

Report of GEMME Board of December 2005, the 7th - Cour de Cassation - Paris

Were present: Guy CANIVET, President, *Béatrice BLOHORN-BRENNEUR*, Secretary, *Jacques CLAVIERE-SCHIELE* Secretary assistant, *Jean-Luc PIERRE*, Treasurer, *Gabrielle VONFELT*, *Christopher STRECKER*, *Eric BATTISTONI*, *Marco BOUCHARD* elected members, *Marie-Paule REGNAULT LUGBULL* as the French section representative, *Gavin LIGHTMAN* as the English section representative, *Eberhard CARL* as the German section representative, *J.O. CARDONA FERREIRA* standing in for *Albertina AVEIRO PEREIRA*, representative of the Portuguese section, *Jean MIRIMANOFF*, representative of the Swiss section
In presence of *Danièle GANANCIA*, French judge and *Mathew THORPE*, English judge.

Translation was done by Anne-Laure FRANCOIS and Jennifer ESCORCIA.

Were excused: Mr VEROUGSTRAETE, vice-president, Marijke SCHOLTEN, representative of the Dutch section, Mrs Maria Giuliana CIVININI, representative of the Italian section.

Were absent: Mrs CASTIN, elected member, Mrs TARRAZON, representative of the Spanish section, Henri FUNCK, representative of the Belgian section.

M. CANIVET starts the meeting at 6 pm. The following subjects are being discussed :

Rome colloquial (The 18th of March 2006)

Marco BOUCHARD confirms that the colloquial will be held at that time. The program will be ready in 3 weeks. It will consist of two subjects : the Italian system and the good European practises. It will be held in partnership with the National Association of Italian Judges, the Union of the Chambers of Commerce (which will give us a financial contribution) and the High Council for Judges (the colloquial will take place in their premises). We got in touch with the Ministry of Justice, the National Bar Association and the Federation of Italian Peace Judges.

Gavin LIGHTMAN suggests to have the speeches already written down.

M. CANIVET points out that Mr BARBE, who is a liaison judge in Rome could be contacted at the French Embassy in Rome.

The board will take place on March the 17th at 4 pm in Rome at the High Council.

The general meeting will take place after the colloquial (accounts approval, moral report, resignation of the Board and new elections).

The new Board will meet after the general meeting to elect the new Council.

M. CARDONA FERREIRA wishes to organise **a colloquial in Portugal in 2006** with GEMME participation. Its aim would be to develop mediation and to broaden its implementation in other areas than peace courts where it is currently confined.

M. CANIVET points out that **the European Supreme Courts President Network has started works on a questionnaire basis**. He proposes that GEMME take it over. The resolution is adopted unanimously.

GEMME intermediary accounts (up to October 2005, the 14th) are approved.

Answer to the European Parliament.

Jacques CLAVIERE has answered Arlene Mc CARHY' s questionnaire, she is a European Member of Parliament and the reporter of the Directive Proposal to the European Parliament. Jacques CLAVIERE made a synthesis of the received answers. He thanks Gabrielle VONVELT and Mr CARDONA FERREIRA for their

very detailed answers.

The directive should be implemented in 2007.

Running of the work groups

Mr CARDONNA FERREIRA thinks that a person in charge should be appointed. He or she would be take care of the communication with the national sections.

Danièle GANANCIA proposes to create and run a work group on border family conflicts in the European judicial space. The proposal has been adopted and the group is therefore created.

Lord THORPE says that when he comes back to London, he will get in touch with some persons in order to help us to develop family mediation.

It should be interesting to create a work group composed of GEMME members of each country and in touch with the international judicial networks.

The chat list managed by Lexum (Canada) does not work. It is decided to look for candidates but Marco BOUCHARD thinks that it is too early because there is no precise subjects to discuss yet.

Marie-Paule REGNAULT-LUGBULL will send to GEMME the e-mail addresses of its members.

Jean MIRIMANOFF requests that the names of the persons in charge in each national section be written down on the website.

National training to communication skills with European opening

B. BRENNEUR points out the judge Patrick ROSSI of the Court of Appeal of DOUAI got in touch with her and asked GEMME to organize an information session on mediation for the conciliators and judges. It would be followed by a session on conciliation techniques in May 2006. The same training is been asked by the Court of Appeal of PAU.

The trainings of PAU and DOUAI are decided.

It is decided to **create a work group in charge of finalizing a training** program run by Eric BATTISTONI. Gabrielle VONFELT and Béatrice BRENNEUR wish to join it.

Creation of a reference list of mediators.

As the Board did not agree on that matter, some were thinking that the creation of such a list be dangerous (Gavin LIGHTMAN and Jean MIRIMANOFF), others that it is only about the spreading of information (Jacques CLAVIERE, Gabrielle VONFELT and Eberhard CARL), it has been decided to think about it.

It has been decide that Eric BATTISTONI draft a questionnaire so that each member of the Board can give a detailed opinion.

The Website

As soon as possible, GEMME will have its own site. Mr CANIVET suggests to get in touch with Mrs ZIND of the secretaryship of the Cour de Cassation. We should ask for interested persons to update the website.

The representatives of each national section will give the names of the correspondents in charge of the updating of the site. They will have to produce reflection articles.

The meeting ended at 8 pm.