

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 CLO AKZO Nobel N.V.

Drs. P. de Haan

Chief Legal Officer DSM N.V.

Fred C.A. van Haasteren

Chairman Randstad Group Netherlands Board of Directors VNO-NCW

Jeremy Lack

Mediator and Lawyer in Geneva, Switzerland, London & New York

J.H. Schraven

Deputy Chairman Corus Group plc

Dolph G.A. Stuyling de Lange

Partner Langhof Advies, former Managing Director Allen & Overy

Piet A. Wackie Eysten

Mediator and Arbitrator, former partner De Brauw



Corporate representation

ACB Foundation is a not-for-profit organisation that informs and advises companies on conflict management and the use of mediation, and is specialised in quality control and selection of qualified mediators. The aim of this foundation is to promote the use and quality of appropriate dispute resolution in commercial conflicts.

The foundation was formed in 1998 by (legal) professional associations and businesses that saw a need for a high-quality infrastructure in the field of conflict management and commercial mediation representing their interests.

ACB was in 2004 appointed by the Confederation of Netherlands Industry and Employers VNO-NCW as the mediation organisation for the Dutch private sector. The foundation promotes the interests of the private sector in the field of commercial dispute resolution and prevention.

Conflict Management 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

ACB offers independent IMI Reviewer Services and will also assess international commercial mediators who want to become accredited by the International Mediation Institute, IMI.

Moreover the foundation assists with quality control for associated mediation institutions like Result ACB.

Mediation

Alternative or Appropriate 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.

EXECUTIVE BOARD

Manon A. Schonewille
President

Director of Toolkit Company, Co-Chair of the International Committee of the Dispute Resolution Section of the American Bar Association (ABA), International Mediation Institute (IMI) Advisory Board Member and Result ACB mediator.

Hans Schreuder
Secretary/Treasurer

Attorney in Amsterdam, Partner in Result ACB

ACB Foundation

Conflict Management Research Center

Herengracht 518
1017 CC Amsterdam
The Netherlands
Tel.: 0800-5678910
Tel.: +31 20-2050251

info@acbmediation.nl
www.acbmediation.nl



[DRAFT] November/December 2010

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.

Through mediation, a company remains in control.