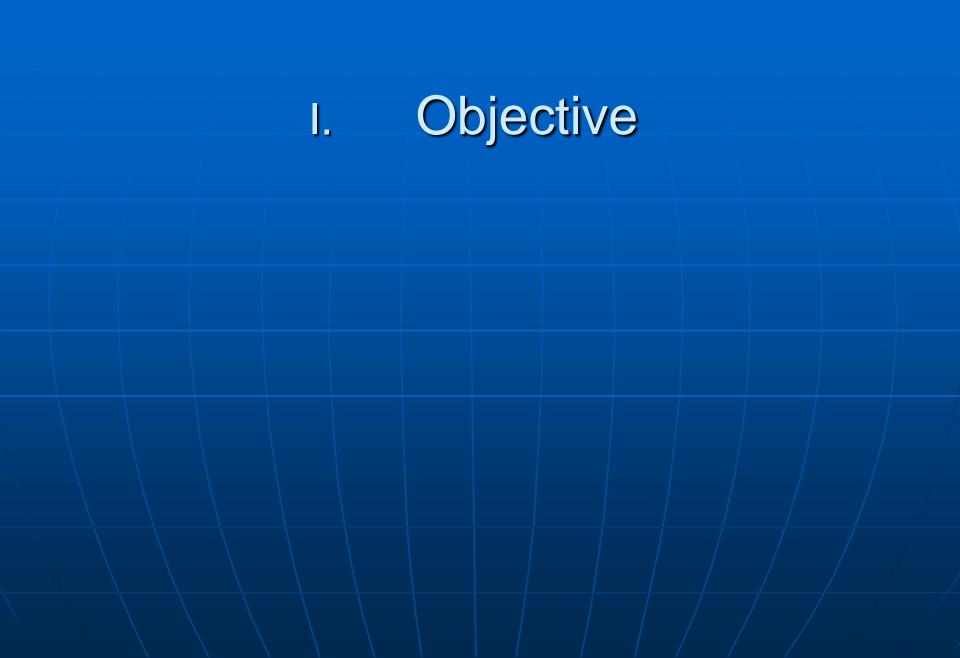
## PRACTISING FAMILY LAW IN EUROPE

#### Mediation Directive on Mediation in Civil and Comercial Matters

F.R. PAULINO PEREIRA Council of the European Union

#### **General Presentation**

I. Objective of the DirectiveII. ScopeIII. Content of the DirectiveIV. Other aspectsV. Conclusions





- 1. Material scope
- Cross-border situations

   a) Mediation
   b) Judicial proceedings

   Territorial scope

### III. Content of the Directive

1. Aspects relating to the mediation process

2. Effect of mediation on judicial proceedings

# 1. Aspects relating to the mediation process

a) Definition of mediation
b) Definition of a mediator
c) Quality of mediation
d) Recourse to mediation
e) Enforceability of the mediation agreement

2. Effect of mediation on judicial proceedings

a) Confidentiality(i) the general rule(ii) the exceptions

b) Limitation and prescription periods

#### IV. Other aspects

 Information to the general public
 Information on competent courts and authorities
 Date of application of the Directive

## V. Conclusions

