

Rapport du pays membre pour la réunion de GEMME Country report for the GEMME meeting

Votre nom / Your name: Anne-Marie Witters and Sylvie Frankignoul

Votre pays / Your country: Belgium

1. Développements concernant votre section nationale de GEMME (par exemple nouveaux membres, nombre de membres) / Developments concerning your national section of GEMME (for instance new members, number of members):

We have ten new members.

2. Évolution de vos législations nationales en matière de médiation (par exemple lois nouvelles ou modifiées) / Developments in your national laws concerning mediation (for instance new or amended laws):

Gemme Belgium has cooperated with the legislative branch and has worked out a new draft law whereby chambers for conciliation and mediation can be installed in each tribunal and court dealing with civil law, labor law and commercial law (they are now only existing for family law issues) with confidentiality of the discussions taken place in such chambers. The parliament will be asked to vote on the new draft law within the year 2023.

3. Autres développements concernant la médiation dans votre pays (par exemple des expériences dans différents domaines du droit devant les tribunaux ou autrement) / Other developments concerning mediation in your country (for instance experiences in different areas of law in the courts or otherwise):

Mediation and other ADR are still on the rise in civil, commercial and labor law especially post covid. Different courts and tribunals have set up projects

in this respect. There seems to be a new momentum for mediation and conciliation initiatives and the minister of justice shows great interest in part because courts and tribunals are still overwhelmed with a heavy caseload.

4. **Autres activités concernant la médiation (par exemple colloques, webinaires, conférences, recherches universitaires) / Other activities concerning mediation (for instance meetings, webinars, lectures, university research):**

Speeddating organisations have been set up via Gemme Belgium between courts and mediators allowing mediators to present themselves to courts and explain their expertise and language skills to judges referring to mediation.

The website of Gemme Belgium now contains references to all initiatives pertaining to conciliation and mediation in all courts and tribunals all over Belgium: <https://gemmebelgium.be/> but they are only accessible to (registered) members of Gemme Belgium who also get access to all documents used in courts and tribunals for these purposes.

Gemme Belgium has cooperated with the IGO/IFJ the national institute for training of judges and has set up an advanced training for judges in conciliation. Specialized trainers from the US will train the judges in ‘the power of an apology’ (Nina Meierding) and ‘the case for forgiveness in legal disputes’ (Eileen Barker). The training will take place on April 17-18, 2023 and the presidents of Gemme Belgium will supervise it.

5. **Publications dans votre pays concernant la médiation (si c'est possible merci d'insérer le lien permettant l'accès à cette publication ou le site web permettant de trouver l'article)/ Interesting publications in your country concerning mediation (if possible please insert the link to the publication or website where the article can be found):**

Gemme Belgium publishes interesting articles on what happens in the mediation world at large on <https://gemmebelgium.be/>

6. Autres sujets en lien avec la médiation dans votre pays / Other points of interest concerning mediation in your country:

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Gemme Belgium will have a meeting with the Federal Commission on Mediation (accrediting mediators) and will establish a joint project for the mediation week to be held in October 2023.

Gemme Belgium is cooperating with Gemme Spain (with gratitude towards them) in order to organise the event held in Barcelona (which has moved many people and also the two presidents of Gemme Belgium) in Brussels (film Maixabel + meeting with the protagonists).