legislative requirements; ensuring the quality of mediation  <i>Dutch Ministry of Justice representative</i> <b>Mr. Constantin Adi Gavrilă</b> , mediator, GEMME Romania representative
10.15 – 11.00	Improving the good functioning of the national contact points of the EJM and the cooperation between them and the representatives of the legal professions dealing in the matter. The presence of the modern communication techniques in cross border mediation  <i>Dutch Ministry of Justice representative</i>
11.00 – 11.15	Coffee break
11.15 – 12.00	Evaluation and feedback
12.00-13.00	Lunch