

<b>Identification</b>	<b>Subject</b>	<b>MMGT 800 Business Mediation - 3KU credits (6ECTS)</b>
	<b>Department</b>	MBA
	<b>Program</b>	Graduate
	<b>Term</b>	Fall, 2022
	<b>Instructor</b>	Alida Mahmudova; <a href="mailto:amahmudova@khazar.org">amahmudova@khazar.org</a>
	<b>Classroom/hours</b>	
<b>Prerequisites</b>	None	
<b>Language</b>	Eng/Az	
<b>Compulsory/Elective</b>	Compulsory	
<b>Textbooks and course materials</b>	<ol style="list-style-type: none"> <li>1. Chern, Cyril, (2015). The commercial mediator's handbook. New York: by Informa Law from Routledge. ISBN 978-0-415-72305-3.</li> <li>2. Ronan, Feehily, (2022) International Commercial Mediation. Law and Regulation in Comparative Context. University of Canterbury, Christchurch, New Zealand. ISBN: 9781108835886.</li> <li>3. Moore, Christopher W., (1947). The mediation process: practical strategies for resolving conflict 4<sup>th</sup> Edition. ISBN 9781118419748.</li> <li>4. Fisher, R., Ury, W.L; &amp; Patton, B. (2012). Getting to yes: Negotiating agreement without giving in (3rd ed.). New York: Penguin. ISBN 9780143118756.</li> <li>5. Ury, W. (1993). Getting past no: Negotiating your way from confrontation to cooperation. New York: Bantam. ISBN 0553371312.</li> <li>6. John, Whitmore (2009). Coaching for Performance: GROWing Human Potential and Purpose - The Principles and Practice of Coaching and Leadership, 4th Edition. ISBN: 978-1-85788-535-4.</li> <li>7. DIRECTIVE 2008/52/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 May 2008 "On certain aspects of mediation in civil and commercial matters". <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32008L0052">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32008L0052</a></li> <li>8. National legislation: (Law "On Mediation" dated 2019 #1555-VQ). <a href="https://e-qanun.az/framework/41828">https://e-qanun.az/framework/41828</a></li> <li>9. UNCITRAL doc. <a href="https://uncitral.un.org/sites/uncitral.un.org/files/singapore_convention_eng.pdf">https://uncitral.un.org/sites/uncitral.un.org/files/singapore_convention_eng.pdf</a></li> </ol>	
<b>Course outline</b>	<p>This is an introductory course in alternative disputes/conflict resolution in the commercial area focusing to Business Mediation approach that illustrates how and in which cases/situation to apply for mediation process and aimed to provide basic information about different aspects of key principles and stages of Business Mediation process.</p> <p>Students will have the opportunity to understand, discuss, learn and present the results of their additional research of new approaches/methods of Business Mediation, and prepare reports/presentations. At the end of the course, students will illustrate their knowledge by presenting the results.</p>	
<b>Course objectives</b>	<p>This postgraduate level course aims to familiarize students with the fundamentals of business mediation and conflict resolution in commercial disputes. The broad aim of</p>	

	this module is to develop and enhance a critical and self-reflective knowledge of method and techniques in the field of Business Mediation.		
<b>Learning outcomes</b>	<p>The intended learning outcomes are that on successful completion of this module the student will be able:</p> <ul style="list-style-type: none"> <li>Students will acquire the analytical skills necessary to do mediation in Azerbaijan, and tactics to deal with someone who has a different values and outlook.</li> <li>At the end of the course all specific issues and procedure of business mediation such as mediator's skills for settlement of the commercial disputes, business mediation techniques as well as applying of different models, including coaching approach in Business Mediation.</li> <li>Power and the role of negotiation during business mediation process.</li> </ul> <p>Knowledge on all stages of Business Mediation process and effective reaching Final Mediation Agreement, including enforcement issues of Mediation Agreement for resolving commercial disputes.</p>		
<b>Teaching methods</b>			<b>Points</b>
	<b>Case analysis</b>		x
	<b>Lecture</b>		x
	<b>Others</b>		x
<b>Evaluation Criteria</b>	<b>Methods</b>	<b>Date/deadlines</b>	<b>Percentage (%)</b>
	<b>Midterm Exam</b>		30
	<b>Case studies</b>		10
	<b>Class attendance</b>		5
	<b>Class activity</b>		5
	<b>Essay</b>		10
	<b>Final Exam</b>		40
	<b>Total</b>		100
<b>Policy</b>	<p><b>Attendance:</b> Students exceeding the 25% absence limit will not be allowed to participate at final exam.</p> <p><b>Activity</b> shall mean active participation i.e. asking and answering the question, contribute with insights and feedback, and demonstrate willingness and dedication to be part of an overall class discussion</p> <p><b>Essay</b> - Coherence: The extent to which each statement follows from previous statements</p> <p>Argument: The extent to which there is a convincing line of argument running throughout the work.</p> <p>Evidence: The extent to which claims are supported by relevant and appropriate published research evidence and/or theoretical argument</p> <p>Grammar, spelling and general presentation.</p> <p>Work which is late without permission will be penalized by 3 marks per day.</p> <p>If plagiarism is detected in one essay, other essays by the student concerned will be examined very carefully for evidence of the same offence.</p> <p><b>Case Study</b> - Information: detailed, accurate, relevant; key points highlighted.</p> <p>Structure: rigorously argued, logical, easy to follow.</p> <p>Analysis and Interpretation: extensive evidence of independent thought and critical analysis. Case studies (analyze of two cases on values-based role play simulations for improving Business Mediation Skills.</p>		

		Use of relevant and accurate Evidence: key points supported with highly relevant and accurate evidence, critically evaluated. Presentation Skills: clear, lively, imaginative; good use of visual aids (where appropriate). Work which is late without permission will be penalized by 3 marks per day.	
Tentative Schedule			
We ek	Date/Day	Topics	Textbook/Assignments
1		Goals and objectives of the course  Introduction to Business Mediation	Moore, Christopher W., 1947.
2		Business Mediation in the International Context	Ronan, Feehily, 2022
3		Business Mediation Styles	Chern, Cyril, 2015.
4		Key principles of Business Mediation	
5		Interests and Negotiation	Chern, Cyril, 2015. Fisher, Ury and Patton, 2012.
6		Agreements for Future Business Mediation	Ronan, Feehily, 2022
7		Mediators and Their Appointment in Business Mediation	Ronan, Feehily, 2022
8		Specific legal issues of Business Mediation Processing	Chern, Cyril, 2015. National legislation: (Law “On Mediation” dated 2019 #1555-VQ).
9		MID-TERM EXAM	
10		The Initial Mediation Session (mandatory mediation)	National legislation: (Law “On Mediation” dated 2019 #1555-VQ).
11		Business Mediation Techniques	Chern, Cyril, 2015.
12		Coaching approach in Business Mediation	John, Whitmore 2009.
13		Mediation Forms and Agreements	Chern, Cyril, 2015. National legislation: (Law “On Mediation” dated 2019 #1555-VQ).
14		Key Provisions of the UN Singapore Convention “On International Settlement Agreements Resulting from Mediation”	UNCITRAL  <a href="https://uncitral.un.org/sites/uncitral.un.org/files/singapore_convention_eng.pdf">https://uncitral.un.org/sites/uncitral.un.org/files/singapore_convention_eng.pdf</a>
15		Final Exam	