MEDIATION: A SYSTEM FOR CONFLICT MANAGEMENT AND RESOLUTION

INTRODUCTION

The subject aims to develop knowledge of mediation as an alternative, rather than complementary, system for conflict resolution. It is structured in three large blocks. In the first block, after analysing the conflicts, their features and categories, as well as the traditional conflict resolution systems that would apply to them, the so-called ADRs (Alternative Dispute Resolution mechanisms) are examined in detail, with particular attention to the distinction between mediation and other similar figures such as negotiation, conciliation and arbitration.

The second block analyses mediation in depth, including the concept, its essential characteristics, principles of intervention, the mediation process and the outcomes it can produce, as well as its legal effects.

The third block focuses on the various contexts in which mediation is used, with particular attention to mediation as applied to family conflicts.

COMPETENCIES

- Know and understand the nature and structure of conflict and characteristics of the various conflict resolution systems. Manage complex ethical conflicts, dilemmas and problems, identifying them when they arise, designing strategies to handle them and reflecting on outcomes.
- Know the principles governing the mediation institution, as well as the structure of the process and the techniques used in mediation.
- Evaluate the benefits of so-called ADRs, and principally of mediation.
- Know the various contexts of mediation intervention: family, school, interculturality, and minors and adults in the criminal context.
- Reflect on the contributions of mediation to professional practice.

CONTENT

1. Conflict: classes and elements.

2. Traditional and alternative conflict resolution systems: jurisdiction and the various forms of ADR.

3. General theory of mediation: concept, principles, process and outcome.

4. Mediation in the family context: family law, family mediation and family meeting points.

5. Mediation in other contexts: school, community, intercultural, criminal, organizations, etc.