Mediation, Arbitration & Negotiation for Conflict Resolution

Learning effective and efficient dispute resolution processes, skills and techniques to minimise the costs of conflict, and achieve a long-lasting agreements and understanding

Sheraton Doha Resort & Convention Hotel

21st & 22nd June 2009

“When life hurls rocks at you it is up to you to build a wall or a bridge”

Conflict resolution means harnessing the power and productivity of our differences while maintaining constructive communication at all times - the desired result being a mutually satisfying, innovative and creative solution.

Your course trainer:
Raphael E. Lapin Founder & Principal Conflict Management Negotiation & Mediation

Some of Raphael’s clients include:
• AT&T
• Yahoo!
• United States Air Force
• USAID
• York International
• British Telecom
• US Embassy of Kuwait
• Alliance for Pediatric Quality
• American Institutes for Research
• Turner Construction
• Child Health Corporation of America
• Premier
• Johnson Controls Inc.

Pre-course questionnaire
To ensure that you gain maximum benefit from this training, a detailed questionnaire will be sent to you to establish exactly where your training needs lie. The completed forms will be analysed by the course trainer. As a result, we ensure the course is delivered at an appropriate level and that relevant issues will be addressed. The comprehensive course material will enable you to digest the subject matter in your own time.

Gain value from this unequalled interactive session by securing expert advice on these vital issues:
• Understanding the advantages/disadvantages of the various dispute resolution processes
• Deciding the most appropriate process for your situation to resolve dispute
• Learning a systematic process framework for conducting negotiations to achieve optimal outcomes and strong relationships
• Implementing effective mediation skills and technique
• Working closely with mediators to enhance the resolution process
• Developing effective communication skills for managing the negotiation and mediation process
• Dealing with difficult people and strong emotions
• Drafting dispute resolution clauses in contracts to avoid or minimize costs of disputes
• Designing and implementing conflict management systems in organisations to respond to conflict constructively and efficiently with minimum risks and costs.

marcus evans training courses are thoroughly researched and structured to provide intense and intimate practical training applicable to your organisation. Benefits include:
• Strictly limited seats
• Pre-course questionnaires
• An in-depth tailored programme to address current concerns
• Diverse real life case examples
• Comprehensive course documentation

*Early Bird & Group Discounts
Ask about our savings

Endorser
Official Business Magazines
Official Online Partner

marcus evans
professional training
Session One

Analysing the available alternative dispute resolution processes to resolve disputes efficiently

- Learning about the differences between mediation, arbitration and negotiation
- Looking deeper into the consequences of mediation and arbitration to resolve disputes
- When to use negotiation, mediation, arbitration or litigation
- Introducing a process framework for negotiation and mediation
- Developing an organisational culture of collaborative conflict resolution

Case study: Contrasting the use of arbitration and mediation

Session Two

Applying advanced communication skills to effectively convey messages

- Overcoming the barriers for effective communication
- Listening attentively to avoid further disputes escalation
- Making sure to be heard and understood throughout the dispute processes
- Building trust and rapport by exchanging perceptions positively and continuously
- Dealing with emotions during the process of dispute resolution
- Mastering the art of “confronting without confrontation”
- Understanding the difference between positions and interests
- Getting past resistance and impasse by understanding the true needs as opposed to stubborn positions
- Using questions skilfully and deliberately to uncover true interests
- Preparing oneself for a negotiation or mediation

Exercise: reinforcing advance communication skills through perception exchange exercise

Case study: Raleigh/ Nippon joint venture to illustrate positions/ interests

Session Three

Reaching optimal agreements by uncovering the true concerns among parties involved

- Exchanging and understanding the interests of both parties for effective mutual agreements
- Defining the problem to be solved with the “bridging question”
- Engaging the other party in the design of solutions
- Generating options for mutual gain and creating value
- Building a framework agreement with compliance and commitment

Case study: continuation of Raleigh/ Nippon joint venture

Role play: Introducing a relevant role play stimulation exercise for an advanced business negotiation

Session Four

Balancing negotiation power to successfully control and reach resolution

- Understanding the best alternative and their impact on negotiations
- Using alternatives to neutralise threats
- Insisting on standards of legitimacy independent of either party’s will to protect oneself and to create a fair agreement
- Keeping negotiations on a productive track by dealing effectively with tactics and tricks played

Role Play: Continuation of role play stimulation exercise

Session Five

Managing conflict across cultures and borders and in different working environments

- Equipping oneself and being open to the culturally different perceptions and values
- Conducting conflict authentically by addressing the commonality to transcend cultural differences
- Tailoring the right languages used in the contract to avoid further dispute escalation

Case study: Underscorining culturally different perceptions and values

Concluding the course of Day One

Reviewing the course and answering the questions of the attendees

Why you cannot miss this event

In the current situation, many projects are being postponed, delayed or cancelled here in the Middle East and other parts of the world. This climate typically brings in its wake, conflicts, disputes, disagreements and other issues often involving multiple stakeholders. Having the skills and processes to navigate and resolve these disputes with minimum costs while preserving business relationships is of paramount importance.

Understanding the various laws and regulations that govern contracts and dispute resolution in the region is crucial to be able to make informed decisions about the process of choice. Choosing the appropriate approach for dispute resolution can make a significant difference in the quality of the resolution and the relationship between the parties.

By attending this unique training course, led by an internationally renowned dispute resolution expert, delegates will explore all types of mediation, arbitration and negotiation techniques at the strategy, business and technology levels using a variety of theoretical and practical exercises. In addition, case studies of regional and international relevance will be discussed. This training will equip participants with the necessary knowledge and tools to utilise new and existing resources to effectively communicate and negotiate on a global scale. This programme combines knowledge, education, skills and techniques relating to dispute resolution.

The sessions include relevant case studies, exercises, role-play simulations, practice, and mock negotiations/mediations. Video examples of real life negotiations and mediations will also be used to reinforce and enhance learning.

About the Endorser

IACCM is comprised of executives, managers and senior practitioners who are responsible for Commercial, Contract Management, Sourcing, Supply Chain or in-house counsel.

IACCM’s objective is to raise the status, profile and professionalism of contracting by focusing on personal and functional excellence, our members gain from access to knowledge, contacts and training that differentiates members from non-members, enhancing careers.

IACCM has regional conferences in the Americas, Europe and Asia, addressing both strategic and transactional skills.

IACCM has a unique model supporting its global operations through web-based technologies via http://www.iaccm.com, to service our members, resulting in dynamic capabilities in terms of research, communication, professional development.

About the Official Business Magazines

Celebrating 10 years of publication, Gulf Business has remained the region’s premier English-language business magazine. Gulf Business’s country reports, landmark features and incisive analysis of business news reflects the local market like no magazine has done before.

The definitive Middle East publication for meetings, incentive travel, conferences, exhibitions and events. Middle East MICE & Events provides authoritative, informative and educational content for MICE books and event planners, hospitality industry professionals, venue managers, travel agents, airlines and government tourism departments.

Catering for everyone from the secretary booking board meetings to leading multinational corporate executives, Middle East MICE & Events covers both in-bound and out-bound MICE business, with regular features including destination reports, what’s new, people on the move and advice such as getting the basics right, site inspections and planners check-list.

For more information, please visit: www.memicee.com

About the Official Online Partner

Zawya is an online business information and community platform focused on the Middle East. Headquartered in Dubai, Zawya has a global user base of over 350,000+ high-end business professionals.

Zawya covers detailed information on the top 12,000+ companies in the Middle East with comprehensive live news coverage through the exclusive Zawya Dow Jones newswire service. Furthermore, the service provides industry news, macroeconomic reports, country statistics, stock market data as well as specialized databases such as IPO, Sukuk, Mutual Funds, Projects and Private Equity monitors.

In addition to subscription services, Zawya offers advertisers the ability to target the most affluent online audience with an interest in the MENA region. Zawya’s online service caters to and attracts only serious professional users and decision makers as it has the only fee paying user base in the region.

Visit us today at www.zawya.com

marcus evans would like to thank everyone who has helped with the research and organisation of this event, particularly the trainer, who has kindly committed and supported the event.
Day 2
Monday 22nd June 2009

Session One
Deciding on the most suitable dispute resolution process: Mediation vs Arbitration

- Introducing the fundamentals of mediation and arbitration
- Facilitative mediation vs evaluative mediation
- Applying both mediation and arbitration into a framework to reach an agreement efficiently
- Pinpointing the key difference of mediation and arbitration between the US and Middle East
- Escalation and de-escalation associated with different dispute resolution processes

Case study: Landmark corporate disputes that were resolved through both mediation and arbitration

Session Two
Designing Alternative Dispute Resolution (ADR) clauses in contracts

- Understanding the purpose of an ADR clause to support a fair agreement
- Evaluating the elements of a well structured ADR clause in a contract
- Examining the implications of an effective ADR clause
- Drafting ADR clauses to include in contracts

Case study: Looking into the Shell corporate wide conflict management system design and implementation

Exercise: Designing and drafting an ADR clause for a contract

Session Three
Implementing the right process while staying in compliance with the local and international law

- Overview of local and international law relating to mediation, arbitration and negotiation
- Understanding the different arbitration institutions in the Middle East
- Reviewing legal landmines to be aware of
- Identifying related ethical issues throughout the process of dispute resolution while staying in compliance
- Analysing new standards for mediation, arbitration and negotiation and professional development for better practice

Session Four
Handling dispute with the right approach under an uncertain situation through conflict audit

- Identifying proactive and reactive measures designed to manage and resolve disputes
- Reviewing the contract signed by both parties to avoid further dispute escalation
- Implementing a risk management strategy for early analysis and detection of conflict
- Considering a well drafted contract to handle disputes effectively

Concluding the course of Day Two

Reviewing the course and answering the questions of the attendees

Who should attend
Primary: (100%) across all industries
Managing Directors, CEOs, CDOs, Presidents, Vice Presidents, General Managers, Supervisors, Heads of:
- Project Professionals
- Legal Advisors
- Mediators
- Development Managers
- Government Authorities
- Contract Advisors
- Arbitrators
- Sale & Marketing Managers
- Business Procurement and Purchasing Managers

From the full spectrum of industries including but not limited to:
- Real Estate & Properties
- Oil and Gas
- Heavy Industries
- Conglomerates & Family Owned Businesses
- Retailing & Manufacturing

About your course trainer
Raphael is a Harvard-trained negotiation specialist, and serves as negotiation consultant to Fortune 500 corporations and governments globally. He is the principal and founder of Conflict Management, Inc, a negotiation and conflict management training and consulting group specialising in negotiation, collaboration building, facilitation, arbitration and mediation as well as group process consulting and cross cultural issues. Raphael has lived and worked in many countries around the world which brings an international richness to his work. He has consistently helped his clients maximize revenue and save costs by maximizing negotiated agreements and resolving conflict swiftly, amicably, wisely and fairly.

He has authored articles on negotiation, dispute resolution and corporate and diplomatic relationship building and has made presentations at professional conferences. His personal prior experiences as a negotiator himself ensure his workshops remain practical and realistic. He is a syndicated columnist for the Silicon Valley Business Journal on negotiation strategies. He has been commissioned by DK Publishers of London to write a book for their Essential Managers Series called “Working with Difficult People” which was published in May 2009. He has served on the board of the Northern California Mediation Association and is an advanced practitioner member of the Association for Conflict Resolution and a professional member of Institute of Management Consultants

Testimonials from other Raphael E. Lapin & Associates workshops include:
- “I am a pretty “hard sell” on these types of classes, but I must say that this class was excellent! It changed my whole approach to negotiation and managing conflict. I would urge that this class also be highly recommended for our wider executive management... it would greatly increase our revenue and the efficiency in how we conduct business.”
  Manager

Voice Network Design - British Telecom London

- "Just to let you know that the “Negotiation” session was a learning experience for me and opened my eyes on skills that can use my daily work. It has already saved us significantly and we have negotiated far better contracts since the training. We have already gotten 500 percent returns on the training of one month ago. I would make this course mandatory for all other executives, directors and managers”
  Service Product Introduction Manager

AT&T

- “Raphael - Nothing but the highest of praise out of top executive - Thank you “
  Dick Dorais Executive Vice President Western Region

- “The best training session I have ever attended”. The fact that Dick has retained your mediation and negotiation services for our problem with our major client project also speaks volumes. Thanks for such excellent results!
  Paul Petterson VP

Turner Construction Company (The Palms Project, Dubai)

- “Raphael provides advanced negotiations training for our contracting group utilizing principles of the Harvard Law School Negotiation Project from where he graduated. He is extremely grounded in the principals of negotiations and creating a win-win scenario for all parties. Raphael has helped our contract negotiators to be better suited in handling difficult situations and reaching dramatically better agreements and solutions. All in all, Raphael is an excellent facilitator, coach and teacher.”
  Pat Lapekas VP Process Management

Premier Inc, (Group Purchasing for the healthcare industry)

Programme Schedule
0800 Registration & Morning Coffee
0845 Start of Workshop
1015 Morning Refreshments & Networking Break
1030 Workshop
1200 Networking Luncheon
1315 Workshop
1445 Afternoon Refreshments & Networking Break
1500 Workshop
1630 End of Workshop

In-House Training Solutions
If you have a number of delegates with similar training needs, then you may wish to consider having an In-House Training solution delivered locally on-site. Course can be tailored to specific requirements.
Please contact Sarah Faradilla on +603 2723 6600 or email sarahf@marcusevanskl.com to discuss further possibilities.
Register Now
Contact Marketing at marcus evans
Tel: +603 2723 6604
Fax: +603 2723 6699
Email: bernardinem@marcusevanskl.com

Date: 21st & 22nd June 2009
Venue: Sheraton Doha Resort & Convention Hotel

Hotel Accommodation
Accommodation is not included in the training fee. To reserve accommodation at the training venue, please contact the hotel at (+974) 485 4447 and make it clear that you are attending marcus evans training event quoting ME-GMT1412 as a reference.

marcus evans
CP 21 Suite 2101, Level 21 Central Plaza
34 Jalan Sultan Ismail, 50250 Kuala Lumpur
Malaysia
www.marcusevans.com

Payment Method
Payment is required within 5 working days on receipt of invoice

Credit Card:
Please debit my [ ] Visa [ ] Mastercard [ ] Amex [ ] Diners
Card Holder’s Name: ____________________________
Card Number: ____________________________
Expiry Date: ____________________________
Security Code: ____________________________

Confirmation Details: After receiving payment a receipt will be issued. If you do not receive a letter outlining joining details two weeks prior to the event, please contact the training coordinator at marcus evans.

Terms & Conditions
1. Fees are inclusive of programme materials and refreshments.
2. Payment Terms: Following completion and return of the registration form, full payment is required within 5 days from receipt of invoice. PLEASE NOTE: payment must be received prior to the conference date. A receipt will be issued on payment. Due to limited conference space, we advise early registration to avoid disappointment. A 50% cancellation fee will be charged to bookings carried a 50% cancellation liability immediately after a signed sales contract has been received by marcus evans (as defined above). Cancellations must be received in writing by mail or fax six (6) weeks before the conference is to be held in order to obtain a full refund for any future marcus evans conference. Thereafter, the full conference fee is payable and is non-refundable. The service charge is completely non-refundable and non-creditable. Payment terms are five days and payment must be made prior to the start of the conference. Non-payment or non-attendance does not constitute cancellation. By signing this contract, you agree to be bound by the terms and conditions set out below. We reserve the right to refuse admission if payment is not received on time. Unless otherwise stated on the booking form, payment must be made in pounds sterling.
3. Cancellation/Substitution: Provided the total fee has been paid, substitutions at no extra charge up to 14 days before the event are allowed. Substitutions between 14 days and the date of the event will be subject to an administration fee of equal to 10% of the total fee that is to be transferred. Otherwise all bookings carry a 50% cancellation liability immediately after a signed sales contract has been received by marcus evans (as defined above). Cancellations must be received in writing by mail or fax six (6) weeks before the conference is to be held in order to obtain a full refund for any future marcus evans conference. Thereafter, the full conference fee is payable and is non-refundable. The service charge is completely non-refundable and non-creditable. Payment terms are five days and payment must be made prior to the start of the conference. Non-payment or non-attendance does not constitute cancellation. By signing this contract, you agree to be bound by the terms and conditions set out below. We reserve the right to refuse admission if payment is not received on time. Unless otherwise stated on the booking form, payment must be made in pounds sterling.
4. Copyright etc: All intellectual property rights in all materials produced or distributed by marcus evans in connection with this event is expressly reserved and any unauthorized duplication, publication or distribution is prohibited.
5. Client information is kept on marcus evans group companies database and used by marcus evans group companies to assist in providing selected products and services which maybe of interest to the Client and which will be communicated by letter, phone, fax, (inc. automatic dialling) email or other electronic means. If you do not want marcus evans to do this please tick this box [ ]. For training and security purposes telephone calls may be recorded.
6. Important note: While every reasonable effort will be made to adhere to the advertised package, marcus evans reserves the right to change event dates, sites or location or omit event features, or merge the event with another event, as it deems necessary without penalty and in such situations no refunds, part refunds or alternative offers shall be made. In the event that marcus evans permanently cancels the event for any reason whatsoever, (including, but not limited to any force majeure occurrence) and provided that the event is not postponed to a later date nor is merged with another event, the Client shall receive a credit note for the amount that the Client has paid to such permanently cancelled event, valid for up to one year to be credited to a future conference. Event programme content is subject to change without notice.
7. Governing law: This Agreement shall be governed and construed in accordance with the law of Britain and the parties submit to the exclusive jurisdiction of the British Courts in Britain. However marcus evans only is entitled to waive this right and submit to the jurisdiction of the courts in which the Client’s office is located.