

ALTERNATIVE DISPUTE RESOLUTION



Litigious Love:
Same-sex Couples and
Mediation in the European Union



Funded by the Civil Justice
Programme of the
European Union

ADR AND ITS PRECURSORS

- Emergence of ADR in late twentieth century
- However, impulses toward informalism at all times and in all societies
- Debates
- A2J
- Fitting the Forum to the Fuss

HOW DOES A DISPUTE ARISE?

- Social dimension
- Naming, Blaming, Claiming

TYOLOGY OF RESPONSES

- Avoidance
- Apology
- Self-help
- Negotiation
- Mediation
- Umpiring

NEGOTIATION

- Disputants try to find a solution by themselves

MEDIATION

- Third neutral party helps disputants to communicate and come to an agreement

UMPIRING

- Third neutral and impartial party decides

ISSUES

- power imbalances
- lack of communication
- domestic violence
- privacy
- regulation