



EU Directive on certain aspects of mediation in civil and commercial matters

Directorate-General Justice
Unit A.1 Civil justice policy

Scope

'Civil and commercial matters' include mediation in family, consumer and employment matters

Limitation to 'cross-border cases', but broad definition:

parties' domicile or habitual residence in different MS

Member States are free to apply the Directive also to internal mediation processes



Contents of the Directive – Five basic rules

Ensuring quality of mediation

Recourse to mediation

Enforceability of settlement agreements

Confidentiality of mediation

Effect of mediation on limitation and prescription periods



Implementation

Entry into force on:	13 June 2008
Transposition by:	21 May 2011

Guidance to Member States to ensure the proper transposition of the Directive into national law

Continuing cooperation with other international organisations active in the area, such as the Council of Europe and UNCITRAL

Provision of funding for mediation training through Specific Programme 'Civil Justice' (2007 - 2013)