

Kluwer Mediation Blog

“The Mediation Bug.” The Bucerius Law School Hamburg Mediation Competition, and Is the Next Generation Becoming a Generation of Mediators?

Greg Bond (Bond & Bond Mediation / University of Wildau) · Thursday, November 23rd, 2017

Over recent years the number of (mainly law) student mediation moots around the world has increased at a remarkable rate. In addition to well-known venues in Paris, Vienna, and Goa, I have heard of events in Bangalore, Bhopal, Chicago, Hanover, São Paulo, Sydney ... and Hamburg. There will be more. This is a bug that is catching.

Is this also a sign that mediation will be more widely used – by a new generation of lawyers and businesspeople?

Last weekend I attended the Bucerius Law School Mediation Competition in Hamburg, which sees itself in part as a forum for teams competing at the ICC International Mediation Competition to prepare for that event. Attending were eight teams, two from Bucerius (Germany), one from Aarhus (Denmark), one from Leuven University (Belgium), one from Leibniz University of Hanover (Germany), one from Philipps University of Marburg (Germany), one from The Russian State University of Justice Moscow, and a joint team from European University Viadrina Frankfurt / Oder and Technical University of Applied Sciences Wildau (Germany), which I coached.

What is commendable about the event is that it is entirely student organized. For this blog, I talked to four of the many students involved – two of the Bucerius organisers, PhD student Claudia Kück and law undergraduate Lorenz Schuwerack, both Bucerius team coaches, and two master’s student members of my own team, Camille Ogoti (EUV) and Stepan Orlov (Wildau). Here are a few points they made:

Claudia: The Bucerius Competition is about preparing for the ICC competition in Paris, but also giving student teams not going to Paris a chance to practice mediation.



Lorenz: And about raising awareness of mediation. Many universities do not include mediation in their curricula and many students do not know what it is. We want to showcase mediation. We have definitely raised awareness at our university, among students. Whereas a few years ago only very few students were applying to be in our Bucerius mediation team, we now have a really competitive situation.

Claudia: Mediation classes have now been integrated as part of the curricula at the university language department.

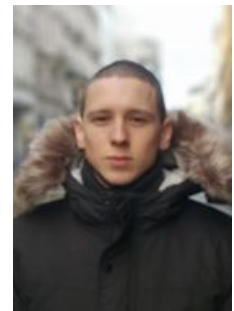


Camille: I wanted to take part in this event because after a doing a university course on conflict management I wanted to gain practical experience. I am doing a master's in international human rights and humanitarian law and so I am interested in peace mediation and understanding how nations negotiate.

Stepan: I wanted to participate in a big event like the ICC International Commercial Mediation Competition and gain experience and skills in negotiation and mediation. I wanted the challenge.

Lorenz: My main motivation to organize this event? I really believe in mediation as a dispute resolution process, and I want to promote mediation in Germany, where mediation is still underused.

Stepan: In Hamburg I noticed that it is important to focus on the goal of pursuing business interests, and that the process of mediation can help you to express these interests – when a mediator is there I felt that this really can help. I have participated in pure negotiation competitions without a mediator, and in Hamburg I noticed the difference.



Camille: Taking part in this moot has enhanced my awareness, and I have been able to work with the concepts of interests and BATNAs, and to map them onto conflict scenarios. I am also gaining confidence in my own conflict skills through this process, also in public speaking.

Stepan: I have not yet worked out how I can transfer my experience with mediation as a student to my professional future, but I would really like to do that.

Camille: In Hamburg I really saw how understanding someone else's interests and putting myself in their shoes can help to move negotiations along.



Claudia: Having taken part in the ICC Mediation Competition both as a participant as well as a coach, it never ceases to amaze me how many different creative options we were able to come up with in order to resolve the dispute at hand. This has taught me to always stay curious and not to be satisfied with the first available solution.

Stepan: I have developed personally through studying and practicing mediation. I find it easier to

know and express what I really want – my interests.

Lorenz: Taking part in mediation competitions and studying mediation has taught me how to separate the people from the problem, which has made resolving conflicts so much easier for me. This enables me to make my point in a significantly calmer manner and thus bring it across more effectively.

Claudia: I am interested in the intercultural learning that takes place here. Anything can happen in mediation and that is really useful to experience.

Great stuff. Warms the heart of a mediation trainer and teacher.

Now for the dampener. During the two days in Hamburg, one of the professional teachers and lawyers taking part as a mediator mentioned to me that B2B mediation is still not gaining ground, that she was disillusioned, and that lawyers simply were not recommending and using mediation. This is a story we hear in many places around the world.

Is the next generation going to change this? Or are we exposing young people to mediation only for them to be disappointed when they get into the world of work? When the thousands of students who have taken part in mediation competitions and moots, and who have been bitten by the mediation bug, as have Camille, Claudia, Lorenz, and Stepan, enter into professional practice, will they be able to shift the paradigms at least such that we see greater use of mediation?

Time will tell. The bug is spreading. May it thrive.



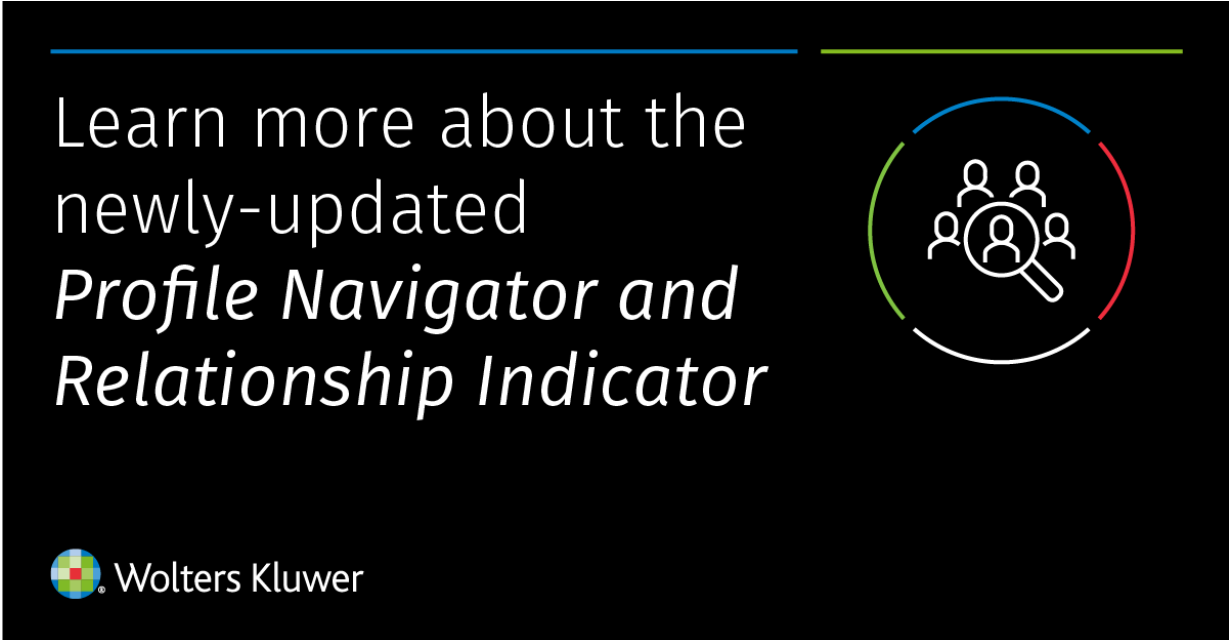
The Final of the Bucerius Mediation Competition, Bucerius Law School and Aarhus University teams

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