



Centre de Médiation
Civile et Commerciale



ENTREPRISE
SOCIALEMENT
RESPONSABLE

MEDIATION TO THE BENEFIT
OF CITIZENS AND UNDERTAKINGS

NOTICE TO UNDERTAKINGS!

Avoid litigations and severed business relations by signing the **MEDIATION CHARTER**

The Chamber of Commerce (*Chambre de Commerce*), in cooperation with the Chamber of Skilled crafts (*Chambre des Métiers*) and the Ministry of the Economy (*Ministère de l'Économie*), announces the signature of the Mediation Charter. It invites its members to participate in this project. The signing companies and organisations of this Mediation Charter recognise that:

- It is in the interest of undertakings to prevent litigation and to settle their disputes out of court rather than by legal action;
- There is a method that enables them to find solutions by mutual consent, even pursuant to a failed negotiation.

1. What is mediation?

Mediation is a confidential and tailored method of conflict management, more efficient and swifter than usual litigation proceedings.

It represents a professional manner to negotiate; the mediator being able to implement specific techniques learned in addition to his/her academic qualifications, be it in the field of economics, law or construction engineering for instance. Parties keep control of the conflict without having to hand over the matter to a judge and are thus certain to choose a mediator who has the indispensable specific competences necessary to correctly understand their conflict.

2. Why opting for mediation?

Mediation may prevent and handle conflicts damaging the efficient functioning of an undertaking as well as avoid lengthy litigation proceedings, the latter often ending in severing valuable business relations in addition to incurring substantial internal and external costs.

3. What is the Mediation Charter?

By signing the Mediation Charter, the signatories and participants in the economy of the Grand Duchy of Luxembourg declare, symbolically and without any legal commitment whatsoever, their intention to consider mediation as an efficient, economic and sustainable dispute resolution method.

The Mediation Charter is a tool to promote the economy of the Grand Duchy offering a modern and tailored conflict management method. It is part of the nation branding of the government and is backed by the Ministry of the Economy (*Ministère de l'Économie*), the Chamber of Commerce (*Chambre de Commerce*), in cooperation with the Chamber of Skilled crafts (*Chambre des Métiers*).

The Mediation Charter represents a label for the undertakings that want to display their will to have recourse to a modern efficient and subsidiary dispute resolution method, by committing themselves to the "mediation reflex" before going to court.

4. What are the advantages to sign the Mediation Charter?

The signing companies and the organisations and the Mediation Centre for Civil and Commercial Affairs (*Centre de Médiation Civile et Commerciale - CMCC*) become partners in the field of alternative dispute resolution by way of mediation.

The *CMCC* provides to the signing companies and organisations **information** on mediation and supports them to perform all the steps, in particular to **advise** them with regard to mediation clauses, when suggesting mediation to the other party, when **cooperating with the legal counsels and human resources** and by keeping in contact with the mediation delegate of the company or the organisation and this as a privileged partner.

The signing companies and the organisations undertake to **train their staff** in the field of mediation with the help of the *CMCC* as service provider.

The *CMCC* will **publish** on its website the **logo** of the signing companies and organisations so as to make public their endorsement of this modern conflict management method.

The signature of the Mediation Charter is recognised as being a **rewarding initiative in the framework of the ESR label (Corporate Social Responsibility)**.

The *CMCC* reserves the right to request the undertaking not to rely on the Mediation Charter should the said undertaking no longer abide by the terms and conditions thereof.

Supported by :

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