

**COURSE DATA****DATA SUBJECT**

Code: 42672
Name: Mediation and arbitration in consumer law
Cycle: Master's Degree
ECTS Credits: 3
Academic year: 2025-26

STUDY (S)

Degree	Center	Acad. year	Period
2122 - Master's Degree in Mediation, Arbitration and Conflict Management in Privat	Facultat de Dret	1	Second quarter

SUBJECT-MATTER

Degree	Subject-matter	Character
2122 - Master's Degree in Mediation, Arbitration and Conflict Management in Privat	Mediation and arbitration in consumer law	COMPULSORY

COORDINATION

LOIS CABALLE ANA ISABEL

SUMMARY

The course consists of two parts. The first analyzes consumer mediation, its practical importance, its regulation in the European Union, the lack of regulation in national law, and the regional regulations dedicated to it. The second part analyzes the Spanish consumer arbitration system, past and present, with particular emphasis on the Valencian experience with consumer arbitration boards.

PREVIOUS KNOWLEDGE**RELATIONSHIP TO OTHER SUBJECTS OF THE SAME DEGREE**

There are no specified enrollment restrictions with other subjects of the curriculum.

OTHER REQUIREMENTS

There are no prerequisites



COMPETENCES / LEARNING OUTCOMES

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Adquirir los instrumentos para poder planificar, ordenar y encauzar actividades de manera que se eviten en lo posible los imprevistos, se prevean y minimicen los eventuales problemas y se anticipen sus soluciones.

Analizar y delimitar el ámbito de derecho dispositivo específico de la materia en cada supuesto de la resolución alternativa de controversias.

Aplicar las diferentes técnicas y conocimientos jurídicos a la resolución práctica de los proceso de mediación y arbitraje de materias específicas.

Conocer y usar con fluidez las categorías, prescripciones y procedimientos relevantes para cada caso y sus antecedentes y soluciones más significativas.

Contemplar en conjunto y tener en cuenta los distintos aspectos y las implicaciones en los distintos aspectos de las decisiones y opciones adoptadas, sabiendo elegir o aconsejar las más convenientes dentro de la ética, la legalidad y los valores de la convivencia social.

Elaborar y manejar los escritos, informes y procedimientos de actuación más idóneos para los problemas suscitados.

Proyectar sobre problemas concretos sus conocimientos y saber resumir y extraer los argumentos y las conclusiones más relevantes para su resolución.

Students should be able to integrate knowledge and address the complexity of making informed judgments based on incomplete or limited information, including reflections on the social and ethical responsibilities associated with the application of their knowledge and judgments.

Students should communicate conclusions and underlying knowledge clearly and unambiguously to both specialized and non-specialized audiences.

Students should demonstrate self-directed learning skills for continued academic growth.

Use different presentation formats (oral, written, slide presentations, boards, etc.) to communicate knowledge, proposals and positions.

DESCRIPTION OF CONTENTS

1. Consumer Mediation

1. The regulation of consumer mediation in the European Union: Directive 2013/11/EU, of May 21.
2. The absence of regulation of consumer mediation in national law. Reasons for the exclusion of consumer mediation from Law 5/2012, of July 6.
3. The regulation of consumer mediation in regional law.

2. Consumer Arbitration



1. The regulation of consumer arbitration in national law.
2. Objective and subjective scope of the Consumer Arbitration System. Limited accession offers.
3. Specialties of the Consumer Arbitration System: transport arbitration, telecommunications arbitration, and tourism arbitration.
4. Termination of consumer arbitration.

WORKLOAD

PRESENCIAL ACTIVITIES

Activity	Hours
Tutorials	12,00
Theoretical and practical classes	18,00
Total hours	30,00

NON PRESENCIAL ACTIVITIES

Activity	Hours
Attendance at other activities	0,00
Individual or group project	0,00
Independent study and work	0,00
Preparation of lessons	0,00
Preparation for assessment activities	0,00
Resolution of case studies	0,00
Total hours	0,00

TEACHING METHODOLOGY

The professor will present and explain the fundamental elements that should guide students in their study and understanding of the subject matter.

Students, for their part, must actively engage in the learning process by reading, prior to the professor's explanation, or in class, depending on the organization of teaching time, the materials, manuals, monographs, or texts provided or previously indicated.

The aforementioned theoretical explanations will be complemented by attendance at hearings of the Consumer Arbitration Board of the Valencian Community, which will contextualize the acquired knowledge. These will also be accompanied by the organization of seminars or conferences related to the subject matter. These will be scheduled within the context of the subject and preferably consist of subject-specific activities or activities that are interdisciplinary or transversal to the Master's program.

EVALUATION

Regarding the arbitration part, which corresponds to 50% of the final grade, the student will be evaluated through a multiple choice test.



Regarding the remaining 50% that corresponds to the part of mediation in consumption, the student will be evaluated attendance (15%), class participation (15%) and the completion of a final test consisting of a mock mediation (20%).

The acquisition of generic and specific transversal competences indicated as priorities in the matter and, mainly, the ability to learn, reason, analyze and expose conflicts and the alternative systems that are applicable to them in their management and resolution will be taken into account.

The aforementioned evaluation system will be applicable to both the first and second calls.

REFERENCES

- AAVV, La mediación en el ámbito civil, familiar, penal e hipotecario, Cuestiones de actualidad. Coord.. por A. Orteha Gimenez y M.E. Cobas Cobiella, Economist & Jurist. Difusión jurídica, 2013.
- BONACHERA VILLEGAS, R., ¿El Real Decreto 231/2008, la anhelada modificación del sistema arbitral de consumo?, Diario La Ley, núm. 7045, 2008, pp. 1-30
- MARCOS FRANCISCO, D., El arbitraje de consumo y sus nuevos retos, Ed. Tirant lo Blanch, Valencia, 2010,
- MARÍN LÓPEZ, M.J., ¿Consumidores y medios alternativos de resolución de conflictos?, Anuario de la Facultad de Derecho de la Universidad Autónoma de Madrid, núm. 11, 2007, pp. 123-150.
- MARÍN LÓPEZ, M.J., ¿La nueva regulación del arbitraje de consumo: el Real Decreto 231/2008, de 15 de febrero?, Diario La Ley, núm. 6905, 2008,
- ORDEÑANA GEZURAGA, I., "La mediación de consumo: la alternativa de la alternativa", Diario La Ley, núm. 7420, 9 junio 2010, pp. 1-25.