

## ADVISORY BOARD

### Hans Beekhuis

*Former Member of Council of State*

### Evert J. van den Bergh

*Mediator, Former Member of the Board of Directors ExxonMobil Benelux NL*

### Suzanne Drion

*The Confederation of Netherlands Industry and Employers (VNO-NCW)*

### Prof. A. Jan A.J. Eijsbouts

*Mediator, Professor of Corporate Social Responsibility, Former Chief Legal Officer AKZO Nobel N.V.*

### Fred C.A. van Haasteren

*Chairman Randstad Group Netherlands Board of Directors VNO-NCW*

### Jeremy Lack

*Neutral and Lawyer in Geneva, Switzerland, London & New York*

### Dolph G.A. Stuyling de Lange

*Coach, legal counsel, Former Managing Director Allen & Overy*

### Piet A. Wackie Eysten

*Mediator, arbitrator and Attorney in The Hague*



## EXECUTIVE BOARD

### Manon A. Schonewille

#### **President**

*IMI certified, Legal Mediator and JAMS International neutral*

### Annet Draaijer

#### **Secretary/Treasurer**

*NMI register and IMI certified Mediator and Legal Counsellor*

## Corporate representation

ACB Foundation is a not-for-profit organisation that promotes and negotiation, conflict management and the use of mediation in the private sector and is a knowledge center for companies, advocating the interests of the private sector in the field of legal and commercial dispute resolution and prevention. ACB is specialised in quality control of qualified neutrals and mediation advocates, negotiation professionals, selection of Dispute Resolution processes and training programs for business and legal mediators and mediation advocates. The aim of the foundation is to promote the use and quality of commercial negotiation and deal making in general as well as alternative dispute resolution in commercial conflicts especially. The foundation was formed in 1998 by (legal) professional associations and businesses including the Confederation of Netherlands Industry and Employers VNO-NCW that saw a need for a high-quality infrastructure in the field of conflict management and commercial mediation representing their interests.

## Conflict Management and Negotiation Research Center

Through market research, ACB develops ADR knowledge for the private sector. The foundation has participated in a report on setting up Dispute Review Boards, conducted a market survey on the use and non-use of commercial mediations among Dutch companies, researched and published quantitative and qualitative analysis of mediation and mediator performance, as well as publishing recommendations for initiating in-company conflict management systems. The foundation also set up the criteria for the selection process of mediators for the court connected projects in The Netherlands and researched and managed a pilot project on mediation for the 'environmental disputes chamber' of the Dutch State Council.

## Quality control and resource institute

ACB offers independent IMI Reviewer Services and post experience assessments for international commercial mediators who want to become certified by the International Mediation Institute, IMI. Moreover the foundation assists with quality control for associated mediation institutions like Result ADR Center for Businesses as well as assessment of training programs targeted at educating mediation advocates and mediators suitable for commercial dispute resolution and negotiation.

The foundation offers the private sector a resource institute where they can refer to for recommendations regarding business mediation, ADR providers, as well as training programs.

## SERVICES and ACTIVITIES

- IMI Review services
- Post Training Assessment for Business Mediators and Legal Mediators (family and business)
- IMI certification for mediators, Post Experience Assessment for Business Mediators and Legal Mediators
- Intercultural Mediator Qualifying Assessment Programs for IMI certification
- Mediation Advocate/Advisor Qualifying Assessment Programs for IMI certification
- Conflict analysis
- Procedure to support parties in selecting and find the right mediator
- Research and knowledge Center
- Corporate Representation
- Guidelines for business mediator and Legal Mediation trainings
- Guidelines and criteria for good Mediation Advocacy practices
- Information portal



ACB - Corporate ADR & mediation

Singel 540  
1107 AZ Amsterdam  
The Netherlands

[www.ACBMediation.nl](http://www.ACBMediation.nl)  
[foundationACB@gmail.com](mailto:foundationACB@gmail.com)



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## Mediation

Alternative Dispute Resolution is the common term for a number of new forms of dispute settlement involving neutral third parties.

The most common form is mediation.

A distinguishing feature of mediation is that parties do not present their dispute for decision-making by a third party: the solution remains in their own hands. The mediator does not impose any decisions on the parties. Because the parties are not tied to a limited legal spectrum, genuine business solutions are possible.

Mediation is fast and efficient, and saves costs. It also means that a conflict can be solved while retaining workable relations.

## Management tool

Mediation is consistent with the dynamics of the private sector. The dialogue between the parties continues, but this time under the leadership of an experienced mediator and according to certain rules of play. It can be seen as negotiating under the supervision of a neutral coach. The mediator can also speak with each party individually in a caucus. This often provides new perspectives. Naturally, the parties themselves decide which information the other side may receive. Mediation does not focus on evidence of individual positions or the past, but on quickly obtaining a forward-looking solution that is based on interests.

## Corporate governance and CSR

Companies need to take measures relating to corporate governance. Risk management is an important tool for internal corporate governance. Conflicts that are not well-managed can have major consequences for a business, such as financial consequences, reputational damage, legal consequences, unrest among the staff and lower operating results. Efficient conflict management is therefore fundamental to risk management. With mediation, a company remains in control.

