

Attendants : Rosalía Fernández, Anne Gongora, Avi Schneebalg, Eric van Engelen, Myriam Rius, Monika Wlodarczyk, Konstanze Thau, Camilla Hölzer, Laura van der Krogt, Alina Serhieieva, Andrii Ryshchenko , Milwyn Jarman, Marta Nagy, Agnes Bucsi, Sylvie Frankignoul, Svilena Dimitrova, Karolina Toczynska, Agnieszka Owczarewicz, Daniela Bianchini, Daniel Stoll, Miltiadis Chatzigeorgiou, Béatrice Brenneur (par zoom), Carme Guil was represented by Rosalía Fernández.

1. Report of the president

The president reports on several major events that she attended.

- A training for judges in Poland: training for judges. Rosalía and Avi attended this training and also gave a lecture at the bar association in Warshw.
- 46 more Polish judges have started referring cases to mediation.
- Agnieszka is the new president for GEMME poland. This section has 30 members now.
- Rosalía was in Marseille to work on mediation in the armed forces of France. There is an association that wants to cooperate with GEMME. Mediation in the army is new.
- Rosalía also participated, as a speaker, in an international event that was co-funded by the European Union, on Therapeutic Justice, in Costa Rica. The Ibero-American Association of Therapeutic Justice proposes a collaboration agreement with GEMME.

On 22 November, a webinar in collaboration with the Belgian IFJ and EJTN – of which GEMME is a partner – was organised at the initiative of Avi, with 12 speakers from 4 different countries. 66 judges from 7 or 8 countries participated. The feedback has been very positive. The webinar was in French. It would be a good idea if the webinar were also organized in English to give judges who do not understand French the opportunity to participate.

2. Approval of the minutes of the Board meeting held in Barcelona on 11 June 2022

The minutes are approved!

3. Treasurer's report

Anne informs the board about the report of the treasurer. Some sections did not pay for GEMME yet. Messages will be send to these sections. At the moment there is 23.132,- euros in the accounts of GEMME. When the remaining sections have paid their fees this will be in order again.

There is considerably less money in the GEMME accounts than prior to the Barcelona board meeting. Accommodations were overpriced in Barcelona, but the expenses of each member were reimbursed with a limit per person. The majority of expenses relating to the organisation of the Barcelona General Assembly were borne by external parties, in particular the Barcelona Bar Association.

The participation of any GEMME member in the Barcelona demonstrations was free, including streaming, with simultaneous interpretation service in three languages.

Currently, each member of the Board of Directors can request up to 500 euros to attend the board meeting. In light of inflation and other economic circumstances, the limit of

500 euros that each board member can request will be reviewed and may be increased for future meetings. For now, however, this limit remains 500 euros. All members of the Board of Directors can request reimbursement from Jacques.

4. Communication for GEMME since the GA. Report by Myriam Rius

Myriam gives an update on communications. In 12 months time 17 new articles have been shared. She thanks the members for forwarding information for the website. Followers automatically receive a message when new publications are available. In the last months the website had over 700 visitors. There are also many followers in the social networks. If any of the members have news they can fill in the form. The news will then be published if it is relevant for GEMME. News concerning mediation is always relevant and can be published on the website within 24 hours. It is however important that the information is correct and that there is enough information.

Each country is made visible by the flag and can also be found in the main menu of the website. If people want to join GEMME they can fill in the form on the website. Myriam receives this information and forwards it to the president of the section the person is from. This is a way for GEMME to grow.

Myriam informs the board that she can provide GEMME members with a personal e-mail address. This e-mail address is a resend address. This way the private e-mail address will not be visible. Myriam can be contacted at contact@GEMMEurope.org. The old address of GEMME is no longer available and redirects all visitors to the new website.

20 year anniversary of GEMME

Myriam has made a communications plan for the 20th anniversary of GEMME. This consists of:

- a new logo for GEMME, to be used throughout the year, at all important GEMME events and at RRSS.
- Construction of a GEMME story to highlight all the important events of the last 20 years, as well as the evolution of each section.
- Construction of a VIP database for people and institutions for the 20th anniversary of GEMME. This will serve to send an invitation to these people and institutions and keep them informed.

It is important to highlight what GEMME does and to attract more members and countries to GEMME. Myriam invites everyone to provide her with ideas to make GEMME bigger and to share information about GEMME in social networks to attract more followers. Alina offers to help Myriam. Agnieszka asks for more information for the Polish section of GEMME. Avi urges everyone to find new members in any way possible. The Bulgarian section shares the idea to organize a special event in every member state. This can significantly alter the number members.

The plans that are laid out by Myriam are approved!

5. Country reports

For the Krakow board meeting the national sections provided an update. These can be found on the website. For this board meeting only Germany and Switzerland submitted a country report. All board members are asked to submit a country report previous to each board meeting. The link to the form can be found in the invitation to the board meeting. The members give a brief report in person.

Bulgaria: there has been a change in the law to make mediation mandatory in family cases and also in some civil cases. Last week first commission in the parlement approved the first step. Some parties react negatively. But there is progress. The initiative came from mediators, lawyers and judges now.

Italy: In 2021 there was a training for judges for civil mediation. This training was organised by the high school for the judiciary. There may be a rol for GEMME in this training. Similar training has taken place in other countries.

Belgium: Belgium has experienced a boom in trainings.

Poland: There are more mediations in civil en commercial court and labour court. A law is now being written which will hopefully be ready in 2023. In family law also training takes place with a team consisting of a judge, a mediator, a coach and a psychologist. This model is already happening in 3 places.

Hungary: there have been some serious problems. Attacks were launched by the national office for the judiciary. Judges are not very interested in mediation. The possibility for mandatory mediation is not often used. However, if mediation is not succesful it still changes the attitudes of parties. GEMME Hungary no longer has seven members. There was a conference in Oktober conference which was a succes. Next year there will be another conference. At that occassion it would be much appreciated if members of GEMME will hold a speech. The objective would bet o maakt GEMME more noticed in Hungary.

United Kingdom: In the Civil Procedure Rules is laid down that a judge will speak to parties early in the procedure. This works in 50% of the cases. Leicester University has activities in the next weeks. There are also efforts to make mediation mandatory in the UK. The UK section of GEMME needs reviving.

Ukraine: In Ukraine everything is done to provide parties with a fair trial and to keep hearing cases. Judges also do volunteer aid for people. We fight for the values of freedom. Last year a law on mediation was adopted in Ukraine in various legal fields. Judges attend the LLM programm. Ukraine very much wants to be part of GEMME Europe.

Greece: Recent law was passed about mediation in family cases. Some 1.800 mediators are already educated in Greece. There is a committee on mediation in the department of Justice. This is headed by Mr. Maherres. More information will be available at the next board meeting.

Austria: Finally the four presidents of the Oberlandersgerichten have become convinced to implement the program for all Austrian judges. This starts in March. Also there are another 22 judges.

The Netherlands: mediation in The Netherlands is strongly embedded in criminal law. Even more so than in family law. The incentive for participation in mediation has been reinstated. This means the first two hours of mediation are free for participants.

France: in France a lot is happening. Justice is suffering so much now that the political power is trying to find solutions. What is needed is quality of justice and mediation helps with that. Many things are happening. The national council on mediation was created this year and is headed by outstanding persons. Barristers are very much interested in mediation. ADR is much promoted.

There is a long way to go however. It has proved very difficult to convince barristers and judges to go on with mediation. The French section and Belgian section help each other. There was a conference in Belgium with Marie France Carlier. Beatrice and François worked a lot on the program. In France there is also mediation in administrative law. This advanced by the Council d'état and also by François.

Spain: Carme Guil is the president of the Spanish section of GEMME, but was unable to attend due to Covid. The Spanish section will send a written report after the meeting. Carme thanks everyone that was present in Barcelona. The film that was shown there on restorative justice was a big success and will be presented in France soon.

Also in Spain the system of parental consent will be introduced. This is the aim of GEMME. There is a project to do this in Spain with the help of GEMME Belgium.

Germany: In Germany mediation is also practised in administrative courts. This is also the case in Austria. In tax law mediation is also practised in Nordrhein Westfalen. Quality of judgment means mediation can't only take place in one area of law. The department of justice in Germany wants to economize through mediation. This is not a good development for mediation.

6. Organisation by GEMME France of the seminar-cruise

Beatrice joins the meeting via Zoom and informs the board meeting about the plans for the meeting in Strasbourg and the special programme for the celebration of the 20th anniversary of GEMME.

All board members are urged to register for the seminar-cruise as soon as possible because reservations will have to be made for the cabins!

The program of the board meeting and the seminar-cruise is available on the website in English and French. The programme starts on Thursday 25 May and runs until 30 May 2023.

During the presentation of Béatrice the Board remarked that GEMME should organize a free 20th anniversary celebration event for any GEMME member wishing to participate. It was also underlined that the Assises of 25 May remains a GEMME France event, as well as the morning of 26 May would be completely organised by GEMME.

7 and 9. Ongoing European projects and other projects

Avi was in Alicante. He informs the board meeting that as of 2023 there will be a permanent center on mediation in IP law in Alicante.

Regarding the EJTN project, Avi takes care of it and participates in the meetings, since GEMME is a partner in this project. The plan is to organise a webinar in English in 2023, similar to the one held in November of 2022.

Regarding the ERA project, GEMME still has difficulties finding participants for the scheduled seminars, of which there are places reserved for GEMME members. We should motivate colleagues to participate, or look for ideas to offer more attractive courses.

Rosalía proposes to create a group to work on family law inspired by the Belgian model. Interested persons can contact her.

8. Restorative justice

No new developments are reported concerning restorative justice. Work needs to be done on this subject. Eric and Carme are in charge.

10. Discussion on the modification of the GEMME statutes

Eric informs the Board of Directors that work is underway to amend the statutes, which is necessary with regard to Gemme membership for Ukraine. Amendments to the Articles of Association must be approved by the Board of Directors and subsequently ratified by the General Assembly. The General Assembly is held once every two years.

The president proposes to grant Ukraine the status of observer. Ukraine is already a candidate for EU membership and is a European country. Therefore, Ukraine can immediately take part in the activities of GEMME.

The candidacy of Ukraine is provisionally accepted, pending the modification of the statutes or confirmation by the General Assembly.

The statutes need to be amended. This is also necessary to resolve the situation around the UK post Brexit. To amend the statutes more is needed than the board.

Camilla and Daniel Stoll explain that it is very difficult to work on the reform of the Statutes in a working group. They think it would be better to do it with the other members of the board. For this, it could be very useful to organize a workshop-type meeting as soon as possible.

11. New GEMME sections

The board meeting discusses which sections are active, which sections are inactive and which countries do not as yet have a national section.

Avi urges all board members to become more active in involving judges from countries where there is not yet a national section of GEMME, such as Cyprus.

Myriam offers to make an item on the website which frequently asked questions (FAQ). Laura will assist her. Also a PDF will be made in which all the advantages of being a GEMME member will be summed up. This PDF can be sent to potential new members.

The board meeting goes through all countries to look at who has a section and who is observer.

Board members are also asked to reach out to members of other sections and help them where and when they can.

12. Other subjects and date of next meeting

Board members are asked to send someone from their section to replace them whenever they are unable to attend a board meeting themselves. This person can then exercise the right to vote. Expenses for attending the board meeting will be reimbursed for this person.

The belgian section has a problem with members who want to be in the national section, but do not want to become a member of GEMME Europe, because they do not see the benefits.

The spanish section offers benefits to spanish members of GEMME Europe, such as discounts for trainings. The German section asks for a fee of 60 euro's from members of the national section. GEMME germany keeps 10 euros. From this they pay for activities.

The next meeting will take place on 26 May in the morning in Strasbourg, under the conditions as mentioned under 6.

Camilla proposes that GEMME bears the registration fees for the participation of the president in the cruise if she decides to partake in this activity. This is approved unanimously by the Board.