

Mediation: a tool for growth

At a high level conference on mediation held in the European Parliament today, EUROCHAMBRES highlighted mediation as a tool for economic growth and called on policy makers to promote mediation as an efficient means of alternative dispute resolution (ADR).

A recent study* estimates that annual cost savings would be between EUR 15 billion and EUR 40 billion and annual time savings would equate to 8 million years (!) if mediation systematically preceded any trial in civil disputes.

“A lack of awareness about the benefits of mediation leads to huge amounts of money being spent by businesses on court proceedings that could otherwise be reinvested in the European economy,” said Arnaldo Abruzzini, Secretary General of EUROCHAMBRES. *“But it is not just about financial and time costs; it’s also about relationship costs. Lengthy legal proceedings mean hundreds of thousands of broken commercial relationships.”*

About mediation

Mediation is a structured process whereby two or more parties attempt, on a voluntary basis, to reach an agreement on the settlement of their dispute with the assistance of a mediator. This process may be initiated by the parties themselves, suggested or ordered by a court, or prescribed by national law. If successful, mediation allows parties to preserve their business relationship and to find a win-win resolution to the dispute.

Despite the proven efficiency of mediation, businesses remain cautious about using it. Less than 1% of parties in conflict currently refer their case to a mediator. Size matters: small and medium sized enterprises (SMEs) have less knowledge and experience in using ADR than large companies. There is also a huge discrepancy between Member States as to the popularity of mediation. EUROCHAMBRES believes that the EU institutions must help address these barriers.

“Let us hope that the strong support of the Commission, Parliament and Council Presidency for today’s conference is a sign that EU policy makers are ready to reflect on ways to increase the uptake of mediation and convert the ‘justice for growth’ slogan into a practical tool for the economy,” added Mr Abruzzini.

Go To Mediation!

The conference was also an opportunity to share the final results of the “Go to Mediation” project, for which the platform www.gotomediation.eu was developed with the objective to provide a mediation clearing house to businesses involved in a cross-border conflict. It assists businesses in finding the most appropriate dispute resolution centre in Europe.

* [“Rebooting the Mediation Directive”](#), published by the European Parliament in January 2014.

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