

Making a world of difference to the cost of conflict

by Karl Mackie, Chief Executive, CEDR

As the first post-millennium decade draws to a close a number of important lessons have been learned about how we manage our disputes in a multi-faceted society.

However, there is still exciting ground to be covered in the next couple of years. From changing the employment tribunal system in the UK, or managing issues associated with the London Olympics, to improving settlement rates in international arbitration there is a myriad of interesting initiatives and questions to be addressed. The common element in all of these is to improve dispute resolution and conflict management, which is why on each platform for discussion CEDR has - and will have - an important role to play.

2007 has been an exciting year for CEDR and its mission to help cut the cost of conflict for business and the public sector. We would like to share with you some of the highlights from 2007 that the support and contributions from our members, together with CEDR's revenues, have enabled us to achieve.



Alternative Dispute Resolution (ADR) commitment

CEDR remains dedicated to the development of new and innovative ADR processes within the UK and internationally.

Developments in ADR and mediation services

In 2007 CEDR Solve reached its 13500th mediation referral.

CEDR Solve's new *Direct* service (a response by CEDR to demands from the market) whereby over 30 leading mediators can be contacted directly for mediations, surpassed its target by 200 per cent and passed the 100 cases milestone within the first six months of 2007.

New mediators on the *Direct* panel include Lord Woolf and Sir Henry Brooke.

In 2007 CEDR began holding 'Meet the Mediator' sessions where users of mediation services are able to meet different mediators from the direct group with specific specialisms.

CEDR Solve further expanded the use of mediation in major projects with the launch of its new service Project Mediation Plus. In conjunction with Germanischer Lloyd Wind Energy, this includes the development of a specialist scheme to be used internationally for the construction of wind farms.

CEDR discussed the use of ADR in the preparations for the London Olympics with the Olympics Development Agency and the London Olympics Committee of the Olympic Games.

CEDR continued its role within MEDAL, the International Mediation Services Alliance, in 2007, giving clients access to a broad range of international mediators.

Developments in training services

In 2007 CEDR trained a total of 1,000 delegates in a range of different negotiation and conflict related skills. This included 300 delegates trained in mediation skills.

CEDR trained 500 delegates internationally in 2007, from South America to China and from Cameroon to Dublin. It also again ran its acclaimed International Mediation Skills Training Summer School in Barcelona.

CEDR was asked by a number of organisations, from international bodies and government agencies to leading law firms and high-profile corporations, to provide in-house training to meet their internal developmental needs.

Support and promotion for ADR internationally

In November 2007 CEDR organised the biennial European Mediation Congress, which examined current trends and use of mediation in the UK and Europe.

In Summer 2007 CEDR inaugurated the Commission on Settlement in International Arbitration, chaired by Lord Woolf and Professor Kaufmann-Kohler, to investigate approaches to settlement in international arbitration proceedings and to make recommendations on how arbitral institutions and tribunals can give parties greater assistance. The Commission is composed of 75 leading figures from the field and is also consulting 45 organisations from different jurisdictions.

In February 2007 CEDR published translations of its core international ADR clause into French, German, Italian, Mandarin, Russian and, Spanish. This was done with the support of CEDR Member, Lovells.

Also in February 2007, CEDR held a high-level International Mediation workshop to examine issues raised by cross-border disputes, with comment by leading experts in the field.

In 2007 CEDR continued to provide speakers for numerous international conferences, from New York to Moscow to Beijing, to promote the benefits of ADR.

Support and promotion for ADR in the UK

In 2007 CEDR continued to consult closely with government on ADR and in particular with the Ministry of Justice on potential further reform of its procedures and guidance, and on the Employment Bill to revise the current employment tribunal system.

The findings of CEDR's third Mediation Audit, conducted biennially, were announced, showing that the market had grown by 33 per cent in two years, that mediation saves UK business £1 billion annually and that a quarter of all mediation referrals now come from mediation schemes.

In 2007 CEDR continued to promote the use of ADR in key business sectors through the use of seminars, mediation theatres and communications. This included the appointment of experienced consultants to work in the fields of financial services, local government and personal injury.

In different regions around the UK CEDR continued its development of 'mediation theatres' to demonstrate the process in action and its applicability.

The CEDR Exchange provided mediator networking and information for over 500 members in 2007. This included quarterly forums and monthly news updates.

CEDR organised the Annual Mediation Dinner attended by 130 guests, including the Master of the Rolls, Sir Anthony Clarke and the Deputy Head of Civil Justice, Sir Martin Moore-Bick.

CEDR remains the chief sponsor of the National Negotiating Competition for Law Schools in the UK.

CEDR Chief Executive, Karl Mackie, was appointed to the Advisory Council for the All Party Parliamentary Group for Conflict Issues.

CEDR continued to support and serve on the Civil Mediation Council.

Better conflict management

Raising awareness of conflict management issues

In 2007 CEDR provided a number of successful seminars for the business community to raise awareness of the issues of conflict management.

CEDR worked closely with the Chartered Institute for Personnel Development, both consulting on the UK Government's employment plans and raising awareness of mediation with its members.

CEDR partnered with the Chartered Institute of Public Relations to conduct research to consider aspects of poor conflict handling upon reputation.

CEDR held a seminar at the London School of Economics examining the Adversarial Principle in Society, with contributions from former Foreign Secretary, Lord Hurd, Government Minister, Lord Evans, Human Rights Lawyer, Lady Kennedy, Guardian Editor, Alan Rusbridger and former BBC Director General, Greg Dyke.

CEDR conducted a series of thought-provoking Breakfast Briefings ranging from 'managing conflict as a business risk' to 'looking for the tipping points in negotiation'.

Managing conflict effectively

In CEDR's 18 years it has worked on many thousands of disputes, assisting over 1,500 negotiating teams every year. The lessons from CEDR's dispute resolution experience have been synthesised into a portfolio of consultancy, coaching and training solutions based around five inter-connected practice areas:

- Leadership teams
- Critical work groups
- Key business relationships
- Dispute systems design
- Skills development

Clients CEDR helped in 2007

CEDR continued to develop pioneering internal dispute resolution schemes for organisations. These included:

- A government agency
- A retail bank
- An international consultancy
- An international cross-government security agency

CEDR was asked to work in a highly sensitive area of the world to assist relations between local communities and investing businesses.

CEDR continued its skills training with a major international strategic body and other global, national and regional organisations and bodies.

Support continued for the NHS to help it manage disputes that arise internally.

CEDR continued its work to improve negotiation and conflict management within an international media organisation.



Civil justice development

CEDR works with governments on the development of dispute resolution mechanisms to provide efficient and cost-effective access to justice, serving both as a tool for economic development and an agent for wider social change.

Civil justice work in 2007

CEDR continued hosting visits from international delegations of lawyers, judges and ministers of justice, wanting to learn more about incorporating ADR into their jurisdictions.

CEDR was asked by the European Patent Office to deliver ADR awareness on intellectual property disputes for the Ukraine.

CEDR continued training projects in the Balkans region in particular on a UK Foreign And Commonwealth project for the Mediation Pilot in the Commercial Court in Zagreb and on a World Bank project to develop commercial mediation in Bosnia.

Working with the World Bank's IFC, CEDR continued to develop the Karachi Centre for Dispute Resolution, which it helped to set up in 2006.

CEDR continued working with CCPIT on the UK China Mediation Centre and was asked by the UK's Foreign and Commonwealth Office to promote mediation to local law firms and business in four major cities.

CEDR returned to Kazakhstan to deliver further training on mediation.

CEDR worked with ADR Center in Rome and PricewaterhouseCoopers on an EU project to develop ADR in Turkey.

In South Africa CEDR developed and ran a programme to build mediator skills and assist in the development of mediation in the commercial sector.

CEDR was asked to consult with the Indian Federal Government on its ADR centre development.

CEDR was asked by UNCITRAL to develop mediation in Vietnam.

How to engage with CEDR

Visit our website www.cedr.com for information on our services and campaigns plus recent articles, news and case law.

If you have a dispute you would like help with, email info@cedr-solve.com or call +44 (0)20 7536 6060.

If you are interested in better conflict management, look at how we can help at www.cedr.com or email info@cedr.com to start a discussion.

If you are interested in training in negotiating skills, improving your alternative dispute resolution knowledge, conflict management or developing mediation skills, email training@cedr.com or call +44 (0)20 7536 6000.

If you are a practising mediator and want to network with other mediators, email exchange@cedr.com or call +44 (0)20 7536 6060.



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