



Your partner for civil,
social or commercial mediation

Visit our website: www.bmediation.eu



bMediation is 15 years

- Creation in 1998 under the name of BBMC
- Institute aiming at the development of excellence in mediation practice, the management of mediation procedures and the promotion of mediation
- bMediation trained about 1000 professionals and has a panel of over 100 certified mediators

Mover and shaker

- Mediation barometer 2012
- Permanences in Commercial Courts
- Pilote with companies in difficulty
- Privileged partner on legal protection insurance (including mediation)
- Helpdesk for bMediators
- Lobbying
- Partnership with companies

Bruxelles, hart of Europe

- Toward new partnerships
 - European Masterclass
 - Mutual recognition of mediators
 - European Lobbying
 - Mediation promotion projects
 - European convention of mediation

Mediation barometer 2012

bMediation

<http://www.bMediation.eu>

With the support of

Federal Commission for mediation

<http://www.mediation-justice.be>

Background

- Survey run in June 2012
- 416 answers which represents about 50% of mediators in Belgium
- 88,5% of respondents are accredited by Federal Commission for Mediation
 - 54,9% in civil and commercial matters
 - 17,4% in social matters
 - 56% in family matters
- 39,6% of non accredited mediators were accredited in the past

Respondents profile - association

- 55% of respondents have no membership in any association
- 30% of respondents are member of bMediation
- 21% of respondents are members of small structures with less than 10 members
- 3% of respondents are members of foreign associations

Observation

- A large number of mediators create an association with objective to increase visibility on the market

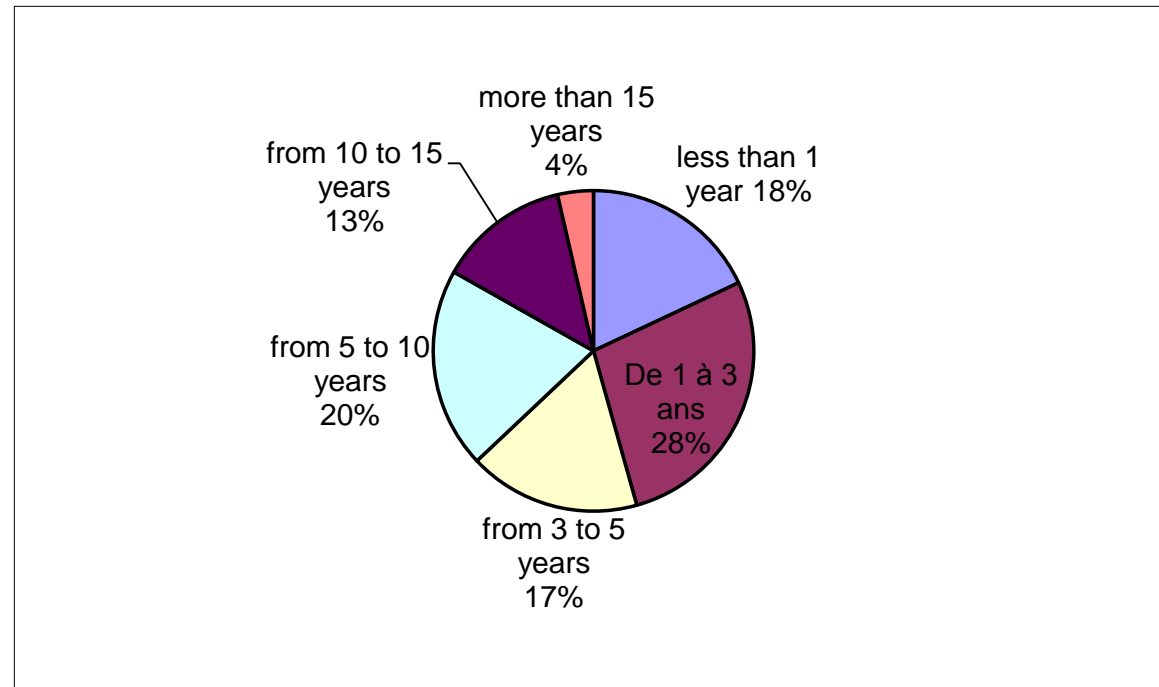
Respondents profile - regions

- Mediators provide their services
 - 54,6% in Flanders
 - 34,4% in Brussels
 - 27,9% in Wallonia
 - 3% outside Belgium (essentially in neighbouring countries)

Observation

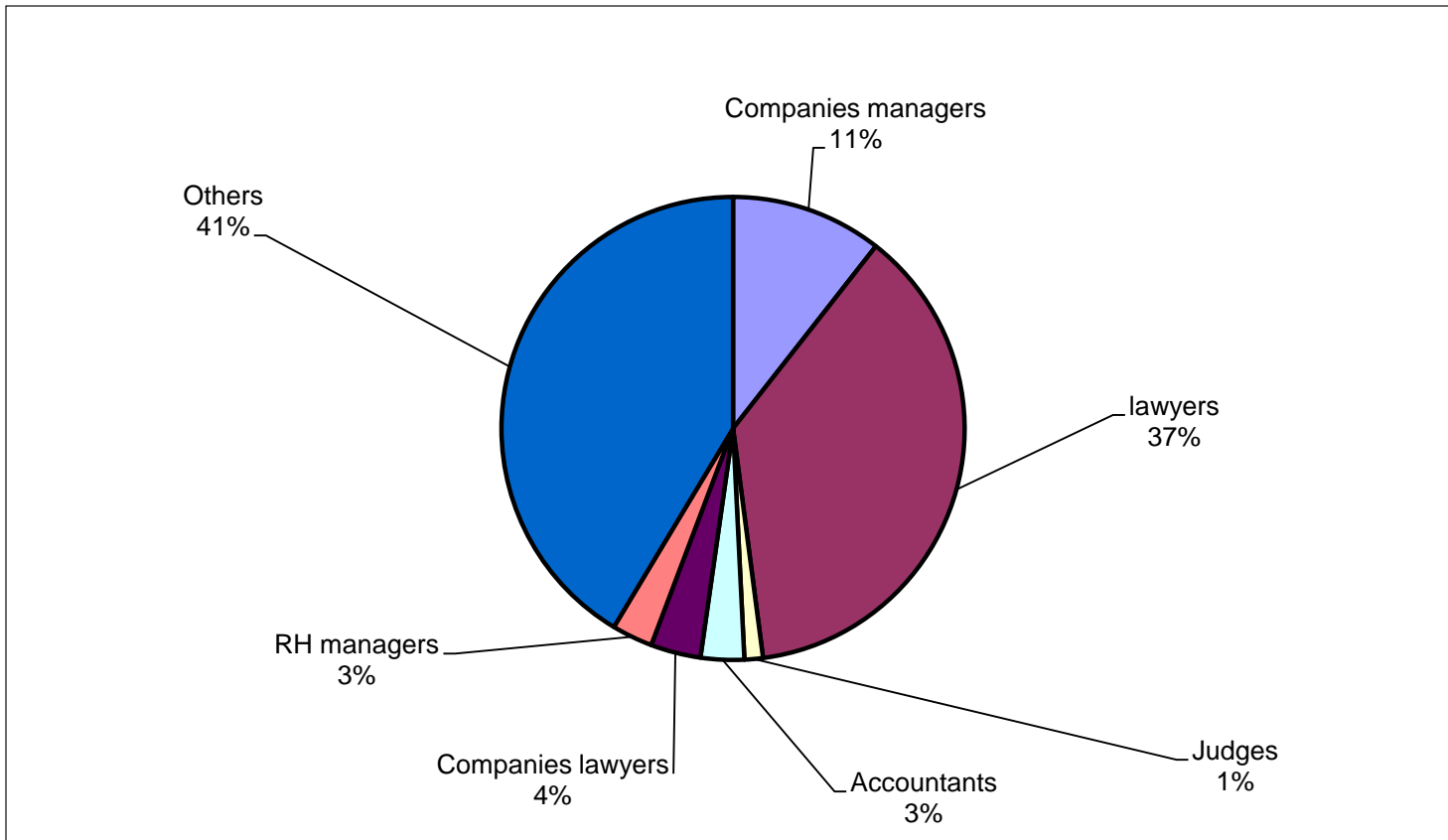
- 20% of mediators provide services in at least 2 regions
- Activity is proportionally more important in Brussels region

Respondents profile - experience



- 20% of mediators were already active before the adoption of the mediation law (2005)
- 45,5% of mediators have less than 3 years of experience
- 4% of mediators have between 15 and 30 years of experience

Respondents profile - background



Mediation market

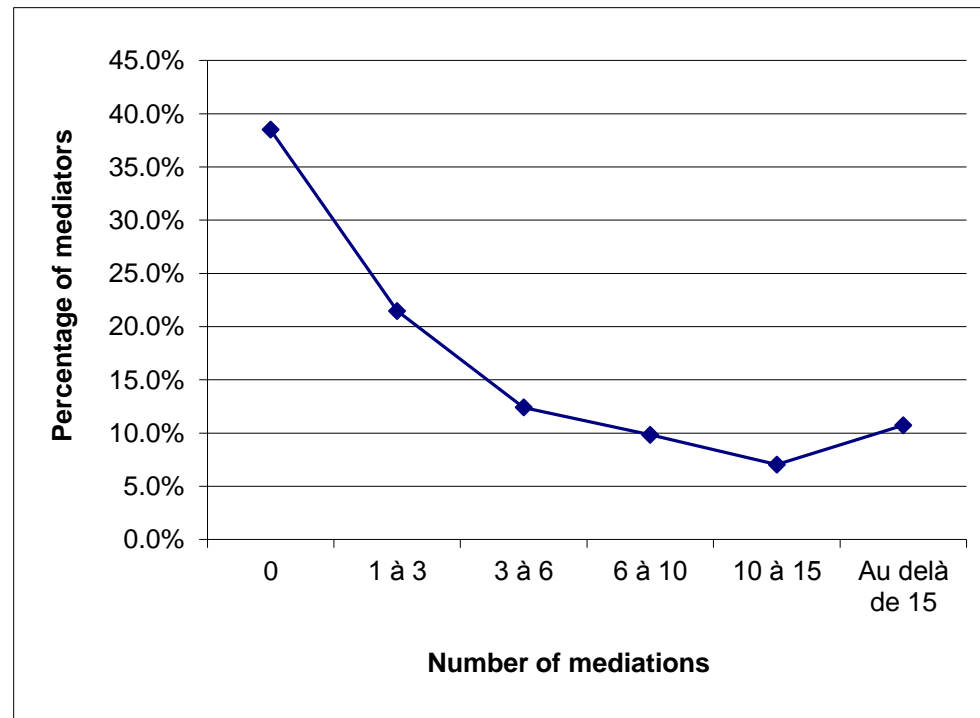
(on the basis of 416 responses)

	Total	Civ. & comm.	Fam.	Soc.	Other
2010	3.117	1.166	1.282	477	192
2011	3.228	1.207	1.328	494	199
2012 (6 months)	2.171	812	893	332	134

In 2010, 690.000 cases were addressed to courts in civil and commercial matters (justices de paix, tribunaux de 1^{ère} instance et de commerce, Cour d’Appel).

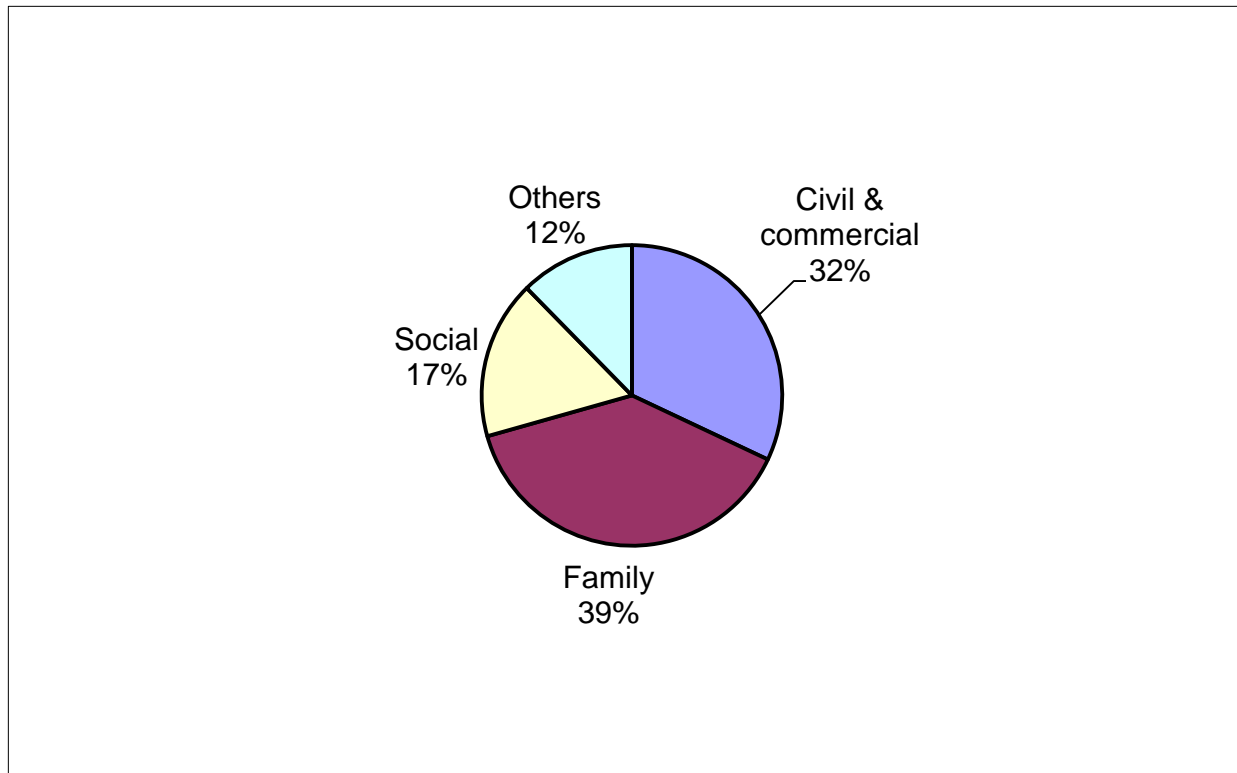
Mediation market

(on the basis of 416 responses)

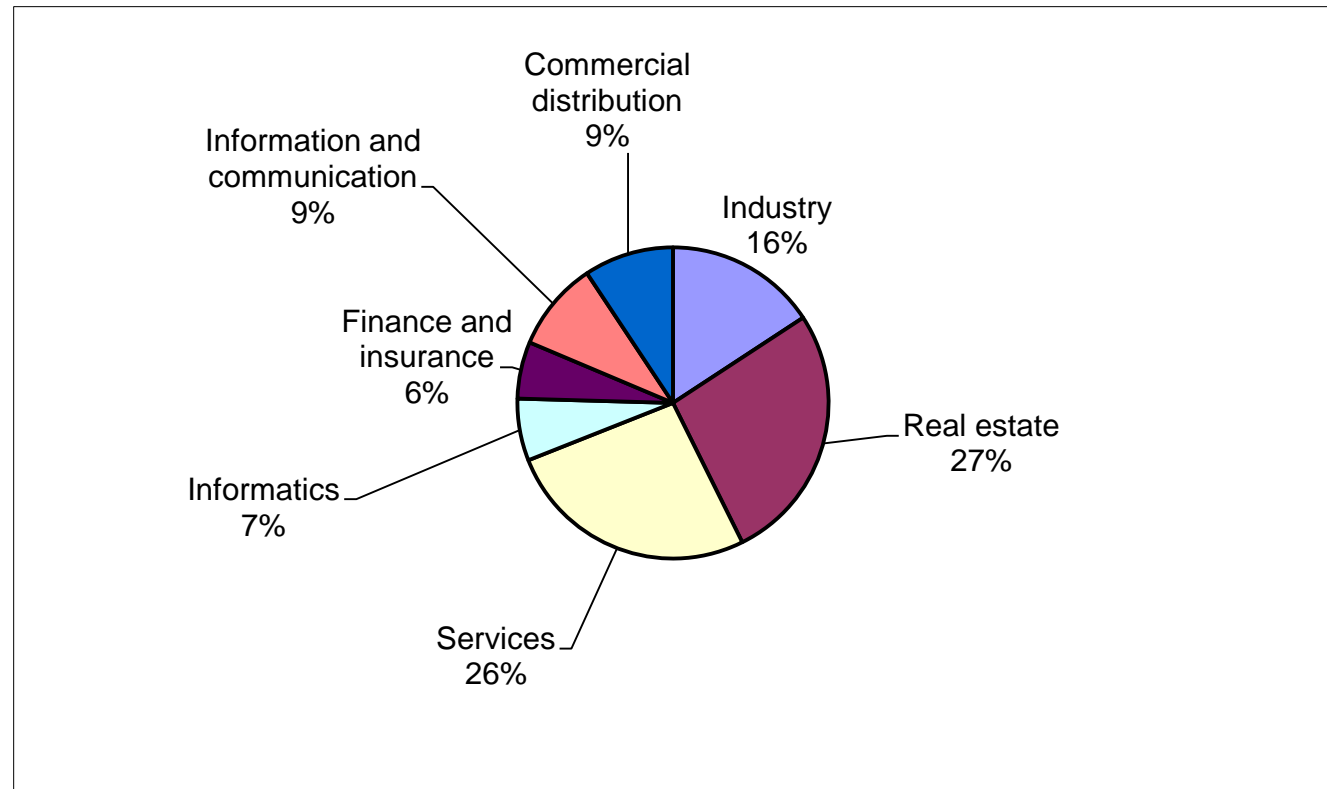


- 50 mediators share about 2500 mediations/year which is about 65% of the market
- 40% of mediators have never mediate any case

Mediation - sectors



Commercial mediation



Success rate

- The success rate is on average over 75% in civil and commercial matters
- In familial matters, the success rate highly varies by mediator

The origine of mediation

- Over 50% of mediators create their own market (through contacts, website...)
- 13% of mediation are initiated by judges
- Less than 15% of mediation are administered by mediation centers

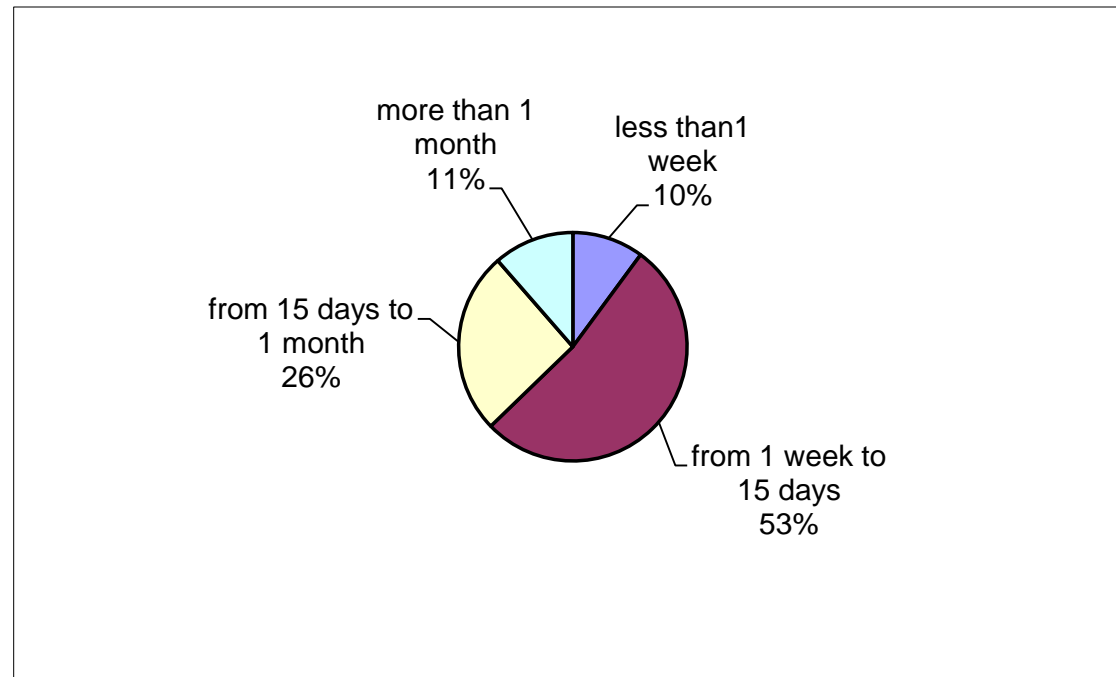
Observation

- The majority of mediations take place outside the judicial or associative framework

International mediation

- 3,81% of mediations are international which makes 375 mediation between January 2010 and June 2012
- 60% of international mediations were conducted by a dozen of mediators

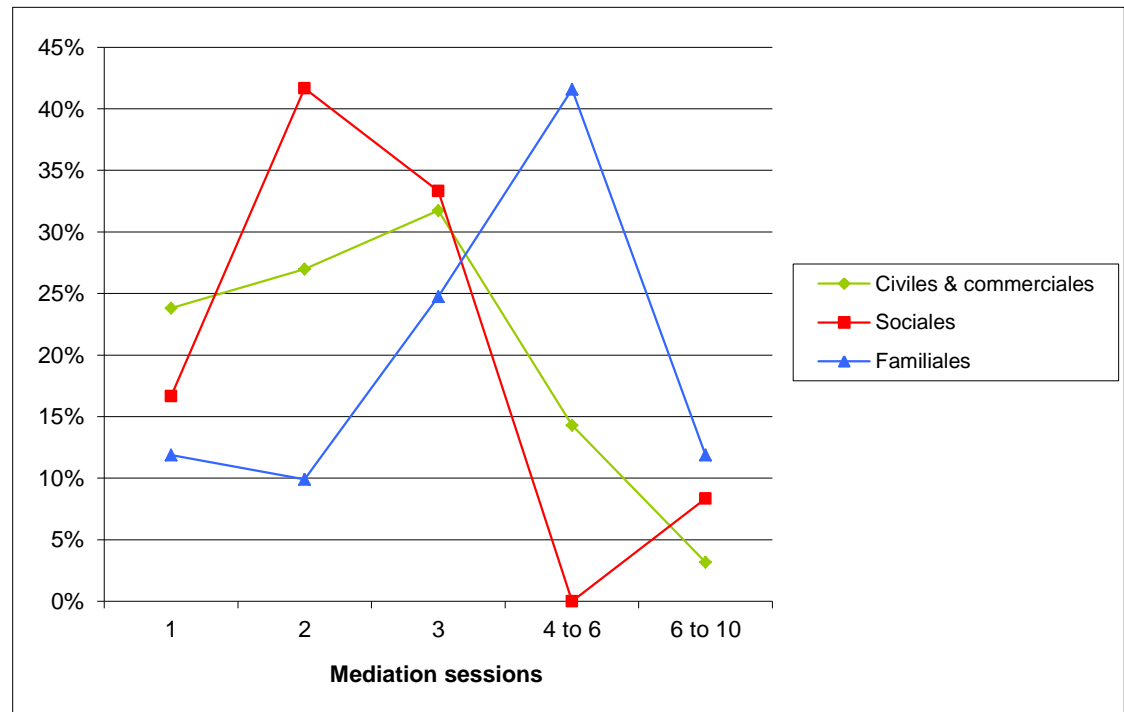
Delay for the introduction of a mediation



Observation

- The majority of mediations start within the 15 days after the initial contact with the mediator

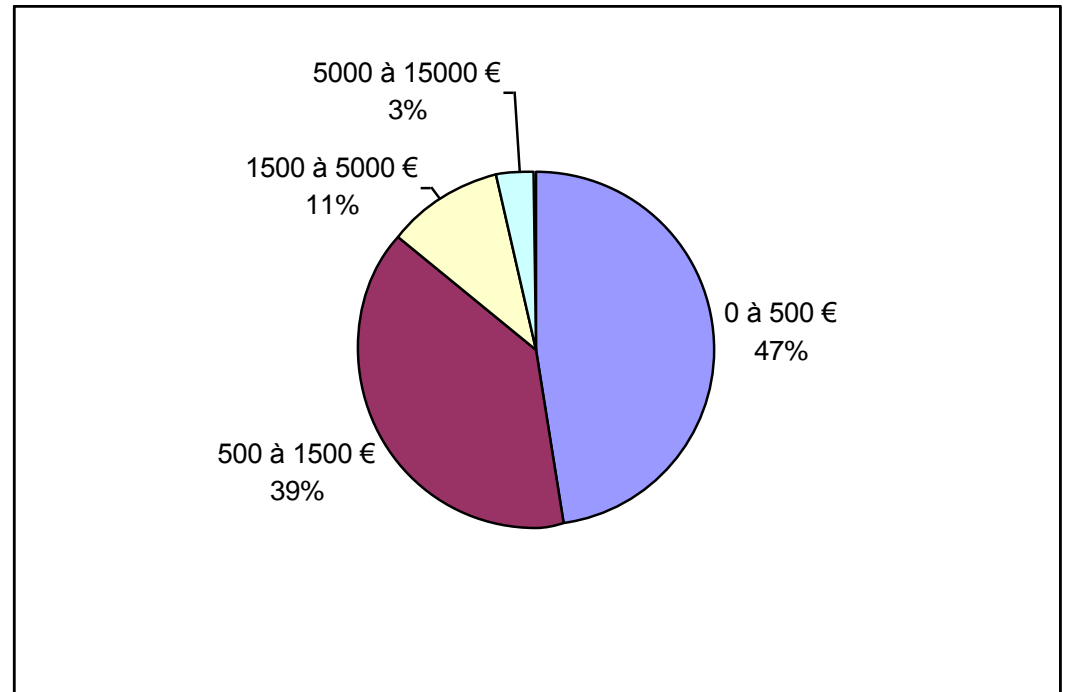
Average duration of a mediation



Observations

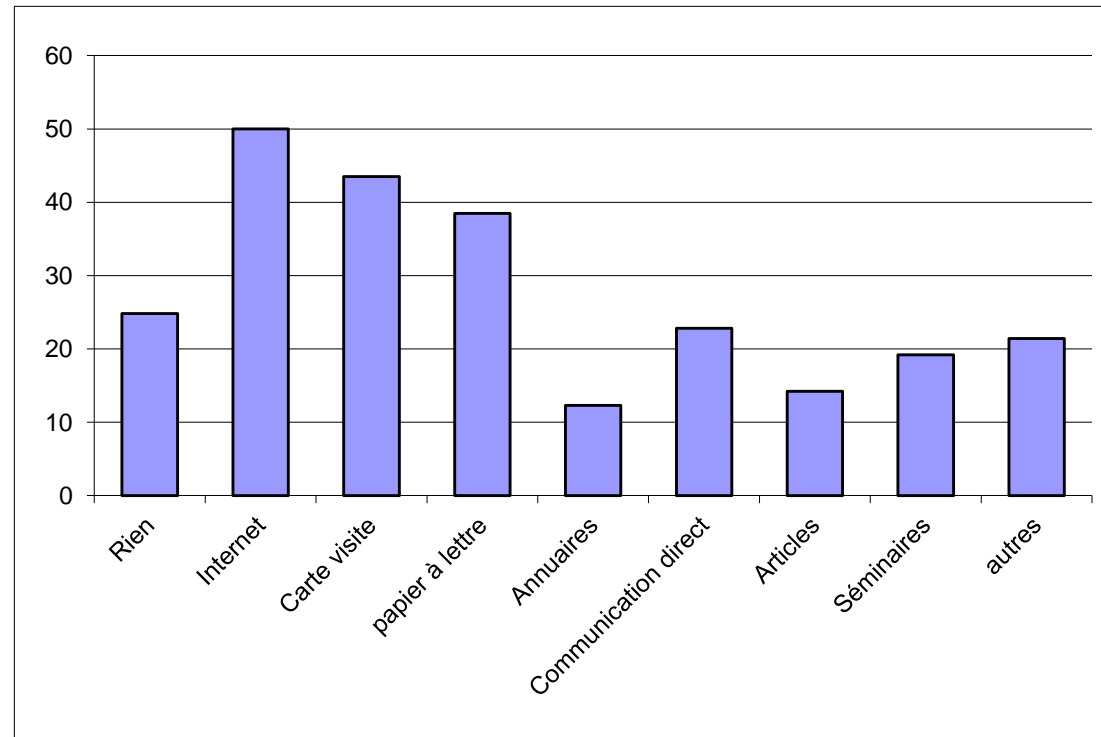
- Mediation in familial matters takes on average 5 sessions of 1h30 to 2h00
- Mediation in civil and commercial matters takes about 2 or 3 sessions of 4 hours

Cost of a mediation



- A large part of mediations are subsidised (familial, social, B2C, neighborhood)
- In commercial matters, the average cost of mediation is between 500€ and 1.500€

Promotion of mediation



Observation

- Only 25% of mediators are really active in the promotion of their activity
- A large majority of mediators offer mediation services as a second job and don't invest heavily in it

Perception of mediation profession

- 57,7% of mediators claim that there are barriers to their profession
 - Mediation is unknown
 - Resistance from lawyers
 - Resistance from parties
 - Resistance from public services
 - Weak demand
 - Confusion on what is mediation
 - Access conditions to the profession
 - Difficulty to start

How to promote mediation

- Communication (at large and targeted)
- Awareness raising through the associative sector (roadshow)
- Promotion of mediation through international commercial missions
- Training (law, trade, judges...)
- Foreseen that legal protection insurances cover mediation costs
- To impose quotas of forwarding cases to mediation to judges (%)
- To penalise the parties to the procedural cost for parties that refuses mediation
- Obligation to try to mediate first before going to court



 **bmediation**
smart resolution

Un conflit? Essayez la médiation!

votre partenaire pour toute médiation
civile, sociale ou commerciale

visitez notre site:

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