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Mediators

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Spain

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This section helps you to find a mediator in Spain.

Where can I find information on mediation?

The Register of Mediators and Mediation Institutions (*Registro de Mediadores e Instituciones de Mediación*) is a computerised database accessible free of charge on the website of the Ministry of Justice. As a public register of professional mediators and mediation institutions, it facilitates access to citizens to mediation for dispute settlement.

Access the browsers:

- [Search for Mediators](#)
- [Search for Mediation Institutions](#)

However, registration in the Register of Mediators and Mediation Institutions is not compulsory for mediators or institutions. It is also possible to find a mediator directly through mediation institutions, including professional associations and Chambers of Commerce, Industry, Services and Shipping, many of which have set up mediation centres which will provide the appropriate mediator for the case in question. Access to mediation is also facilitated by mediation associations specialising in family, civil, commercial or general matters.

In cases where the courts refer a matter to mediation, the courts have channels for referral to the mediation institutions within their sphere of responsibility. These institutions, too, will enable the parties to find the appropriate mediator.

Mediation

Mediation is a means of dispute settlement, whatever it may be called, in which two or more parties voluntarily attempt to reach an agreement themselves with the intervention of a mediator acting impartially and neutrally.

Mediator

Mediators may be natural persons fully exercising their civil rights, provided that this is not precluded by the legislation they may be subject to when exercising their profession.

Legal persons providing mediation services, whether they are professional companies or any other laid down by law, must designate as a mediator a natural person who meets the legal requirements.

Requirements to be a mediator

The mediator must have an official university degree or advanced vocational training and specific training to practise mediation, acquired by following one or more specific courses taught by appropriately accredited institutions, which will be valid for the exercise of the mediation activity anywhere in the country. In Spain, mediators are required to have at least 100 hours of this specific training, which must be updated through continuous training.

Mediators must take out insurance or an equivalent guarantee covering the civil liability arising from their intervention in the conflicts in which they mediate.

Bankruptcy mediator (*mediador concursal*)

Bankruptcy mediators are natural persons who meet the requirements to be a mediator and those laid down in Article 27.1 of Insolvency Law 22/2003 of 9 July 2003 to be an insolvency administrator and may be designated as such by Notaries or Commercial Registrars in the out-of-court payment agreements referred to in Title X of that Law. Legal persons may also be bankruptcy mediators provided they act in bankruptcy mediation through a natural person who meets the above-mentioned conditions. These mediators will be designated sequentially from among those included in the official list of the portal of the Official State Gazette, which is drawn up on the basis of the information provided by the Register of Mediators and Mediation Institutions. Traders may also apply to the Chambers of Commerce, Industry, Services and Shipping to appoint a mediation panel for them, which must include a bankruptcy mediator and will assist them in negotiating the out-of-court payment agreement.

Mediation Institution

Mediation institutions are Spanish or foreign public or private entities and public-law corporations whose purpose includes promoting mediation and enabling access to and administration of mediation, including the appointment of mediators, which must be done transparently. If their purpose also includes arbitration, they will adopt measures to ensure that the two activities are kept separate.

The mediation institution will not be able to provide the mediation service directly. This means that the institution itself is not the mediator, but it must make known the identity of the mediators within its sphere of responsibility and provide information on their training, speciality and experience, thereby helping the parties to choose the mediator who can best assist them.

■ Last update: 26/02/2024

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