



# MediMARE

## Curriculum on Maritime Mediation

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## Introduction

The Curriculum on Maritime Mediation is an output of the MediMARE: Mediation in Maritime Disputes project. It serves as a repository of knowledge and experience acquired along the project through interviews conducted with maritime operators on the importance of establishing an adequate framework for the capacitation of maritime mediators and also through the Intensive Course on Maritime Mediation, where the proposed curriculum was set in motion.

The objective of this activity was the structured analysis of existing curricula in areas linked to maritime mediation and the study of a possible curriculum specifically for educational programs in maritime mediation.

To the best of the Team's knowledge, there is so far no course devoted to maritime mediation, therefore this task comprised not only the analysis of existing curricula related to the project but also the innovative design of a curriculum that could serve as a basis for other experiences in the field.

## I. Perspectives from Maritime Operators

Within the semi-structured interviews conducted with maritime operators (full report available in Education for maritime mediators (available at [https://medimare.eu/wp-content/uploads/2023/02/InterviewsReportMEDIMARE\\_final.pdf](https://medimare.eu/wp-content/uploads/2023/02/InterviewsReportMEDIMARE_final.pdf)) the Project Team analysed if the offer of educational or training programs for maritime mediation was seen as welcomed by those operators and if there was a lack of offer in this regard. This approach was essential to the proposal of a Curriculum on Maritime Mediation, given that most responses pointed out the need for such educational and training programs explicitly devoted to maritime mediation. Also, it provided insights as to how such a curriculum could be constructed and which subjects should be included in it, as detailed below.

In the interviews, a particular question was whether the interviewee understood that developing and offering an education for maritime mediators is a good idea. In case the interviewee answers affirmatively, the questions addressed were: to whom should these courses be directed; who should promote these trainings; what about a certificate and accreditation (where?); and would you consider undergoing training/establishing training in your organisation/enterprise?

All the interviewees in Portugal (a total of nineteen) understood it is essential to have mediation training. They have different explanations in their answers.

One interviewee understands that the development of education is advisable, but education is not enough to make peace between the parties. Another understands that education is important and cannot be precise about who is the target of the course. He understands the course must have two strands: one theorist of mediation and another related to the type of subject to be mediated. There is also the understanding that education in maritime mediation is very important and that it should be directed to students in the legal area since several of the matters dealt with in maritime law are connected to legislation treaties, among others. The academia is the one to promote such courses. Certification is convenient to provide guarantees to the people who use the services.

There is the understanding that developing and offering an education for maritime mediators is a good idea. Education should be directed to people working in the public sector and private sector and should be included in the *curriculum* of law faculty. Also, law schools should be promoting it, and there should be certification and accreditation with the course.

The idea that maritime business is very specific also surfaced. Whoever wants to work in the area must have a specific education as well as knowledge of the maritime business. The education should be directed also to professionals of the sector or others who might have a direct connection with it. Also, there is the understanding that an education is important for jurists interested in the maritime and port area. One interviewee sees education as important for maritime mediation, and competencies may be trained. It should be viewed not only as an initial competence but also recycling courses, continuous formation, and role plays are necessary.

One of the interviewees considers training in maritime mediation a good idea and would consider doing the training in her company so that she and her team could acquire skills for better conflict management and mediate conflicts. Another interviewee considers that training in mediation in the environmental area is very important and believes that this training should be promoted by the Universities and directed to students in

the Solicitor's courses that have specific subjects in this area. He also emphasises that it is very important that these trainings have certificates and accreditations through a professional association.

One interviewee considers that specialised training is suitable and required for new mediators because there is a tendency for conflicts to increase. If conflicts can be resolved before they reach the courts, the better. All this needs an institutional base (it is not enough to train mediators). A mechanism with binding consequences on the territory and resources of the sea is needed. In his opinion, there must be amplitude regarding the specialised training for mediators in the function of the conflicts. Another interviewee argues that specialised training is suitable and required for new mediators, and this training must be directed to the people included in the governmental area, in the representative organisations of the sector - fishermen's associations and maritime administration. The interviewee also considers that this type of mediation training must be promoted by the maritime administration.

One interviewee argues that specialised training is suitable and that it is an excellent idea to apply. The interviewee considers that this type of mediation training must be directed towards people with an academic degree in law of the sea and international relations and towards people with specific training in mediation. Also, the interviewee argues that this type of specialised mediation training must be promoted by national marine resources and fisheries directorates and by the academy – especially colleges and universities that can provide academic degrees in international relations and the law of the sea. Another interviewee considers that specialised mediation training is suitable, and it is a good and important idea because more and more conflicts are related to maritime/littoral problems. It is a quicker and simpler way of solving cases through a more direct mediation. The interviewee argues that this type of specialised mediation training should be directed to authorities that operate in these areas (maritime police, city councils, state authorities) and to communities that depend on the sea for their survival. This type of training should be administered by education entities that are able to offer academic degrees related to the law of the sea and to entities that can offer training and academic degrees regarding the use of the maritime territory.

One interviewee argues that specialised mediation training is suitable and a good and important idea because there is a lack of knowledge of people with a very comprehensive view of the use of the sea. There are people who know a lot about fishing or the use of the law, but there are not many people who have a comprehensive knowledge of all areas of the sea. The interviewee considers that this type of specialised mediation training should be directed to psychologists, and those who should provide this type of training should be people connected with fishing, merchant marine, legislation, and all the valences of the sea.

Another interviewee argues that specialised mediation training is suitable because we (as humans) lack knowledge regarding the sea. The interviewee considers that this type of specialised mediation training should be directed to lawyers and facilitators who intend to have a degree in this area of knowledge, and those who provide this type of training should be people or entities who are in the position to offer a certificate graduation in the law of the sea.

In Norway, the understanding from one of the interviewees (in a total of ten) was that lawyers would not take a course on mediation. But, it would be a good education for people with a maritime background who want to become maritime mediators. For another interviewee, it is important for lawyers and technical professionals relevant for shipping. Also, for the people who take the decisions and who handle the disputes. At the legal or at the level of the executive officers and advisors of the shipping companies or the insurance companies. Another interviewee pointed out that it is important to have mediators with different backgrounds

to have people who understand from a technical point of view. Also, for management positions or for union representatives, it might be essential as well. Moreover, a mix of theory and practical training is needed.

## II. Analysis of Existing Curricula

A search for programs in Maritime Mediation was conducted without much success. The closest experiences found were courses in Mediation or Environmental Mediation, revealing a vast opportunity to invest in this type of training specifically for Maritime Mediation. Below is a table with illustrative programs on Mediation that were found in our search. The structure of the different Mediation programs was inspiring to the team and provided a basis for the Maritime Mediation academic, professional program delineated by the MediMARE Project.

University / Institute:	Degree	Module	Curricular Units
Universidade Católica Portuguesa do Porto	Post-graduation in Negotiation, Mediation, and Conflict Resolution	Bootcamp/ online (1 module – 40h);	Conflict Mediation
		Presential: (160h)  Module I - Mediation and Law.	– Legal topics: Brasil (I), Angola (II), Other Lusophone countries (III);  - Ethics in Mediation.  - The Lawyer and Mediation.
		Module II - Mediation procedures and mediator's abilities.	– Mediator's essential abilities.  - Risk theory and negotiation.  - Mediation procedure.  - Intercultural mediation.  - Online dispute resolution (ODR).  - Initiation to the neuropsychology of mediation.
		Module III - Negotiation.	- Mediation in Consumption.  - Mediation fields:  - Sustainable and environmental mediation

CBSE – Coimbra Business School	Post-graduation in Conflict Mediation	Presential (194h)	<ul style="list-style-type: none"> <li>- Alternative Means of Conflict Resolution.</li> <li>- Introduction to Conflict Theory.</li> <li>- Communication in Interpersonal Relations.</li> <li>- Introduction to Negotiation.</li> <li>- Material Competences of Courts of Peace.</li> <li>- Courts of Peace procedures.</li> <li>- The Mediator: Ethical and Deontological Principles of the Mediation Exercise.</li> <li>- Emotion Management in Mediation.</li> <li>- Mediation Procedure.</li> <li>- Mediation Practice.</li> </ul>
		Module I – Sociological Aspects.	<ul style="list-style-type: none"> <li>- Sociological aspects of people who are involved in conflicts</li> </ul>

<p>IMAP – Instituto de Mediação e Arbitragem em Portugal</p>	<p>Mediation Course in the Scope of the Courts of Peace</p> <p>75h Zoom + 20h outside activities</p> <p>55h presential</p>	<p>Module II: Adequate Means of Dispute Resolution</p>	<ol style="list-style-type: none"> <li>1. Judicial System.</li> <li>2. Courts of Peace.</li> <li>3. Adequate Means of Dispute Resolution: <ol style="list-style-type: none"> <li>a) The arbitration.</li> <li>b) Cooperative negotiation.</li> <li>c) Conciliation.</li> <li>d) Mediation.</li> <li>e) Mutliportas.</li> <li>f) Mixed.</li> </ol> </li> </ol>
		<p>Module III - Communication</p>	<p>The goal is to develop the main aspects that make up human communication, its nature, and difficulties, in order to lay the foundations for the facilitator function of mediators and to make it possible to become aware of the main difficulties</p>
		<p>Module IV – Cooperative Negotiation</p>	<ol style="list-style-type: none"> <li>1. Distinguish positions and interests.</li> <li>2. Separate people’s problems.</li> <li>3. The importance of values and goals.</li> <li>4. Option making</li> </ol>



		<p>Module V – Introduction to Mediation</p>	<p>1. What is mediation?</p> <p>1.1 Origin and foundations (international and national)</p> <p>1.2 Typology of Mediation</p> <p>1.3 Spirit and philosophy of mediation</p> <p>1.4. The three main schools of mediation:</p> <p>1.4.1. Harvard School</p> <p>1.4.2 The Circular-Narrative Model</p> <p>1.4.3. the Transformational School</p> <p>2. Advantages of mediation</p> <p>2.1. principles and characteristics</p> <p>2.2. The place of mediation in society: reconstruction of social bonds</p> <p>3. Limits to mediation</p> <p>3.1. The Ethics in Mediation 3.2. The European Code of Conduct</p> <p>The European Norms about Mediation 3.4. Overview of Mediation in Portuga</p>
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		Module VI – The Mediator: to be and to know	<ol style="list-style-type: none"> <li>1. Mediator Profile: Characteristics and attitude;</li> <li>2. Functions and role of the mediator</li> </ol>
		Module VII – Dynamics of mediation, adapted to the Courts of Peace	<ol style="list-style-type: none"> <li>1. stages of the mediation process <ul style="list-style-type: none"> <li>A - Investigation <ul style="list-style-type: none"> <li>1.1 - Opening</li> <li>1.2 - Active listening</li> <li>1.3 Investigation of Interests</li> <li>1.4 Summarizingg, Positive Reformulation, Metaphors</li> <li>1.5. The Importance of Emotions in Mediation</li> </ul> </li> <li>B - Administration <ul style="list-style-type: none"> <li>1.6 The Agenda</li> <li>1.7 The Creation of Options</li> <li>1.8. Evaluation and choice of solutions</li> <li>1.9 Formalizingg the agreement.</li> </ul> </li> </ul> </li> </ol>

			Pre-Mediation
		Module VIII – Mediation at the Courts of Peace	The goal is to provide information about the specificity of mediation services in the Courts of Peace
		Module IX – Fields of Mediation Application	1.1 Family mediation 1.2 Commercial mediation 1.3. organizational mediation 1.4 Mediation in Criminal Matters 1.5 Community mediation 1.6. Mediation in schools 1.7. 1.7. labour mediation
			Module I: Introduction to mediation.  Module II: Communication Techniques.  Module III: The nature of conflicts.  Module IV: Pre-mediation.

<p>International Mediation Campus / International School of Management – University of Applied Sciences</p>	<p>International Mediation Training</p>	<p>Live Online Training for 1 week or 12 weeks (40h)</p>	<p>Module V: Setting an agenda.</p> <p>Module VI: Introduction to exploring interests.</p> <p>Module VII: Exploring interests.</p> <p>Module VIII: Practice Session (1-3 mediation phases).</p> <p>Module IX: Options and Solutions.</p> <p>Module X: Negotiation in mediation. Practice Session (1-5 mediation phases).</p> <p>Module XI: The power of questions.</p> <p>Module XII: Workplace mediation. Practice Session (1-5 mediation phases)</p> <p>Module XIII: Emotions in Mediation.</p> <p>Module XIV: Building consensus and dialogue.</p>
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			Module XV: International Case Study.
			Day 1: Mediation Theory; Negotiation; Active Listening and questioning skills; Confidentiality; Mediation skills and process; Demonstration opening and First role play.
			Day 2: Non-Verbal Communication; The agreement to mediate; Threats to process; Unrepresented people; Consolidation of learning through role-play.
			Day 3: Mediation ethics; Consolidation of learning through role play; Examination is issued at the end of the day.
			Day 4: Examination hand-in; Final non-assessed role plays; Assessment briefing; Independent assessments.

London School of Mediation (LSM)	London Accredited Mediation Course	Presential 5 days (40h)	Day 5: Independent assessments; Next steps; Individual debriefs.
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### III. **Proposed Curriculum on Maritime Mediation**

The Curriculum on Maritime Mediation intends to provide knowledge regarding maritime mediation processes and the specificities of this dispute resolution mechanism when applied to maritime conflicts. Its primary purpose is to establish a guide that leads to developing training courses to teach students and professionals working in the maritime field to expand their skills through mediation, eventually by becoming maritime mediators.

The Curriculum includes modules that do not only have a theoretical strain (taught by professionals and academics specialised in the maritime field and/or in mediation) but also a practical vein, mainly through mockups and role plays, which should be ensured by the participation of actors and players in the field and by the conduction of mediation simulations in several maritime mediation settings.

This Curriculum is designed for trainees from all STEAM areas who wish to acquire knowledge about the process of maritime mediation and includes, as a minimum, a total of 30 hours of classes (complemented by 11 hours of autonomous work) that could be expanded as to include seminars and mockups in more specific subjects (safety at sea, migration and environmental disputes at sea, particular maritime contracts, etc.).

The objectives of the Curriculum are for trainees to be able to:

- Learn and identify the characteristics of a maritime mediation;
- Understand basic concepts of maritime law and mediation;
- Explain the phases and models of maritime mediations;
- Categorise any maritime disputes within the Maritime Taxonomy;
- Know and explore the skills of a mediator in the maritime field;
- Explaining competing and collaborative negotiation and conflict resolution methods;
- Mediate a maritime dispute according to the knowledge developed in the course, role plays and wrap-ups.

To be able to reach those goals, the following basic modules are proposed, as detailed below:

- Maritime law and mediation (1)
- Maritime mediator: characteristics (2)
- Key concepts and critical factors for mediation (3)
- Negotiation and conflict resolution (4)
- Mediation Process: Phases and Techniques (5)
- Conflict Handling in the Maritime Context (6)
- Models of mediation (7)
- Maritime Mediation: Role Play and Mockups (8)

This Curriculum was tested within the Intensive Training Program of the MediMARE project (held face-to-face in Portugal between the 19<sup>th</sup> and 30<sup>th</sup> of June 2023, program available at [https://medimare.eu/wp-content/uploads/2023/09/Brochure\\_INTENSIVETRAININGCOURSEONMARITIMEMEDIATION.pdf](https://medimare.eu/wp-content/uploads/2023/09/Brochure_INTENSIVETRAININGCOURSEONMARITIMEMEDIATION.pdf)), with 24 trainees. These trainees stated that their knowledge of maritime mediation increased with the course (48%), and their expectations were greatly exceeded (48%). This Curriculum could also be used in online environments with minor technical adjustments.

### **MODULE I: Maritime law and mediation**

#### **6 hours classes / 2 hours autonomous work**

The "Maritime Law and Mediation" module addresses basic concepts of maritime law, aiming to make the mediator aware of the concepts that can lead to disputes to be mediated.

Learning objectives	<ul style="list-style-type: none"> <li>• Know the main rules applicable in the maritime field.</li> <li>• Understand the key terminology in the maritime field.</li> <li>• Be aware of ways to resolve maritime disputes.</li> </ul>
Module program	<p>The module program consists of the following topics:</p> <ol style="list-style-type: none"> <li>1. Sources of international maritime law and main organisations.</li> <li>2. Terminology on Maritime Law <ul style="list-style-type: none"> <li>• UNCLOS' concepts: Territorial Sea, continental Platform, Contiguous Zone, Exclusive Economic Zone, right to innocent Passage.</li> <li>• Commercial terminology: Maritime agent, shipowner, cabotage. Captain, commander, container, vessel and ship, charterer, international transportation vs. Cabotage, Bunkers, etc.</li> <li>• Differentiation among the types of ships and implied warranties to their operations: Commercial and War Ships</li> <li>• Facts and Accidents of Navigation: Collisions, Salvage, General Average, Towage, Wreck Removal, Pilotage, etc.</li> </ul> </li> <li>3. International trade, transportation by sea and maritime insurance <ul style="list-style-type: none"> <li>• Carriage Contracts, Charter Parties (Voyage, charter parties and time charters); Bill of Lading; Incoterms, Demurrage,</li> <li>• Maritime Insurance (terminology, types, and coverage)</li> <li>• P&amp;I Clubs</li> </ul> </li> <li>4. Maritime Courts, Arbitration, and other dispute resolution mechanisms in maritime disputes.</li> </ol>
Teaching methodology	<p>The teaching methodology of the module consists of lectures, presentation of program contents with analysis of legal documents and resolution of case studies, independent work: study and reading of the main and complementary bibliography.</p>



Bibliography	<ul style="list-style-type: none"> <li>- AMBROSE, Clare; MAXWELL, Karen; COLLETT, Michael (2018). <i>London maritime arbitration</i>. 4 ed. Oxon: Informa Law from Routledge.</li> <li>- BAATZ, Yvonne (coord.) (2021). <i>Maritime Law</i>. 5. ed. Oxon: Informa Law.</li> <li>- HILL, Christopher (2014). <i>Maritime Law: Lloyd's Practical Shipping Guides</i>. 6 ed. Oxon: Informa Law from Routledge, 2014. E-book available at: <a href="https://books.google.pt/books?id=ch03DwAAQBAJ&amp;printsec=frontcover&amp;hl=pt-PT#v=onepage&amp;q&amp;f=false">https://books.google.pt/books?id=ch03DwAAQBAJ&amp;printsec=frontcover&amp;hl=pt-PT#v=onepage&amp;q&amp;f=false</a></li> <li>- XHELILAJ, Ermal (2022). "Legal instruments of the Law of the Sea related to the peaceful resolution of maritime disputes". <i>Scientific Journal of Maritime Research</i> 36, p. 123-127. Available at <a href="https://doi.org/10.31217/p.36.1.14">https://doi.org/10.31217/p.36.1.14</a>.</li> </ul>
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## **MODULE 2: Maritime mediator: Characteristics**

### **3 hours classes/ 1 hour autonomous work**

The "Maritime Mediator: characteristics" module focuses on learning the specific characteristics and skills required for a maritime mediator.

Learning objectives	<ul style="list-style-type: none"> <li>• Acquire knowledge of the necessary skills for a maritime mediator.</li> <li>• Understand how a maritime mediator should develop and acquire these skills.</li> <li>• Learn how to effectively manage personal conflicts as a maritime mediator.</li> </ul>
Module program	<p>The program of the module covers the following topics:</p> <ul style="list-style-type: none"> <li>• Characteristics and specific skills of the maritime mediator.</li> <li>• Emotional skills.</li> <li>• Ethical awareness.</li> <li>• Substantive knowledge.</li> </ul>
Teaching methodology	<ul style="list-style-type: none"> <li>• Lectures: Presentation of the program content, including the analysis of legal documents and resolution of case studies.</li> <li>• Autonomous work: Independent study and reading of the main and supplementary bibliography.</li> </ul>
Bibliography	<ul style="list-style-type: none"> <li>- BROWN, Henry &amp; MARRIOTT, Arthur (2019). <i>ADR: Principles and Practices</i>, 4 ed. Sweet &amp; Maxwell.</li> <li>- SU-MI, Lee (2019). <i>Good Mediator. Relational Characteristics of Effective Mediators</i>. Lexington Books.</li> </ul>

### MODULE 3: Key concepts and critical factors for mediation

3 hours classes/ 1 hour autonomous work

The "Key Concepts and Critical Factors for Mediation" module focuses on understanding maritime mediation's specific opportunities and challenges.

Learning objectives	<ul style="list-style-type: none"> <li>• Develop communication competencies.</li> <li>• Know about group dynamics.</li> <li>• Understand interests and positions.</li> <li>• Gain competencies to conduct a fair and inclusive process.</li> </ul>
Module program	<p>The program of the module covers the following topics:</p> <ol style="list-style-type: none"> <li>1. Key concepts that support maritime mediation:             <ol style="list-style-type: none"> <li>a. Communication.</li> <li>b. Group dynamics.</li> <li>c. Interests and positions.</li> </ol> </li> <li>2. Critical factors:             <ol style="list-style-type: none"> <li>a. Number of involved parties.</li> <li>b. Types of conflict.</li> <li>c. Status of conflict dynamics and escalation.</li> </ol> </li> <li>3. Factors for success:             <ol style="list-style-type: none"> <li>a. Problem definition and collective agenda.</li> <li>b. Trust-building processes, creativity, and flexibility.</li> <li>c. Inclusiveness, fairness, and transparency.</li> </ol> </li> </ol>
Teaching methodology	<ul style="list-style-type: none"> <li>• Lectures: presentation of the program content;</li> <li>• Interactive exercises;</li> <li>• Simulations and role-plays;</li> <li>• Auto-reflection and joint analysis of experiences;</li> <li>• Autonomous work: Study and readings.</li> </ul>
Bibliography	<ul style="list-style-type: none"> <li>- BUSH, R.A. B., FOLGER, J. P. (2004). The Promise of Mediation. The Transformative Approach to Conflict. Jossey Bass.</li> <li>- FISHER, R., et al. (2011). Getting to Yes: Negotiating Agreement Without Giving In. Penguin Books.</li> </ul>

	<ul style="list-style-type: none"> <li>- HARGIE, O. (2018). The Handbook of Communication Skills. Routledge.</li> </ul>
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**MODULE 4: Negotiation and conflict resolution**

**3 hours classes/ 1 hour autonomous work**

The "Negotiation and Conflict Resolution" module introduces basic knowledge of negotiation techniques, methodologies, and mechanisms for consensus-oriented conflict resolution in the maritime context.

Learning objectives	<ul style="list-style-type: none"> <li>• Learn about conflict resolution strategies.</li> <li>• Explore techniques for joint problem-solving.</li> <li>• Apply collaborative methodologies and creativity tools to support parties in decision-making.</li> </ul>
Module program	<p>The program of the module covers the following topics:</p> <ol style="list-style-type: none"> <li>1) Conflict analysis and conflict mapping</li> <li>2) Stakeholder Analysis - identification of the parties to be involved and selection.</li> <li>3) Composition of the mediators' team to address the conflict adequately.</li> <li>4) Ethics of Intervention and issues of fairness</li> <li>5) General Framework Conditions + Basic Logistic Demands. Process Design and Strategies for Conflict Resolution</li> </ol>
Teaching methodology	<ul style="list-style-type: none"> <li>• Lectures: presentation of the program content, including the analysis of legal documents and resolution of case studies.</li> <li>• Autonomous work: Independent study and reading of the main and supplementary bibliography.</li> </ul>
Bibliography	<ul style="list-style-type: none"> <li>- BRESLIN, W. J., et al. (2010). Negotiation Theory and Practice Program on Negotiation Harvard.</li> <li>- FISHER, R., et al. (2011). Getting to Yes: Negotiating Agreement Without Giving In. Penguin Books.</li> <li>- GARCIA, H. Fred (2012). The Art of Negotiation: How to Improvise Agreement in a Chaotic World. Pearson.</li> <li>- MOORE, C. (2014). The Mediation Process: Practical Strategies for Resolving Conflict, 4 ed. Jossey-Bass</li> <li>- SIEDEL, G. (2014). Negotiating for Success: Essential Strategies and Skills. Van Rye Publishing.</li> </ul>

## MODULE 5: Mediation Process: Phases and Techniques

6 hours classes/ 3 hours autonomous work

The "Mediation Process: Phases and Techniques" module intends to provide knowledge about the mediation process, its different stages, and the challenges involved.

Learning objectives	<ul style="list-style-type: none"><li>• Know how to prepare a mediation process.</li><li>• Learn about the stages and phases of the mediation process.</li><li>• Be aware of the mediators' challenges in conducting a mediation towards agreement.</li></ul>
Module program	<ol style="list-style-type: none"><li>1. Preparation of mediation</li><li>2. Inventory of topics to be addressed.</li><li>3. Exploring the parties' perspective(s) towards the conflict</li><li>4. Exploring positions, interests, and needs.</li><li>5. Venting of emotions</li><li>6. Generation of alternatives</li><li>7. Selection and adaptation of feasible options</li><li>8. Negotiation and celebration of the agreement</li><li>9. Final decisions (monitoring, test of robustness).</li></ol>
teaching methodology	<ul style="list-style-type: none"><li>• Lectures: presentation of the program contents.</li><li>• Interactive exercises</li><li>• Simulations and Roll-Plays</li><li>• Auto-reflection and joint analysis of experiences</li><li>• Autonomous work: study and readings.</li></ul>
Bibliography	<ul style="list-style-type: none"><li>- ASARE, I. (2019). Mediation Process: Mediation Step by Step. Kindle Edition.</li><li>- GOLDBERG, S., et. al (2020). Dispute Resolution: Negotiation, Mediation, Arbitration, and Other Processes. 7 ed. Aspen Publishing.</li><li>- MOORE, C. (2014). The Mediation Process: Practical Strategies for Resolving Conflict. 4 ed., Jossey-Bass.</li></ul>

## MODULE 6: Conflict Handling in the Maritime Context

**6 hours classes / 3 hours autonomous work**

The "Conflict Handling in the Maritime Context" module provides students with knowledge about seafarers' work and life and some examples of conflicts and conflict-solving in the maritime industry.

Learning objectives	<ul style="list-style-type: none"> <li>• Be aware of organisational conditions for seafarers.</li> <li>• Know examples of conflicts and conflict-solving on different levels among seafarers and maritime</li> <li>• Apply a framework for understanding disputes that arise from maritime issues (a taxonomy/classification of maritime conflicts).</li> </ul>
Module program	<ol style="list-style-type: none"> <li>1. 1.Organizational conditions for seafarers: Working conditions. Group dynamics, power and trust on board. Relations with onshore office and society. Regulations and procedures. Professional culture and seamanship.</li> <li>2. Examples of conflict solving among maritime actors: Social negotiations on board. Manager and leadership skills. Training inter-organisational and multipartite dialogue.</li> <li>3. Taxonomy of maritime conflicts: A framework for understanding disputes arising from both public and private issues, formal and informal issues. Relevant for discussing actors, topic category, and severity of existing and potential disputes.</li> </ol>
Teaching methodology	<ul style="list-style-type: none"> <li>- Lectures based on empirical qualitative studies and research about the maritime industry</li> <li>- Group discussions and practical exercises</li> <li>- Individual work: studies of the bibliography.</li> </ul>
Bibliography	<ul style="list-style-type: none"> <li>- Haavik; Størkersen; Antonsen (2022). A taxonomy of maritime disputes as a foundation for mediation. Report from the MediMare project, available at <a href="https://medimare.eu/wp-content/uploads/2022/07/Taxonomyreport-web.pdf">https://medimare.eu/wp-content/uploads/2022/07/Taxonomyreport-web.pdf</a></li> <li>- Størkersen, Kristine (2015). "Survival versus safety at sea. Regulators' portrayal of paralysis in safety regulation development". Safety science.</li> <li>- Lamvik; Wahl; Pettersen Buvik (2010). "Professional culture, work practice and reliable operations in shipping". Reliability, Risk and Safety: Theory and Applications.</li> <li>- Wahl, Aud Marit (2017). "Leadership @ sea: Essential nontechnical skills". Safety and Reliability. Theory and Applications</li> </ul>

## MODULE 7: Models of mediation

### 3 hours classes/ 1 hour autonomous work

The "Models of Mediation" module intends to give knowledge about the various mediation models that can be used in (or at times of) maritime mediation and are distinguished above all by their strategic objectives.

Learning objectives	<ul style="list-style-type: none"><li>• Know about the main mediation models applied in the maritime field.</li><li>• Know when to use each model.</li></ul>
Module program	The program content of the module includes the following mediation models: 1) the Model of the Harvard School Principles; 2) the Circular Narrative Model; 3) the Transformative Model.
Teaching methodology	<ul style="list-style-type: none"><li>• Lectures: Presentation of the program content with the analysis of legal documents and resolution of case studies.</li><li>• Autonomous work: Study and reading of the main and complementary bibliography.</li></ul>
Bibliography	<ul style="list-style-type: none"><li>- FISHER, Roger, URY, William, PATTON, Bruce (1999). Getting to Yes: Negotiating an Agreement Without Giving In, 2<sup>a</sup> ed., Random House Business Books.</li><li>- COBB, Sara (1994). "A narrative perspective on mediation: towards the materialisation of the "storytelling" metaphor", New Directions in Mediation: Communication Research and Perspectives, Edit. Joseph Folger e Tricia Jones, Sage Publications, pp. 48-66;</li><li>- SUARES, Marinés (1996). Mediación, conducción de disputas, comunicación y técnicas, 1<sup>a</sup> ed., Editorial Paidós.</li><li>- BUSCH, Robert &amp; FOLGER, Joseph (2004). The Promise of Mediation: The Transformative Approach to Conflict, Jossey Bass.</li></ul>

## MODULE 8: Maritime Mediation: Role Play and Mockups

### 3 hours classes/ 1 hour autonomous work

The "Maritime Mediation: Role Play and Mockups" module focuses on the practical application of maritime mediation cases.

Learning objectives	<ul style="list-style-type: none"><li>• Apply knowledge acquired during the course.</li><li>• Know the main traits of maritime mediation.</li><li>• Conduct a mediation maritime process.</li></ul>
Module program	<ul style="list-style-type: none"><li>- This module has a practical vein and urges the course participants to practice their learned abilities.</li><li>- Explain and explore examples of maritime mediation.</li></ul>

Teaching methodology	<p>Role plays and mockups</p> <p>Use of dramatizations and models</p>
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Program Operator



Promoter



INSTITUTO JURÍDICO  
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Partners

