



CSSProject for Integrative Mediation

Trip Report SEEMF

***First Regional Conference for Mediation in South Eastern Europe
11 – 15 October 2006***



Stabilitätspakt für Südosteuropa
Gefördert durch Deutschland
Stability Pact for South Eastern Europe
Sponsored by Germany

Integrative Mediation: Bringing Local Leaders Together

The CSSProject for Integrative Mediation (CSSP) evolved out of ten years of experience of the International Mediator in Bosnia and Herzegovina, Dr. Christian Schwarz-Schilling. The work of the Mediator started informally in 1992 and was formally mandated by the international community and the peoples of Bosnia and Herzegovina from 1995 to 2004. Upon request, the format and structure of mediations were conducted at the local level based on practical needs and local conflicts. The Mediator sought to increase dialogue and reduce tensions by finding step-by-step solutions to daily problems. The format of the process included information visits, mediations, follow ups and round table dialogues. In 10 years the Mediator conducted over 185 local mediations in 55 municipalities. The mandate of the Mediator was completed in December 2004.

Integrative Mediation seeks to apply lessons learned and to adapt the unique Bosnia model for possible use in other parts of South Eastern Europe. The mediation team developed a comprehensive approach to mediation by including various levels of responsibility, multiple actors and a variety of techniques. It combines five different conflict resolution activities, drawing on classical mediation and developing a holistic and decentralized instrument for implementation of agreements. The elements of Integrative Mediation are integrative advocacy, grassroots mediation, consultation, facilitative training, and research & analysis. Throughout the process, Integrative Mediation assists local actors to develop initiatives and to implement confidence-building measures. In addition, it helps to clarify to civil society why certain measures are needed, and enables communities to participate actively in the local peace process. Furthermore, it brings the general and hierarchical process of conflict resolution down to the local level.

Integrative Mediation does not seek to replace or remove ownership of the peace process. Instead, by complementing the peace process Integrative Mediation provides local parties with a conflict resolution framework that enables them to identify for themselves the obstacles to conflict resolution and reconciliation efforts. The main aim of Integrative Mediation is to leave decisions and solutions in the hands of local actors and to strengthen the work of local peace initiatives, thereby facilitating return, co-existence and re-integration at the local level.

For further information contact:

CSSProject for Integrative Mediation
Deutscher Bundestag
Platz der Republik 1
11011 Berlin, Germany

info@cssproject.org
www.cssproject.org
tel: +49 30 227 77417
fax: +49 30 227 76417

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1. General Information about SEEMF

The South Eastern European Mediation Forum (SEEMF) brings together mediators and experts from Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia and Slovenia to network and establish sustainable mediation frameworks in South Eastern Europe.

It was founded as a result of a networking workshop organised by the CSSProject for Integrative Mediation (CSSP) in Sarajevo in October 2005. This workshop brought together a core group of individuals active in mediation in South Eastern Europe, an area where the idea of mediation has gained increasing prominence as an alternative dispute resolution (ADR) mechanism over the last few years. To expand mediation in this region there is a need to strengthen cooperation, exchange and capacity of the already established projects and organizations. At this workshop mediators and representatives from Albania, Bosnia and Herzegovina, Croatia, Council of Europe, European Agency for Reconstruction, Germany (German Bar Association), Kosovo, Macedonia, Montenegro, Norway (Nordic Forum for Mediation and Conflict Resolution), Serbia, and Slovenia met to share information, discuss questions and difficulties, develop partnerships, and explore the possibility of forming or strengthening mediators associations in their respective regions.

The website www.seemf.cssproject.org was constructed to serve as information and exchange platform for the SEEMF, its member regions and individuals looking for further information and contacts on mediation in these regions. CSSP initiated the SEEMF and continues to function as sponsor of the SEEMF website and acts as point of contact for coordination of the information until a hand-over to SEEMF.

2. Preparations for the SEEMF Conference at the Helsinki Meeting

In order to support the initiative that was started in Sarajevo October 2005 the Nordic Forum invited 35 mediators from South Eastern Europe to Norway. CSSP was happy to agree with this logistical support, because it was cheaper to fly the CSSP team to Helsinki as to fly 35 Persons from the Balkans to Berlin. During the trip the visiting mediators were introduced to different forms and practitioners of mediation in Norway. The trip was concluded with the Nordic Forum Conference in Helsinki from 19 to 28 of May 2006.

During the study trip in Lillehammer and the conference in Helsinki several meetings were held with the group of participants and the national coordinators to detail the preparations and planning for the 2006 conference, as well as the overall future and further establishment of SEEMF. CSSP utilised the opportunity to meet with the 35 mediators at the Helsinki conference to discuss the next steps for SEEMF and to make key decisions for the SEEMF conference, that was scheduled to take place in Skopje, Macedonia from 13 – 15 October 2006. The 2006 conference had three main aims: networking, training, and formalising the forum.

Both the initial conference and the trip to Norway and Finland consolidated the efforts to establish SEEMF with a long-term goal of creating mediation forum that provides a platform for exchange of information, experience, training and services. SEEMF aims to be a self-sustaining, functioning network on mediation in South Eastern Europe.

2.1. In Helsinki agreed next steps¹

The agreed steps for SEEMF were:

- To make considerations regarding the overall SEEMF structure
- To decide the content of the SEEMF Conference 2006
- To create a budget for the SEEMF Conference 2006
- To construct a SEEMF Website
- To detain a press conference regarding SEEMF
- To have regional meetings

3. Decision for Skopje - legal framework on mediation in fyro-Macedonia

In Helsinki CSSP promoted the proposal to have the Conference in Skopje, to support the Macedonian Mediators Association in their efforts to reach a legal status in the Macedonian legal system. The Macedonian government drafted a new law in early 2005 promoting mediation as an extra-judiciary procedure for resolving disputes.² The law, part of an overall judicial reform package aimed at meeting EU criteria, will be applicable in civic, trade, employment and consumer disputes, though it will not apply to collective employment relations, criminal issues and administrative issues. Anyone working as a mediator must have obtained a certificate from the Chamber of Mediators. In 2006 CSSP also met with Mrs. Zdravka Skalovska, Head of the Working Group on Law on Mediation, in the Ministry of Justice to discuss the law on mediation. Mrs. Skalovska explained that she is satisfied with the legislation as there are few EU countries that have a similar legislation. After the adaptation of the legislation, and once it is enacted, there will be the establishment of a chamber for mediation, at which point she foresees more training for mediators. CSSP in their discussion pointed out some of the challenges to be expected with the current legislation. Mrs. Skalovska considers the law on mediation as a starting point, and that corrections and amendments will be introduced at a later stage. The Association of Mediator received confirmation from the court approving their registration as an official association in May 2006.

¹ Please refer appendix page 13

² <http://www.seemf.cssproject.org/pdf/fyrom/16.01.2005%20-%20%20Draft%20Mediation%20Law.Macedonia.pdf>

4. SEEMF Steering Board Meetings

Due to the complexity to design a regional network with the consensus of all members the SEEMF Country Coordinators and CSSP decided to have a SEEMF Steering Board prior to the actual SEEMF in Hotel Continental in Skopje 11 – 12 of October 2006. For CSSP it was of particular importance to have such a meeting to speak out that the style of work and the outcome of SEEMF were not comparable with the in Helsinki agreed next steps. This especially concerns the SEEMF website, which CSSP sees as the most important tool of a network.

The Steering Board Meeting was divided in two parts, the first part was held on Wednesday 11 of October from 04.00 to 07.00 p.m. the second part on Thursday 12 of October 2006 from 09.00 to 12.00 a.m. In the Steering Board meetings the members managed to decide on the objectives and a vision to move SEEMF forward. It was further decided to present the outcome to all participants of the SEEMF Conference.

People that represented the SEEMF Regions at the Steering Board Meeting

Albania	Mr. Oltion Kadaifciu
Bosnia and Herzegovina	Mrs. Smiljka Gavrić
Croatia	Mr. Srđan Šimac
Kosovo	Mr. Florent Hajrizi
Macedonia	Mr. Žarko Hadži-Zafirov
Montenegro	Mrs. Ivana Gajović
Serbia	Mrs. Jelena Arsić
Slovenia	Mrs. Gordana Ristin
CSSP	Mr. Bernd Burwitz and Mr. Henrik Helmer

Both of the Meetings, in Helsinki and in Skopje, were held in a very productive and in a very familiar atmosphere. CSSP did on both occasions remind and critical remark some of the issues related to the working style of the past and the lack of networking of the SEEMF Country Coordinators. However, it is positive that the meetings did culminate in several agreements and conclusions, and a sense of desire for the SEEMF has been established among its members

4.1. Conclusions and Objectives

The South East European Mediation Forum is a regional network that supports good cooperation and practices of local mediators in the different regions in South Eastern Europe, thereby improving good practice, cooperation, exchange of experience and human relationships. The South Eastern Mediation Forum promotes and performs

mediation through direct activities and networking with local and external networks and organizations, and seeks to be inclusive to all forms of mediation and mediators.

4.1.1. SEEMF Goals in 2007

- Raising Public awareness of SEEMF as well as mediation in general
- Support and promote mediation programs, trainings and education
- Activities in order to insure sustainability of SEEMF
- Drafting Standards of Practice and Code of Ethics
- Establishing good communication with all relevant parties
- Facilitate the exchange of expertise among mediation professionals
- Permanent maintaining and improving SEEMF website
- Create a data-base (list of mediation organizations and mediators in the region)

4.1.2. SEEMF arrangements in 2007

- The quarterly updating of the website by the country coordinators.
- Creating a manual for basic mediation training by Gordana Ristin, Jelena Arsic, Aleksandar Zivanovic, Davor Babic, Nina Betetto, NDC, Partners Kosova and AFCR.
- To design a new logo of the SEEMF (Florent Hajrizi)
- To organize a round table about inter-ethnic mediation (Ivana Gajovic and Florent Hajrizi) September/ October 2007.
- To organize an annual Steering Board Meeting (end 2007).
- The preparation of the second SEEMF regional conference in 2008
- Organize victim-offender mediation/restorative justice conference – May 2007, Albania (round-table discussion included).

4.1.3. Organizational Structure

The SEEMF will function as an informal unit. The Organizational structure would be the following:

- Board – consisted of national coordinators
- Chairman – elected between national coordinators each year, so this would be a rotating position
- Network coordinator – if sufficient capacities available this would become a permanent position
- Treasurer
- Working Groups – groups of experts for certain projects within the forum

Upon ending of the presentations the national coordinators invited all individuals and organisations to contact them in their countries and to join forces and work together and support this regional initiative. SEEMF will have a Steering Board which will be composed from national coordinators. The representatives shall be elected on roster basis with a mandate of one year. The Board shall be chaired by the president who is a member of the Steering Board. There will be Network Coordinator, Treasury Officer and Working Groups.

The main tasks and goals of the SEEMF are:

- to improve the general consciousness of the people about mediation
- to promote mediation as a tool for dispute resolution
- to organize trainings, education and capacity building campaigns
- standardization of good practices on mediation
- to draft an Ethical Code for mediators
- to establish good communication with the target groups and other interested parties
- to enhance regional cooperation and exchange of information and experience between members
- to create comprehensive web site as a main source of information for mediation
- to create and to up-date list with mediation organization and mediators from the region

The next steps of SEEMF shall be preparation of:

- Draft guidelines on the basic mediation training
- Prepare materials for the SEEMF website
- Improve networking and communication between coordinators
- New logo of SEEMF

In addition, it was decided during plenary session, that a special accent is put on the inter-ethnic mediation. Ms. Ivana Gajovic, for Montenegro, was elected as the SEEMF Chairperson, and Mr Florent Hajrizi, for Kosovo, as the Deputy Chairperson for the next year. Ms. Ivana Gajovic, with the assistance of Mr Florent Hajrizi, were entrusted to prepare a working group meeting to be held prior to the next SEEMF Steering Board in fall 2007 in Montenegro. The working group meeting will focus on inter-ethnic mediation. The place for the next SEEMF Conference, planned in 2008 will be decided in 2007. Currently there are two proposals for host nations; Albania and Croatia. It was welcomed that Albania offered the opportunity to one representative of each SEEMF member region to attend the Victim-offender Mediation / Restorative Justice Conference which will be held in May 2007 in Albania.

5. The workflow of the SEEMF Conference

The First Regional Conference was divided in different parts, the opening session, the plenary sessions at the beginning and also at the end of the conference and several training - and workshop sessions.³

At the opening session there was a lot of encouragement from various significant persons such as the German Vice Ambassador Mrs. Elisabeth Müller, the Deputy Minister of Justice of the Republic of Macedonia Mr. Sasho Vasilevski and the President of the Macedonian Mediators Association Mr. Milco Kupev. Other speeches were held by Mr. Bernd Burwitz from CSSP and Mr. Michael Lind from ADR Bristol Group.⁴

ADR Group is a professional alternative dispute resolution company in the UK. It delivers a wide range of dispute resolution training programmes through its training faculty. The ADR Group is also recognised as an accredited mediation provider by the Civil Mediation Counsel, the UK's leading mediation standards organisation. ADR Group is also supporting initiatives approved by the Department for Constitutional Affairs, the Court Service and various Court based mediation schemes around the country. The Group formed part of the European Commission's ADR working party on the drafting and implementation of the EU ADR Code and Directive. ADR Group operates an International ADR Development Programme and has delivered mediation awareness and Judicial

³ For details see the SEEMF Conference Agenda attached in the appendix page 17

⁴ www.adrgroup.co.uk

training programmes funded by the British Embassy, the Department for International Development and the World Bank Group.

The first plenary session was interactive with presentations and discussions covering topics related to the development of mediation. The second part was mainly focused on training and capacity building sessions emphasizing on the various types of mediation and techniques for negotiation, such as community, court, family and inter-ethnic mediation, which will be the focus of the next conference in 2008. On the last day of the conference the future of SEEMF was discussed, including structure, membership, sustainability and other issues important for the further development of the network. It was also agreed that there is a need for strengthening the cooperation and networking, especially the website content usage.

5.1. Workshops and Discussions

The topics of the workshop and discussion session were:

- Will court mediation survive?
- Introduction and promotion of mediation in the legal system and establishing self sustainable mediation
- Attorneys vs. Mediation
- How to communicate Restorative Justice and Victim/ Offender mediation with general public?
- Application of restorative justice and victim/ offender mediation in juveniles, a one year project, results, dilemmas, and challenge
- Peer mediation
- Lecture about hatred
- Community mediation with special focus on interethnic dialog
- Parallel development of a private or independent capability for mediators
- South Eastern Mediation Network Session
- SEEMF future (legal framework, membership, structure, leadership, next regional conference)

5.1.1. Community mediation with a special focus on interethnic dialog

The session on community mediation with special focus on interethnic dialog was conducted by Ms. Jelena Lengold from Nansen Dialogue Center Serbia. Ms. Lengold explained the history of Nansen associations. At the moment they implement several projects in the region focusing on dialog through virtual schools of electronic studies. Nansen center has an aim to encourage dialog between people. Their target group are local politicians who are trained to listen other people. The main aim of the dialog is to find solution about problems and to listen what other party has to say in this respect. This is not a case during debate, because opposite parties only push forward their views and positions. According to the presentation, there are several types of people's behaviour in the conflict i.e. there are people who avoid conflict, people who step back during conflict, people who do not step back during conflict, people who try to find compromise and win-win situation.

5.2. Training Sessions

The Training Sessions were divided in the following topics:

- Negotiation
- School/ Peer Mediation
- Victim / Offender mediation
- Community Mediation
- Dialog
- Court Mediation
- Family mediation

5.2.1. Negotiation

The negotiation training session was conducted by Ms. Sonja Rauschütz from Vienna Partners⁵. In this training the participants tried the Seven Elements Model, in which alternatives of problems and alternatives of resolutions were discussed in detail.

5.2.2. School Mediation

The training session on school mediation included practical exercises in order to determine types of behaviour between people. The exercise was implemented by Ms. Amelija Krstanovic from Croatia.

⁵ www.viennapartners.com

5.2.3. Victim/Offender Mediation

The participants had a choice which training to attend, and this session the alternatives were more sought after, and the training was cancelled due to a lack of participants.

5.2.4. Community Mediation

The training session on community mediation was executed by Mr. Albert Hani from Center for Conflict Management from Macedonia. He explained how disputes can be resolved. In this relation was pointed out that disputes can be solved through mutual understanding, discussion about problem, negotiation, expertise, arbitration, court, murder or ignoring the problem.

Related to this, Mediation as a process is composed of following:

- Preparation
- Opening of the statements
- Preparation of work plan
- Exchange of views and positions
- Building of agreement
- Signing of agreement
- Closing the statement

5.2.5. Dialog

Mr. Steiner Bryn from Nansen Dialogue Centre from Norway had delivered a lecture on the training session for dialogue. He expressed his views, opinions and cases from his practiced experience. In his opinion many people understand dialogue wrongly because the intention of the dialogue is to understand other party. This is opposite form negotiations. He also mentioned the difference between dialogue and debate. In dialogue people listen to other people, while in a debate people behave as hunters of weak arguments in order to use them against the opposite party. The dialogue must express full tolerance although it is difficult to tolerate issues which are subject to dialog. In a dialogue parties listen to stories they do not believe and they consider those stories as lies. The moment when someone started not to trust, they started the debate. Those who want to practice dialogue must practice self-discipline.

5.2.6. Court mediation

The training on court mediation was performed by Judge Gordana Ristin from Slovenia. At the beginning of the training session several issues were raised about mediation. Thus, was discussed whether mediation can resolve problems, who can be mediator, what is the interest of parties for mediation, how court mediation is functioning in the court, etc. According to Judge Ristin, the aim of the mediator is to help for resolution of dispute. The role of mediator is not to interfere between parties. Sometimes mediators can fall into dead end situation without knowing what to do and how to proceed. In such

case mediators should have supervisors (psychologists) who will help them to overcome the situation. At the end of the training session Judge Ristin pointed out that mediation, in contradiction to the remarks of Michael Lind (ADR Group) at the plenary session mediation should not be commercialized.

In order to de-stimulate attorneys to litigate it was proposed that they should receive double honoraria for their work, otherwise they will advise clients to litigate. It was also suggested that mediation should be always applied as a mechanism for dispute resolution before filing lawsuits before competent courts. The training session was concluded by Ms. Karen Kristin Paus, she explained that court mediation in Norway is an independent institution which is financed by the state.

5.2.7. Family Mediation

Ms. Ilaria De Vanna from Italy had delivered training for family mediation. Ms. De Vanna gave a short presentation of the model that is used in the South of Italy, and is promoted in the mediation centre in Bari. She provided a good insight into the cultural complexities of the region. She also gave an insight into the challenges facing peer mediation in socially problematic schools.

6. Results of the conference

In conclusion, and in order to the three aims of the Helsinki Meeting: networking, training, and formalising the forum, the SEEMF-Conference was a complete success. There was a lot of constructive output and exchange among the more than 70 professionals which took part in this conference. For example the Albanian delegation was invited to Ljubljana by the Slovenian Delegation to see how court mediation was implemented. One of the major goals of CSSP, the main founder and sponsor of SEEMF, is that it remains in the background and allows local mediators and mediation organization to take the lead and develop their network to meet their needs. The goals of CSSP and the SEEMF Conference were achieved and surpassed, and all participants look forward to regional meetings and events in 2007. The three main aims of the Helsinki Meeting in May 2006: networking, training and formulising the forum were also fulfilled.

7. Media and Public Relations on SEEMF

There was major media interest on the SEEMF conference. The broadcast Sitel 1 televised conference background information nationwide. There was also a regional television broadcast. CSSP plans to use these materials for SEEMF Public Relation activities. CSSP has asked the broadcast stations for permission by an Macedonian lawyer. The magazine "Culture of Peace" published by the *Centre for Peace, Non-Violence and Human Rights Osijek*, Croatia will publish an article about SEEMF and CSSP (three pages) in the December edition.⁶ This Centre is supported by the *Friedrich Naumann Stiftung* and the *European Commission*. All of these media aspects is to be used for the SEEMF website.

⁶ www.centar-za-mir.hr

8. Criticism

As part of evaluating the work and achievements of SEEMF a critical review was made. It highlights and explains some of the problems of the SEEMF output in the past and also deals as benchmark to evaluate the network for the future.

As noted before there was a meeting to discuss problems and further steps of the SEEMF in Helsinki 2006. These problems were, as mentioned under point 4., the difference between the announcements and the output. CSSP supports the SEEMF, but it can only act as observer and only provide some impulses from time to time. The content of work is part of the SEEMF members especially on part of the country coordinators. The Network in itself, did not work sufficiently in the last year. It is for that reason that an agreement was made in Helsinki, and that a steering board meeting was held two days before the SEEMF conference. For CSSP it was important to see how the country coordinators react and deal with this criticism, in order to assess the potential for the feasibility of the network for the future. One key aspect was that CSSP made the decision to financially support the SEEMF initiative. It can be assumed that due to the new kind of organisation the forum was not understood as a network from the beginning. The smaller problems such as the lack of communication, the low input of content and the absence of interchanging professional experiences are part of not using the network in its real form. CSSP in its assessment of SEEMF sees that the SEEMF members have gained a good understanding of its networking potential and need. If mediation is to gain more prominence in South Eastern Europe, the exchange of experiences and contacts will be paramount. In this context, the SEEMF website will become the main tool of the network. CSSP established the SEEMF website in 2005 to provide the SEEMF the opportunity to fill an incoherent network with life. The network will be functional when there is something that connects the members of the network, especially when considering the great geographic distances that separate the SEEMF, while at the same time there are limited resources for travel. CSSP fully financed the construction of the website. Initially CSSP was somewhat disappointed, because there was only little input, ideas or suggestion for the construction of the website. It was the task of CSSP to initiate and design the first content on the website, however from the start CSSP only wanted to support the SEEMF activities as an impulse not as a supervisor and not as a service provider over years.

The phase of inception has been completed by an agreement which was signed after the Steering Board Meeting.⁷ As has been agreed, all further steps related to the website is the responsibility of the SEEMF members, and it will be determined towards the end of the year, following an assessment of the improvement of SEEMF member contribution to the website, if CSSP's financial engagement will continue in 2007. With the signing of the agreement the responsibility for website content is with the SEEMF Steering Board.

Until today 60% of the Steering Board Members met their commitment.⁸ This is good process consider the past activity, and the little time of approximately one month since the signature of the agreement.

⁷ You can find the whole agreement in the appendix 23

⁸ 20.11.2006 (the steering board meeting was held at the 11.10.2006)

9. Financial outlook

At the Helsinki Meeting the participants agreed in view of the budget and financial planning and preparations of the conference, to draft a budget. All suggestions in this regard, including possible ways to reduce costs (e.g. provision of translators, translation equipment, reduced transportation costs) should be communicated via the national coordinators to the conference organisers, because CSSP as the sponsor of the event has only a limited budget available. This promised budget was delivered fractional and lately by the organizing team.

CSSP could reduce costs (about 16%) by financial control and money saving suggestions. CSSP is conscious that it is supported by the German Foreign Ministry through the Stability Pact for South Eastern Europe, CSSP therefore is particular strict on expenditures. CSSP also initiated the idea that SEEMF should hold its conference on a bi-annual instead of an annual basis, with foresight to cost reduction. Therefore the next conference will be held in 2008.

For supporting the SEEMF Steering Board Meeting in 2007 and the hosting of the website CSSP has to find some other funds. One potential donor is the ADR Bristol Group from the United Kingdom.

10. CSSP focus on SEEMF in 2007- regional meetings on interethnic mediation

CSSP wants to support regional meeting on interethnic mediation for two reasons. First to support directly work of the forum, because now the structure is established it is more important to fulfil the network with life. The second reason is to support directly the interethnic mediation as the main aspect of the CSSP methodology.

Meetings are to be held as one day meetings in each country of the SEEMF. The main focus of the regional meetings is the constitution of local networks related on interethnic dialog and mediation. An overall focus here is Bosnia and Herzegovina.

11. Appendix

Agreed Next Steps for SEEMF (Helsinki)

I. Considerations regarding the overall SEEMF structure

SEEMF Structure Group Coordinator:

Ms. Smiljka Gavric (medijacija@epn.ba; +387-33203271 – office; +387-61925680 – mobile)

The SEEMF Structure Group was created and tasked with the main focus to make strategic and medium / long-term considerations regarding the SEEMF structure. SEEMF aims to be a self-sustaining and functioning forum for mediation in the SEE regional with a particular focus on the Western Balkans.

The SEEMF structure group will consider questions such as the drafting of a SEEMF Charter, the establishment / election of a SEEMF leadership, individual membership to the forum (how to join, obligations, rights, benefits, etc.), finances of SEEMF.

II. Decisions regarding the content of the SEEMF 2006 Conference

SEEMF 2006 Conference Content Group Coordinator:

Mr. Rasim Gjoka (gjoka@albaniaonline.net, +355-682023882 – mobile; +355-4248681 – office)

In order to prepare an agenda for the conference in October, the SEEMF 2006 Conference Content Group will put together proposals and ideas regarding content of the conference. This group will draft an agenda, including recommendations for structure the conference agenda, i.e. units and topics of the conference and potential speakers / trainers. Some initial considerations regarding content from the entire group are listed at the end of this document.

III. SEEMF 2006 Conference Budget

In view of the budget and financial planning and preparations of the conference, an overall budget needs to be drafted. All suggestions in this regard, including possible ways to reduce costs (e.g. provision of translators, translation equipment, reduced transportation costs) should be communicated via the national coordinators to the conference organisers. CSSP as sponsor of the event has a limited budget available.

As responsible for the logistical organisation of the SEEMF 2006 Conference, it is the responsibility of the Mediation Association in Macedonia to draft a budget and submit it to CSSP. Mr. Zarko Hadzi-Zafirov (hadzizafirov@gmail.com; +389-70359299 – mobile) is the contact person from the Mediation Association in Macedonia.

IV. SEEMF Website

The SEEMF website will function as the main platform for the forum. An initial set of information was collected and distributed to all participants of the trip. Responsible for the content on the SEEMF website are the national coordinators. All information provided for the website should be available in English, as well as all local languages as applicable. The national coordinators are responsible for providing the translated versions of the website texts. Please do not forget to provide pictures, electronic documents, case, articles etc from your region to be included in the website. Please send all relevant information to seemf@cssproject.org

The national coordinators will collect all relevant documents to be added to the SEEMF website. This includes documents such as laws, guidelines, codes of conduct, as well as articles with relevance to mediation as of interest to the members. All changes to the website and documents should be submitted to CSSP via the national coordinators as soon as possible.

Decisions were taken to create the following additional / general sections in the SEEMF website.

- notice board: Here you can post offers for training or looking for training; general information on conferences, trainings, literature, etc.
- article database: Here you can post your own articles related to mediation
- theme related interest groups: Here you can create discussion forums and interest groups related to specific arenas within the mediation field (e.g. school mediation, peer mediation, promotion of mediation, etc.)
- trainer network: Here you can post details regarding mediation training and introduce available trainers

V. Press Conference regarding SEEMF

A press conference will be organised in Belgrade, Serbia in early July 2006 to inform the public about the SEEMF initiative, the experience of the study trip to Norway and Helsinki, and to support the initiative of creating a mediation association in Serbia. CSSP will support this initiative.

The local contact for this press conference is Ms. Jelena Arsic (helenasr77@yahoo.com; +381-112437080 – office; +381-638181338 – mobile)

VI. Regional Meetings

Meetings are to be held at the regional level to identify interests and needs, potential members for SEEMF, potential participants for the October conference, as well as suggestions for contacts and contributions for SEEMF. A national exchange on mediation is beneficial to all those working in the field of mediation, strengthening the individual initiative and overall promotion of mediation at the national level.

These meetings should be initiated by the individuals in the region itself. The contact details of the national coordinators can be found above.



**AGENDA
SOUTH EAST EUROPEAN MEDIATION FORUM
STEERING BOARD MEETING**

11 & 12 October 2006, Hotel “Continental”, Skopje

Participants:

Rasim Gjoka	Albania
Smiljka Gavric	Bosnia and Herzegovina
Srdjan Simac	Croatia
Florent Hajrizi	Kosovo
Dragan Dameski	Macedonia
Zarko Hadzi-Zafirov	Macedonia
Ivana Gajovic	Montenegro
Jelena Arsic	Serbia
Gordana Ristin	Slovenia
Bernd Burwitz	CSSP
Henrik Helmer	CSSP
Michael Lind	ADR (prevented)

The Future of SEEMF

Wednesday, 11 October 2006

16:00 – 16:45	How will the organizational structure look like? - Smiljka Gavric
16:45 – 17:30	What kind of resources are available to support SEEMF? – Bernd Burwitz for Michael Lind (ADR)
17:30 – 17:45	Coffee Break
17:45 – 18:30	How can the SEEMF internet presence be utilized? Presents and future. – Henrik Helmer

Thursday, 12 October 2006

09:00 – 09:45	What is the role of SEEMF in support of inter-ethnic mediation? – Bernd Burwitz
09:45 – 10:30	Can SEEMF work towards harmonized standards for Mediation? – Bernd Burwitz for Michael Lind (ADR)
10:30 – 10:45	Coffee Break
10:45 – 11:30	What are the plans for SEEMF in 2007?



AGENDA

SOUTH EAST EUROPEAN MEDIATION FORUM REGIONAL CONFERENCE



Macedonian Young Lawyers

Association

12 – 15 October 2006, Hotel “Continental”, Skopje

Thursday, 12 October 2006

15:00 – 18:00 Arrival of participants (registration and distribution of materials)

19:00

Opening speeches

Mihajlo Manevski, Minister of Justice of the Republic of Macedonia
Elisabeth Müller, German Embassy
Bernd Burwitz, CSSProject Germany
Michael Lind, ADR Group United Kingdom
Milco Kupev, President of the Macedonian Mediators Association

20:00

Dinner

Friday, 13 October 2006

09:00 – 10:30 **Plenary Session**

- **Introduction**
- **Presentation of the idea for regionalization of mediation in the South East Europe – (Country Coordinators)**

10:30 – 11:00 Coffee Break

11:00 – 12:30 **Panel Discussions**

- **Will court related mediation survive?**
 - Ales Zalar, Slovenia
- **Introduction and promotion of mediation in the legal system and establishing and building self-sustainable mediation** (introduction of mediation in the community, legal system and state institutions)
 - Florent Hajrizi - Partners Kosova,

- Sesenam Cosic – Association of Mediators of Bosnia and Herzegovina
- Jasna Hrnčić – UNICEF Office - Serbia

- **Attorneys vs. Mediation**

- Srdjan Simac, President of the High Commercial Court, Croatia
- Blazo Nedic, Country Representative, American Bar Association/CEELI, Serbia

12:30 – 14:00 Lunch

14:00 – 15:30 **Panel discussions/sharing experience**

- **Application of Restorative Justice and Victim-Offender Mediation in Juveniles, a one year project, results, dilemmas, and challenges**
 - Rasim Gjoka, Foundation for Conflict Resolution & Reconciliation
 - Karen Kristin Paus, Norway
- **Peer Mediation – experience of the Mediator’s Club from Osijek and organization Mali korak Zagreb,**
 - Duška Pribičević Gelb, Centre for culture of peace and nonviolence – Zagreb, Croatia
- **Lecture about Hatred**
 - Zoran Milivojevic, Professor at the University Novi Sad, Serbia
- **Community mediation with special focus on inter-ethnic dialog**
 - Jelena Lengold, NDC Serbia

15:30 – 16:00 Coffee Break

16:00 – 17:00 **Parallel development of a private or Independent Capability for Mediators**

- Michael Lind, ADR Group, United Kingdom

17:00 – 19:00 **South Eastern Mediation Networking Session**
Smiljka Gavrik, Coordinator

- **SEEMF future** (legal frame, membership, structure, leadership, next regional conference, etc)

19:00 – 19:30 **Conclusions**

20:00 Dinner

Saturday, 14 October 2006

09:00 – 10:30 **Training sessions**

- Negotiation – Sonja Rauschütz, Vienna Partners, Austria
- School/Peer Mediation - Amalija Krstanovic, Croatia
- Victim – Offender Mediation – Izet Shameti
- Court annexed mediation – Gordana Ristin, Slovenia

10:30 – 11:00 Coffee break

11:00 – 12:30 **Training sessions**

- Negotiation- Sonja Rauschütz, Vienna Partners, Austria
- School/Peer Mediation - Amalija Krstanovic, Croatia
- Victim – Offender Mediation – Izet Shameti
- Court annexed mediation – Gordana Ristin, Slovenia

12:30 – 14:00 Lunch

14:00 – 15:30 **Training Sessions**

- Dialog - Steiner Bryn, NDC, Norway
- Family mediation - Ilaria De Vanna, Italy
- Court annexed mediation – Nikola Martinovic, Montenegro
- Community mediation – Albert Hani, Macedonia

15:30 – 16:00 Coffee break

16:00 – 17:30 **Training Sessions**

- Dialog - Steiner Bryn, NDC, Norway
- Family mediation - Ilaria De Vanna, Italy
- Court annexed mediation – Nikola Martinovic, Montenegro

17:30 – 18:30 **Conclusions**

20:00 **Traditional dinner**

Sunday, 15 October 2006

- 9:30 – 11:00 **Plenary Session SEEMF Structures, Decisions, Outlook**
- 11:00 – 11:15 Coffee Break
- 11:15 – 12:30 **Closing and Evaluation session**
- 12:30 – 14:30 City tour
- 14:30 – 15:30 Lunch
- 15:30 Departure of participants



10.5. Statement of Henrik Helmer (CSSP) at the Steering Board Meeting on the Internet Presence

Dear Collegues,

We have heard a lot of aspects which are dealing with the future structure and the resources which we need for a successful future on SEEMF. After the establishment of SEEMF in 2005 we decided to establish also an SEEMF Website. For what reason? To have a tool to fill a incoherent network with life. A Network can only be functional, when you have something that connects the members of the network. Especially when the members stay in a large distance to each other. Such a tool can be the website.

Excursus:

Showing the SEEMF website. (and show that nothing happened) Ask single persons where their personal input is!!!

Until know, it was only a symbol of our network and a symbol of our establishment as SEEMF. Why was it only a symbol? Because nobody used it in the way it has to be used! We as CSSP who fully financed the construction of the website, were a little bit disappointed, because we got no input, ideas or critic while we constructed the Website. All the content on the website was our input. But we only want to support your activities as an impulse not as a supervisor and not as a service provider over years. Does this mean that you are interested in this tool of networking? I don't think so, but perhaps you don't know how to deal with such a tool, or nobody wants to be the first who will put some Information inside.

The phase of inception has completed at the moment we all do our application to this conference. Therefore we have to discuss further steps how to fill the network with life. How could that happen?

Some further steps could be monthly reports of your work, which has to be done by everyone, a quarterly change of a moderator who gives a monthly report to CSSP and coordinates the input of content. An other necessary point is that you have to reduce your activities on your personal websites parallel to increase your activities on the SEEMF Webpage. At last we have to make PR for and through the webpage. Finally we have to adopt an agreement on our next steps, which we all have to sign.

In the future I will be the person of contact and questions related to the SEEMF Website. CSSP fully finance the website until December. When there is no feedback and self-organized work, we will quit our engagement.

Thank You



Agreement of the

SOUTH EASTERN EUROPEAN MEDIATION FORUM STEERING BOARD MEETING

11 & 12 October 2006, Hotel "Continental", Skopje

on the Future of the SEEMF Internet Presence and PR-Activities

We all agree that the internet presence for SEEMF is the most effective and functional tool to fill the network with life and the best way to connect the members permanently. The SEEMF Website also will establish more acceptance in the South Eastern Europe region. Therefore:

1. until the 31 October 2006, the country coordinators, or designated representatives, will send all available contact data of all mediators of their regions, together with available pictures, logos and event information to the CSSP-PR Coordinator.
2. until the 1 December 2006, the country coordinators, or designated representatives, will send their work and experience reports to the CSSP-PR Coordinator. If there is no translation, they will send the original documents and a short English summary. Each country Coordinator will send further material at least once every 4 months.
3. CSSP has fully financed the construction of the SEEMF Website. CSSP will also finance the hosting and providing of the website until the end of 2006.
4. After an evaluation of the progress made in improving the data of the website CSSP together with the SEEMF Steering Board will discuss future steps and ways of supporting the SEEMF Website in 2007.
5. CSSP together with the SEEMF Steering Board will start public relations activities after the conference.

signed

ALBANIA
Rasim Gjoka

signed

BOSNIA&HERZEGOVINA
Smiljka Gavric

signed

CROATIA
Srdjan Simac

signed

KOSOVO
Florent Hajrizi

signed

MACEDONIA
Dragan Dameski

signed

MONTENEGRO
Ivana Gajovic

signed

SERBIA
Jelena Arsic

signed

SLOVENIA
Gordana Ristin

signed

CSSP
Henrik Helmer

10.5. Speech of Mrs. Elisabeth Müller (German Vice Ambassador Macedonia)

Dear Mr. Minister (Manevski), Dear Organizers of this Conference, Dear Participants, Ladies and Gentlemen,

I am delighted to be here this evening and it is my great pleasure to convey the greetings of the German Ambassador, Ralf Breth, to you all, but especially to the participants in this First Regional Mediation Conference in South Eastern Europe.

The situation in the Balkans has long been and continues to be a top priority of German foreign policy and Germany continues its efforts to make lasting peace in the Balkans become a reality.

The Stability Pact for South Eastern Europe was adopted in June 1999 in Cologne during Germany 's EU Presidency. Especially the prospect of EU accession has proved to be the most important catalyst for domestic reform and regional cooperation in South Eastern Europe. In addition to its political and also military support to this region, Germany is also Europe's biggest bilateral donor country. So far, Germany has contributed more than 980 Million Euros of financial assistance to this region – and this does not include Germany's financial share in EU assistance. You will not be surprised to hear that also this conference is supported out of German Stability Pact Funds through the CSSP Project for Integrative Mediation.

Mutual understanding and confidence are necessary to secure peace on a long-term basis. Whereas the idea of mediation as an alternative dispute resolution mechanism – the main topic of this conference - has only recently gained increasing prominence, the benefits and the potential of mediation to conflict prevention, community building and facilitating dialogue at all levels of society has long been recognized.

I, therefore, congratulate CSSP for the organization of a regional networking workshop in Sarajevo last year, where mediators from the region as well as international actors explored the possibilities and identified the needs for networking and establishing sustainable mediation frameworks in the Western Balkans. I welcome the creation of the South Eastern European Mediation Forum (SEEMF) as a platform to increase cooperation and the exchange of information and practical experience as a result of this workshop. It is remarkable and also a testimony to the commitment of all involved that only one year later, the First Regional Conference takes place which reunites an impressive number of participants.

In August of this year, I took part in the commemoration and celebration of the 5th Anniversary of the Ohrid Framework Agreement which, after the crisis in 2001, paved the way for a peaceful, democratic and multi-ethnic future of this country.

I am, therefore, particularly pleased that Skopje has been chosen as the host town of this conference which, I am sure, will mark only the beginning of a whole series of such events.

I have looked at the programme and I am convinced that the combination of a number of very interesting plenary debates and above all practical training sessions will make this conference a success.

I should like to wish you many good debates and every opportunity to expand both your personal network and that of SEEMF.

Thank you very much.

10.6. Speech of Mr. Bernd Burwitz (CSSProject for Integrative Mediation)

Dear Excellencies, dear ladies and gentlemen, dear colleagues,

Today is a historic day for mediation in South Eastern Europe, it is the first time that mediation practitioners from Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia and Slovenia have come together to their own forum.

My name is Bernd Burwitz, after several years of work with different International organisations in the Western Balkans; I have joined the CSSProject for Integrative Mediation in January of this year. It is my honour and pleasure to represent CSSP here today. The CSSProject is a "lessons learnt" Project based on the 10 year experience of the International Mediator, Dr. Christian Schwarz-Schilling in Bosnia and Herzegovina. Financed by funds of the German Foreign Office and supported by the German Parliament, CSSP seeks to establish a comprehensive mediation methodology that can be replicated in other regions, given special attention to challenges faced by different communities at the municipal level.

CSSP envisions that responsibility for implementing peace processes remains in the hands of local leaders by ensuring that mediation is a credible alternative to imposed solutions. CSSP wants to see that mediation by national practitioners will grow more prominent in the future, and it is for that reason why we support this conference. CSSP believes that mediators in South Eastern Europe should expand in all areas of mediation, including mediation between different communities.

The South Eastern Mediation Forum Conference here in Skopje has the two-fold objective to one provide an exchange of experience, training and give an opportunity for networking. Secondly, to provide the opportunity to make key decisions in respect to SEEMF as a structure to support mediation in the future.

These decisions for SEEMF are required as mediators in this region currently receive external support in respect to training and resources. However, only mediators that are financial independent, and are not restricted by donor guidelines have the freedom to direct their interests in a direction they feel is most suitable for them. It is for that reason that I welcome Mr. Michael Lind from the ADR Group here, and thank him to share some experiences with us of how to direct mediation into a self-sufficient practice.

Mediation in the Western Balkans is under constant dynamic development. Last year it was a challenge to just identify mediators in order to invite them to a meeting in Sarajevo. This year there have been more active requests for participation, and there is a degree of regional exchange.

Thanks to the generosity of the Norwegian Government 35 mediators, many of this group are here this evening, were able to experience different forms of mediation this May in Norway, a country where mediation is well established. Maybe the experience of the Nordic Forum did provide an inspiration for some of us for the conference here.

Another positive development worthwhile to mention is the official constitution of the Mediators Associations in Slovenia and Macedonia. Mediators in this region sometimes

face challenges in moving mediation forward. I can but only congratulate you for your efforts. Being aware of the limited time some of you have available for mediation, I still want to critically note that some opportunities provided such as a free internet platform to present the regions do not get utilised sufficiently. A perception of lack of interest will move potential supporters away. I personally believe that the potential for the mediation industry (and it is an industry) in the region is substantive. To express it in terms of economy it is up to you to seize the market. I would not be representing CSSP if I did not point out that you as mediators will need to embrace the vision of what mediation can contribute in your communities. As professional mediators you can contribute to release some of the inter-ethnic issues that exist among your societies, and thereby move towards a higher acceptance of mediation as alternative dispute resolution mechanism.

On behalf of CSSP I like to express my thanks to the Association of Mediators of the Republic of Macedonia that took up the partnership with us to organise this event. I like to also express my thanks to the country coordinators and other people involved in getting people here today for the cooperation you have had with the organising team. A special thanks for the tolerance to everybody that has accepted that there are only two languages used as conference languages as there are many more languages in use in the region. To focus on only one or two has made the organisation easier and has allowed us to stay within a financial frame.

Let me conclude by saying that Mediation is more than an academic exercise that can be trained. It is a living exercise that is under constant development and that only strives towards live if it is practiced. There is a much stronger future for mediation in South Eastern Europe, and SEEMF can become a strong pillar for support. I wish you all a wonderful and productive conference. Thank you