

INSIDER MEDIATION TRAINING MANUAL



Insider
Mediators

Acknowledgments

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Introduction

Welcome to the Insider Mediation Training Manual! The purpose of this manual is to provide a comprehensive curriculum for Insider Mediation trainings and workshops. It is meant to be used during the course of the project so new insider mediators can develop the capacity to become trained and experienced mediators.

The content in this guide, when facilitated effectively and adapted to the local context, will help new mediators, or mediators who need refreshers, increase their knowledge and skills in order to positively intervene in local conflicts.

The Concept of Insider Mediation

The concept of "insider mediation" has roots in traditional and indigenous conflict resolution practices, where respected community members act as trusted intermediaries within their own social and cultural contexts. Unlike external or professional mediators, insider mediators are individuals who belong to the communities in conflict and leverage their local knowledge, trust, and social ties to facilitate dialogue and resolve disputes.

The role of insider mediators was further formalized as a valuable approach within international peacebuilding frameworks in the early 2000s.

Insider mediators are trusted and respected by their communities, and able to use their influence to play a role – often largely behind the scenes – which can directly or indirectly influence the trajectory of conflict in a constructive manner. They often have access to conflict actors who international and regional mediators cannot reach. As “insiders” they are a part of a community and therefore have greater insight into the deeper root causes of a given conflict, which must be addressed when seeking its resolution. Insider mediators are well-placed to monitor the implementation of agreed-upon measures and include the wider community in the reconciliation processes.

Through their unique, localized approach to resolving conflict, insider mediators have the potential to bring about a transformative change within their communities and can have an impact, not just in facilitating solutions for those directly affected by the conflict, but also on the wider community. Often the goal of mediation and dialogue processes is not “just” to resolve the conflict at hand, but

According to the UNDP, insider mediators are, “Individual(s), groups, entities or institutions possessing high levels of legitimacy and trust with the individuals and institutions involved in a specific conflict setting by virtue of their relationships and reputation with the parties and who/which possess a unique ability to directly and indirectly influence the conflict parties’ behavior and thinking.”

to build relationships of trust with the goal of creating “bonds of friendship”¹ amongst conflicting parties. As such, insider mediators do not use mediation and dialogue as tools to simply resolve conflicts, but also aim to heal and transform relationships in society.

Insider mediators draw on their position as members of a community and use these relationships, combined with other methods at their disposal, such as capacity-building, sporting events, storytelling, awareness-raising or joint service projects within the communities to achieve such a transformative change. This makes them not only insider *mediators*, but also insider *peacebuilders*.

The Project

This manual was developed as part of the project ‘Building Peace from the Inside’, a European Union-funded project that started in 2020 and has been implemented by Search for Common Ground (Search), Berghof Foundation, and Interpeace, together with the Conflict Alert and Prevention Center (CENAP) in Burundi, Africa University - Institute for Peace Leadership and Governance (IPLG) in Zimbabwe, and Search’s office in Niger.

The project aims to both support capacity-building of insider mediators in the three countries and to strengthen the collaboration between insider mediators and global policy actors to advance the international understanding, recognition of, and support for insider mediation. Insider mediators are a key asset to address local conflicts before they become flashpoints. Their engagement in international and national peace processes should become a fundamental norm.

In the current phase of the project, phase II, a total of 321 insider mediators were selected across Burundi (155), Niger (120), and Zimbabwe (46). Of these, 161 were women – including 50 young women² – and 160 were men – including 39 young men. Overall, 108 mediations or dialogue activities were conducted, involving a total of 197 men (47%), 117 women (27%), and 109 young people (26%).

How to Use This Guide

This manual consists of two recommended training plans: an **introductory three-day training program** and an **advanced, five-day training program**. This structure is suggested, and trainers should adapt the suggested agendas based on the needs and context of their participants.

The three-day training consists of four modules: *Understanding Conflict*, *Conflict Analysis*, *Conflict Transformation Tools and Methods*, and *Cross-Cutting Themes*. The five-day training consists of the same material as the three-day training, with a fifth module of *advanced sessions* included.

¹ This originates from a direct quote from an insider mediator from Burundi: “It’s a source of pride for us, because our work is helping to create bonds of friendship.”

² “Young” was defined as between 20-34 years old.

Each module contains sessions on topics relevant to the capacity building of insider mediators. Within each session, you will find estimated session duration, learning objectives, needed materials, recommended set-up instructions, and a detailed lesson plan which includes facilitator notes, tips, and activities. Sessions can be accompanied by a slide deck and handouts. Many sessions include handouts which can be found in Annex I.

Although the modules and sessions are numbered in order, it is important to note that they do not need to be delivered to all insider mediators and that they do not need to be delivered in the sequence suggested. These aspects should be adjusted by the facilitator(s) depending on the needs of the participants.

The following icons are used throughout the manual to symbolize:



Presentation using the slide deck.



Group activity.



Group discussion.

Additionally, three annexes are included: **Annex I** one consists of handouts to accompany certain lesson plans (when indicated in the *materials* section of the session); **Annex II** consists of case studies from this project's implementation locations of Burundi, Niger, and Zimbabwe; and **Annex III** consists of additional external resources.

Adapting to your Context

Cultures, norms, and language vary depending on the context. Therefore, the content in this manual should be adapted to fit the local context in which you operate. This manual should *guide* and help *shape* your training, rather than dictate word-for-word. Facilitators may need to adjust language, questions, activities, and case studies for the cultural context, conflict dynamics, and participant needs. The more complex and multidisciplinary a module topic is, the more it needs to be adapted.

Additionally, facilitators should consider cooperating with other local experts for topics or modules in which they're less experienced or knowledgeable.

During the planning process of your training, review this checklist for adaptation and contextual considerations:

- If translating this workshop from English to your local language, sensitivity should be taken to find appropriate wording for terminology used to define conflict. Careful consideration should be taken when translating these terms and concepts into local languages.
- The facilitator(s) should be prepared with examples of conflicts that are contextually appropriate and can be referenced throughout the training. Careful consideration should be given to which examples are selected, with awareness of who will be in the room, their dynamics, the communities in which they come from, and any latent or manifested conflicts.

- The facilitator(s) should be skilled in moderating conversations with participants with different experiences, backgrounds in conflict, diverse identities, and differing perspectives. When discussing conflict, the facilitator(s) should be prepared to guide the conversation and respond when differing views arise.
- The facilitator(s) should be aware of their limits in terms of expertise, especially for cross-cutting issues or topics where this is particularly important with regards to “do no harm.” With this in mind, the facilitator(s) should consider what additional experts or resources may be available to the participants. For example, if the training is being led by an organization with in-house experts on advocacy, gender, or security, the facilitator(s) should consider if it would be helpful to connect these experts with participants. The facilitator(s) should also consider local, community resources outside of their organization, such as community resources for mental health or for understanding legal frameworks.
- The facilitator(s) should be aware of and carefully notice power dynamics within the group. If there is a power dynamic among participants, which may be present due to gender norms, ethnic or tribal dynamics, positions held, or otherwise, there may be hesitation for those with a lower power status to share openly. The facilitator(s) should be knowledgeable of the group and power dynamics in the room and adapt questions/group discussions appropriately.
- The facilitator(s) should be prepared to adapt all activities if technology is unavailable or fails at the moment.
- The facilitator(s) should be aware of any disabilities, including visual, auditory, or physical, before the training begins, and adjust the instructions accordingly to ensure a fully inclusive training.
- The facilitator(s) should prepare the “Local Frameworks for Conflict Resolution” handout found in Annex I ahead of time.

The tailoring of the training material will ensure a more effective and relevant training experience for all participants.

Suggested Three-Day Training - Introductory Sessions

The following introductory sessions can be included in a three-day training with the recommended agenda below. Facilitators can rearrange or select sessions depending on their needs and context.

<u>Day 1</u>	<u>Day 2</u>	<u>Day 3</u>
1.1 Defining Conflict	3.3 Non-Violent Communication	3.8 The Mediation Agreement
1.2 Underlying Aspects of Conflict	<i>Break</i>	<i>Break</i>
<i>Break</i>	3.4 Conflict Transformation Methods Overview	3.9 Conflict Resolution in the Local Context
2.1 Conflict Analysis and the Conflict Tree	3.5 Mediation Ethics and the Role of the Mediator	<i>Lunch</i>
<i>Lunch</i>	<i>Lunch</i>	4.1 Safety and Security (Part 1)
2.3 Applying a Gender-Sensitive Lens	3.6 Mediation Preparation	4.2 Mental Health and Psychosocial Support for Insider Mediators
<i>Break</i>	<i>Break</i>	<i>Break</i>
3.1 The Five Basic Principles of Communication	3.7 The Mediation Process Design	4.3 Understanding the Relationship Between Trauma and Conflict in the Mediation Process
3.2 Active Listening		Training Closing

Suggested Five Day Training – Advanced Sessions

The following advanced sessions can be included in a five-day training with the recommended agenda below. Facilitators can rearrange or select sessions as appropriate to their needs and context.

<u>Day 1</u>	<u>Day 2</u>	<u>Day 3</u>	<u>Day 4</u>	<u>Day 5</u>
1.1 Defining Conflict	2.3 Applying a Gender-Sensitive Lens	5.4: Understanding Negotiation	5.5: Gender Inclusion in Mediation	5.8: Integrating the Environment, Climate Change, and Conflict Nexus
1.2 Underlying Aspects of Conflict	<i>Break</i>	<i>Break</i>	5.6: Youth Inclusion in Mediation	<i>Break</i>
<i>Break</i>	3.1: Five Basic Principles of Communication	3.5 Mediation Ethics and the Role of the Mediator	<i>Break</i>	5.8: Integrating the Environment, Climate Change, and Conflict Nexus, Continued
2.1 Conflict Analysis and the Conflict Tree	3.2 Active Listening	3.6 Mediation Preparation	5.7: The Role of Advocacy	<i>Lunch</i>
<i>Lunch</i>	<i>Lunch</i>	<i>Lunch</i>	<i>Lunch</i>	4.2 Mental Health and Psychosocial Support for Insider Mediators
<i>For the afternoon, consider one or two of the advanced conflict assessment tools:</i>	3.3 Non-Violent Communication	3.7 The Mediation Process Design	3.9 Conflict Resolution in the Local Context	<i>Break</i>
5.1: Identifying Conflict Sources	<i>Break</i>	<i>Break</i>	4.1 Safety and Security (Part 1)	4.3 Understanding the Relationship Between Trauma and Conflict
5.2 The Ladder of Conflict	3.4 Conflict Transformation Methods Overview	3.8 The Mediation Agreement	<i>Break</i>	Training Closing
5.3: The Actors, Content, Context, Process Framework	5.3: Dialogue as a Conflict Transformation Tool		5.10 Safety and Security (Part 2)	

Module 1: Understanding Conflict

Overview

This introductory module provides participants with a foundation of the key concepts and theories of conflict. Through the exploration of conflict in its various forms, from interpersonal to societal, participants will develop a deeper understanding of the root causes of conflicts, as well as the tools and frameworks needed to analyze them. Participants will explore what a conflict is, why conflicts occur, and learn how to identify and differentiate between different types of conflict. This module also brings to light the importance of understanding the positions, interests, and needs to better help conflicting parties find a sustainable agreement.

Learning Objectives

- Participants learn what conflict is and why it occurs.
- Participants understand how to analyze and identify underlying aspects – such as emotions, needs, and interests - in a conflict.
- Participants are able to identify and differentiate between different types of conflicts.

Sessions

- **Session 1.1:** Defining Conflict (*40 minutes*)
- **Session 1.2:** Underlying Aspects of Conflict (*60 minutes*)

Facilitator Tips

- Fully review and complete the “Adapting to your Context” checklist on pages 6-7.
- Include openings, closing, breaks, and icebreakers as appropriate depending on your training agenda and the energy levels of the group.
- Additional tips and facilitator notes are shared throughout the sessions in text boxes.
- Accompanying handouts, when indicated, can be found in Annex I.

Session 1.1: Defining Conflict

Session Overview



Estimated time: 40 minutes



Learning Objectives: Participants learn the definition of conflict, understand that it is natural and inevitable, are able to differentiate between direct or indirect violence, and gain an awareness of how conflicts become violent.



Materials: Slide deck, flip chart paper, and markers.



Set-up: Have flip chart paper and markers readily available at the front of the room and have the slide visible on the screen.

Detailed Session Plan

Welcome - 10 minutes



1. **Welcome participants** to the session and **introduce yourself**.
2. Share the **overview, objectives, and agenda** for this session.
3. Facilitate **participant introductions**.



4. **(Optional)** Facilitate an icebreaker activity of your choosing.

Defining Conflict - 10 minutes



5. Ask participants how they would **define conflict**. Take responses.
6. Present the following **definition**: "Conflict is present when two or more parties perceive their interests are incompatible, express hostile attitudes, or...pursue their interests through actions that damage the other parties".³
7. Explain that **conflict is inevitable and a natural part of human interaction**. If it allows space for differing views to come together and draw from each other, it can be positive and contribute to transformation and development. If it seeks to suppress difference, it can trigger destructive violence.

³ Fisher S, et al. (2000) Working with Conflict: Skills and Strategies for Action. London: Zed.

8. Explain that conflict can occur at an **interpersonal level** (between two or more people, such as neighbors, family, friends, colleagues), or at an **intergroup level** (such as between two communities or ethnicities). At a larger scale, conflicts can also be distinguished at different **geographic scopes**: national, regional, international, and global.

9. Explain that conflict may or may not be violent. **Violence** can be described as an activity that hurts any individual or a group, deprives them of their freedom, or presents threats of such actions. Violence can be:

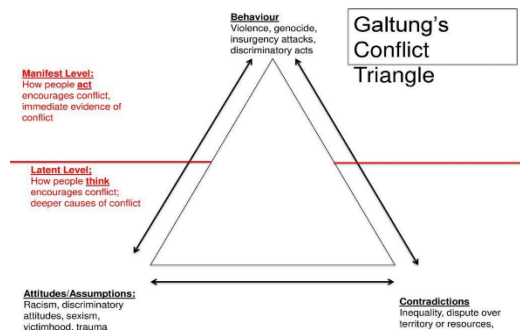
- **Direct:** Activities carried out with the intention of causing harm to a person’s physical existence or property: beatings, murder, assault, and damage or destruction of property.
- **Indirect:** Refers to activities carried out with the intention of damaging or psychologically affecting someone’s dignity, self-respect, and socio-cultural identity. Discrimination against women and persecution against them on the basis of socio-cultural traditions are an example of indirect violence. Structural violence, which occurs when systems and institutions are unjust and do not provide all groups equal rights, is also a form of indirect violence.

10. Ask participants: **How do conflicts become violent?** Take responses.

- Explain the following ways that conflict can become violent:
 - Historical, long-term grievances between different parties;
 - Uneven distribution of power, and/or resources (such as food, housing, jobs, and land);
 - Opposing, clashing, or contradicting values, ideas, and/or beliefs about each other held by different parties;
 - Little or no communication between two or more sides who disagree.

11. Explain how conflict begins at a **latent** level with our underlying unmet needs, perceptions, thoughts, attitudes, and assumptions, that can **manifest** into behavior such as violence or discrimination.

- **(Optional model)** According to Johan Galtung⁴, a leading peace specialist, there



⁴ Johan Vincent Galtung, Norwegian sociologist and mathematician considered one of the pioneers of modern peace studies.

are two levels to any conflict – latent and manifest.

12. Transition to the activity below.

Conflict as Natural and Inevitable - 20 minutes



13. Explain to participants that they will be **brainstorming proverbs, cultural expressions, adages, or otherwise that advocate for or denounce conflict or violence.**

14. Ask one volunteer to come to the front of the room to serve as the scribe for this activity. Hand them a marker and flip chart paper.

15. Ask the group to think of **local proverbs, expressions, or adages that denounce conflict or violence.** Take responses from participants and have the volunteer scribe write these responses on the flip chart paper. After a few minutes, thank the scribe and ask them to take their seat again.

16. Ask a different volunteer to come to the front of the room to serve as the scribe for the next prompt.

17. Ask the group to think of **local proverbs, expressions, or adages that advocate for or encourage conflict or violence.** Take responses from the group and have the volunteer scribe write these responses on the flip chart paper. After a few minutes, thank the scribe and ask them to take their seat.

- *Note: Participants may not find proverbs or adages related to conflict. In this case, encourage them to share behaviors, ways of doing things, phrases commonly used when addressing each other, etc. that show that conflict (or violence) is present in everyday life.*



18. Ask participants the following questions and **prompt a lively discussion:**

- What do these proverbs/adages reveal?
- Which are the most quoted/used in everyday life, and why?
- What lessons can you draw from these proverbs/adages?
- Are there any that are or seem to be targeted at certain categories (women/youth)?

19. **Summarize** what was shared and **debrief** the activity by sharing the following points:

- Conflict is a natural part of our lives, as these adages reveal. There are some that encourage conflict but others that do not. Yet we cannot escape conflict.

- You are encouraged to think of conflict as neither positive nor negative. It all depends on how we manage conflict. That is why you are here: because you are passionate about managing conflict well so that it does not lead to violence.
- When we don't manage it well, it can lead to violence.
- Conflict has many causes. Conflicts can be opportunities for solving problems, improving relationships, and innovating.
- That is what we'll focus on in our training: how you can understand conflict, what drives conflict, how to analyze conflict, and how to approach conflict resolution in your local context.

20. Ask the group if anyone has **questions**. Take questions as appropriate and close the session.

Session 1.2: Underlying Aspects of Conflict

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants learn how to identify the underlying needs, emotions, values, and interests in a conflict, and understand how to use tools like the Conflict Hippo or Conflict Onion to better understand the drivers of conflict.



Materials: Slide deck, pens, flip chart paper, markers, flip chart paper with largely drawn Conflict Hippo and Conflict Onion, session handout and worksheet, case study copies.



Set-up: Have all materials at the front of the room and have the slide deck visible on screen.

Detailed Session Plan

Identifying the Underlying Aspects of Conflict - 20-30 minutes



1. Explain to participants that, to be effective as insider mediators (IMs) and help resolve conflicts, we need to understand their origins and what lies **below the surface-level tension or violence**. When we engage with others, we only see their actions, and we form an idea of the situation based on the actions. The actions are only a small part of the reality of the situation. To understand conflict and help resolve conflict, we need to be able to identify what is underneath and may not be visible, audible, or obvious.



2. **(Optional activity)** Prompt participants to close their eyes and consider a recent, minor conflict in their lives. This could be a simple disagreement with a friend, partner, colleague, or family member. Ask the group to silently think about the following:

- What occurred that led to the conflict?
- What emotions did they feel (*possibly upset, sad, disappointed, frustrated*)?
- Was there a need of theirs that wasn't met (*to be respected, connected, etc*)?
- What perception or assumption did they make about the other person?
- What action or behavior was present?
- Share that we will revisit this in a few minutes.

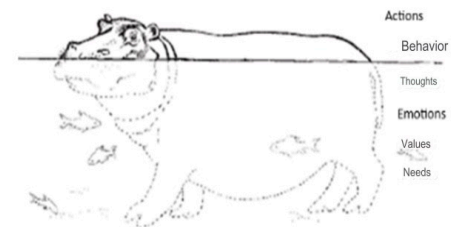


3. Explain that the **Conflict Hippo (Hippopotamus)** and the **Conflict Onion** are models that illustrate the visible and apparent aspects of a conflict and the hidden, invisible aspects. The hippo and onion helps us understand that **conflicts have layers**: parties may come to a mediation and express what they want (i.e. *their positions*) while demonstrating behaviors that are only part of the story. As IMs, it is essential to know there is always more to what is shown (i.e. *their interests and needs*) and that it is important to uncover these to identify common ground.

Facilitator Note

When explaining the *Conflict Hippo* and the *Conflict Onion*, provide local contextual examples to help participants understand the layers of each model.

4. Review the **Conflict Hippo**: The actions and behaviors are what are visible; thoughts, emotions, values, and needs are below the surface.



- Prompt the group to look at the deepest layer that is often hidden in conflict: human **needs**. What do we mean by **needs**? Ask the group if anyone is familiar with **Maslow's Hierarchy of Needs**? (*take a few responses*)

- Maslow clearly identified the various human needs that may be at the core of a dispute. Identifying these, might indeed uncover common ground among the parties involved.
- Show Maslow's Hierarchy of Needs⁵ on the screen (or drawing on a flip chart paper) and explain it to the group.



- The next layer below the surface is our **values**. What do we mean by values? (*take a few responses*)
 - **Values** are the ideas that are important to us, that determine what we find acceptable or not, 'good' or 'bad', and that influence our perceptions of morality, beauty, justice, and fairness. Our commitment to certain values indicates how central these values are to our personality and also how difficult it will be to resolve a conflict involving these values.

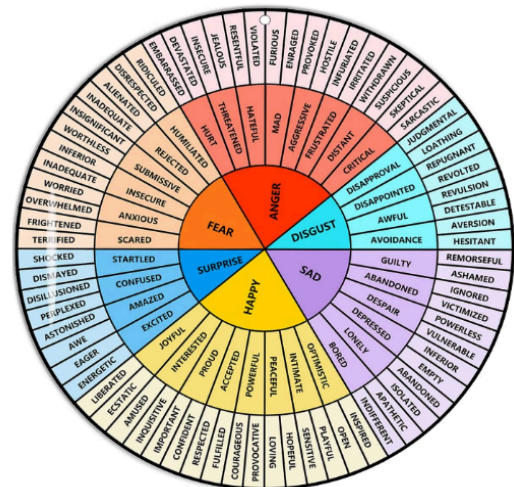
⁵ For more information on Maslow's Hierarchy of Needs, visit https://en.wikipedia.org/wiki/Maslow%27s_hierarchy_of_needs

- A value is something very personal; each person is entitled to their own opinion on the importance of their values. When we use our values to make decisions, we make a conscious choice to focus on what is important to us. When values are shared, they strengthen the internal cohesion of a group.
- *(Optional explanation of different types of values)* Explain that there are **four types of values** that we find in an organizational setting: individual values, relational values, organizational values, and societal values.
 - **Individual values:** Individual values reflect how you present yourself in your life and your specific needs, i.e. the principles that guide you and what you consider important for your personal interest. Individual values include enthusiasm, creativity, humility, self-fulfillment, and more.
 - **Relational values:** Relational values reflect how you relate to other people in your life, whether they are friends, family members, or colleagues in your organization. Relationship values include openness, trust, generosity, care, and more.
 - **Organizational values:** Organizational values are a set of core beliefs held by an organization. They act as guiding principles that provide an organization with purpose and direction and set the tone for its interactions with its customers, employees, and other stakeholders.
 - **Societal Values:** Societal values reflect how you or your organization relate to society. Societal values include future generations, environmental awareness, ecology, sustainability, and others.
 - Ask the group for examples of organizational values or societal values that govern the local context.
- Explain that, below the surface, we can also find our **emotions**. When we feel like our human needs are unmet, and our values are clashing with others, this will elicit an emotional reaction.
 - An **emotion** is a mental state brought on by neurophysiological changes, variously associated with thoughts, feelings, behavioral responses, and a degree of pleasure or displeasure. Emotions play a role in how people make sense of their relationships, their degree of power, and their social status. People constantly evaluate situations and events for their personal relevance. This understanding and these evaluations are imbued with various

emotions and feelings. Thus, emotion not only serves as a side effect of conflict, but also frames the way parties in conflict understand and define their dispute.

- It takes the skill of **Emotional intelligence** to understand our own and others' emotions and is the key to understanding yourself and others. If you don't know how you feel or why you feel the way you do, you won't be able to communicate effectively or resolve your disagreements. Although knowing your own feelings may seem simple, many people ignore or try to numb strong emotions like anger, sadness, and fear. Your ability to handle conflict depends on your connection to these feelings.

- Most people more commonly remember emotionally charged events. Violent emotions, such as intense fear, instinctively trigger survival mode and fight, flight, or freeze reactions. In a situation where there is no immediate physical threat, these reactions can be detrimental: coming out of a meeting with your supervisor shouting and slamming the door in anger or frustration is counterproductive. If you don't manage your emotions well, you may behave in an illogical or inappropriate way which can lead to interpersonal conflict.



- **(Optional)** The **Emotions Wheel** is a great tool to help identify yours or someone else's emotion. *(Explain the Emotions Wheel and why it is so useful.)*

- The final aspect of the Conflict Hippo and what is often invisible in a conflict are our **thoughts** – how we are **perceiving** situations.

- **Perception** is the processing, interpretation, selection, and organization of information. It is important to understand that each person has their own point of view, their perception of an image, a situation, a conflict, a conversation. For each person, their perception or point of view is their reality.

- Our perceptions may not be the same as others, and we might indeed perceive completely different things about the same situation or issue.



- **(Optional Activity)** Explain to the group that you will share the below images on the screen and ask participants the following questions:

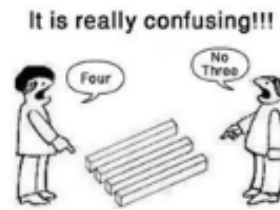


FIG.7.1 Illustration of figure-ground relationship

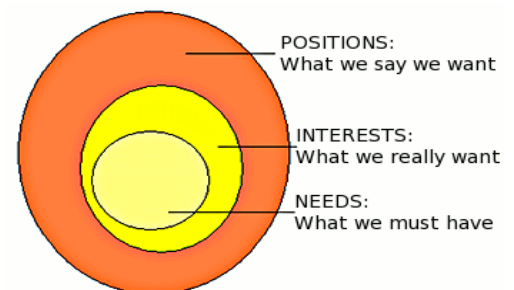
- What do you see in these images?
 - Does anyone see anything else?
 - Why might we all not be seeing the same thing?
 - Do you have any examples of interpersonal conflicts they have experienced, due to different perceptions?
- Share key takeaways with participants: It is very normal that people perceive things differently. Perception may be different between two people, even if they are looking at the same thing. Differences in perception and decoding can lead to misunderstandings and sometimes interpersonal conflicts. These differences in perception also mean that it is often unnecessary to look for who is right and who is wrong, but rather to know that there can be two views of the same situation.



- **(Optional discussion)** Prompt the group to reconsider the personal conflict they thought about at the start of the session. Now that we have reviewed the Conflict Hippo, did it reveal any underlying aspects of this conflict? Take a few responses.

5. Explain the next model to the group: the **Conflict Onion**.

- The **positions** we take in public/what we say we want is the top layer.
- Our **interests** or what we really want are underneath.
- At the core are the **needs**, what we must have.



6. In most conflicts, all we can first see is ours, the other person, or the conflicting parties' positions. As IMs, we assist so interests and needs can be revealed.

7. Take any **questions** before moving into an activity to apply this information.

Applying the Conflict Hippo - 30 minutes



8. Explain that participants will receive a **case study** and work together with a partner/small group to **identify the aspects of the Conflict Hippo and complete the worksheet.**
9. Divide the group into pairs/small groups and hand everyone a copy of the case study and handout/worksheet (*if it was not already provided at the start of the session*).
10. Prompt the group to take 10-15 minutes to read the case study and identify the following:
 - First, identify if the conflict is interpersonal or intergroup.
 - Next, identify the layers of the Conflict Hippo:
 - What unmet needs are present?
 - What are the underlying values and emotions?
 - What is each party's interest?
 - What is each party's position and behaviors/actions?



11. When groups are finished, **prompt a discussion** and sharing based on their responses:
 - How easy or difficult was it to identify the aspects of the Conflict Hippo?
 - What lessons have you learned from this analysis with the Conflict Hippo?
12. Ask the group if anyone has **questions**. Take questions as appropriate.
13. **Debrief** the activity and ask the group for **key takeaways** before closing the session:
 - Parties in conflict normally have opposing positions. They are opposed to each other and both try to weaken the other's position and strengthen their own.
 - In a conflict situation, actors often tend to hide their needs and interests and negotiate on the basis of their positions. If mediation or negotiation does not take into account the needs of each of the parties, it is bound to fail.
 - As IMs, it is our role to help reveal the underlying aspects of the conflict so the parties can begin to understand each other and find common ground.

Facilitator Note

The case study should be simple enough for participants to review during this activity but complex enough to prompt critical thinking needed to identify the Conflict Hippo layers.

Module 2: Conflict Analysis

Overview

This module provides various conflict analysis tools that are important for insider mediators (IMs). These tools are useful for understanding the causes and consequences of conflicts and enable IMs to propose appropriate actions. The module also introduces the analysis of conflicts sensitive to gender and instructs participants to apply a gender lens.

Learning Objectives

- Participants understand what conflict analysis is and why it is so important.
- Participants learn and understand how to apply the conflict analysis tool *The Conflict Tree*.
- Participants understand how gender relates to conflict and why applying a gender-sensitive lens is important in conflict transformation.
- Participants are able to apply this learning to conduct a gender-sensitive conflict analysis.

Sessions

- **Session 2.1:** Conflict Analysis and the Conflict Tree (50-60 minutes)
- **Session 2.2:** Applying a Gender-Sensitive Lens (60 minutes)

Facilitator Tips

- Fully review and complete the “Adapting to your Context” checklist on pages 6-7.
- Include openings, closing, breaks, and icebreakers as appropriate depending on your training agenda and the energy levels of the group.
- Additional tips are shared throughout the sessions in text boxes.
- Additional sessions on conflict analysis tools can be found in **Module 5** and include: *Session 5.1: Identifying Sources of Conflict - The Conflict Circle*; *Session 5.2: The Conflict Ladder*; and *Session 5.3: The Actors, Content, Context, Process Framework (ACCP)*.

Session 2.1: Conflict Analysis and The Conflict Tree

Session Overview



Estimated time: 50-60 minutes



Learning Objectives: Participants learn what conflict analysis is, why it is a needed skill of an Insider Mediator, and how to apply the Conflict Tree tool to analyze a conflict.



Materials: Slide Deck, flip chart paper, markers, pens, paper, *Conflict Tree Handout/Worksheet* copies.



Set-up: Have all materials at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Welcome - 5-10 minutes



1. **Welcome** participants to the session.
2. Share the **overview, objectives** of, and **agenda** for this session.



3. **(Optional)** Icebreaker activity.

What is Conflict Analysis? - 5 minutes



4. Explain that **conflict analysis** is a practical method of collecting information, analyzing, and understanding the context, the parties, and the conflict. It is the first step towards any conflict resolution or transformation. Conflict analysis informs the strategies and interventions that the mediator will take. We analyse conflict to:
 - Identify the nature, patterns and dynamics of the conflict;
 - Understand the background and history of the conflict;
 - Identify all the actors involved in the conflict;
 - Understand the relations and perceptions of the actors;
 - Develop shared understanding and narrative of the situation;
 - Learn from failures and successes of past interventions.

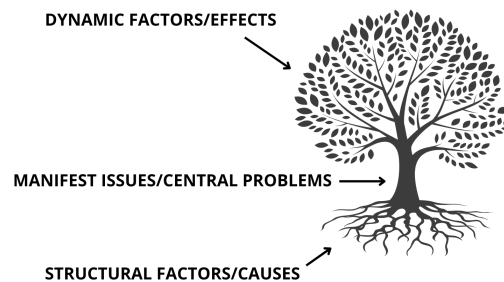
5. Conflict analysis can be conducted in a few different ways before, during, and after the conflict, and can help a mediator identify possible solutions as the conflict evolves.
6. How do we analyze conflicts? We'll now discuss a helpful tool: **The Conflict Tree**.

The Conflict Tree - 10-15 minutes



7. Explain that the **Conflict Tree** is a tool that helps us visualise interactions between various factors, particularly structural, manifest, and dynamic. It stimulates discussion on the **causes and effects of a conflict**.

- The leaves symbolise the **dynamic factors**, or effects/consequences;
- The trunk represents the **issues that manifest** from the structural issues thereby linking them to the dynamic factors;
- The tree roots symbolise the “root causes” or the **structural factors** which are more static factors, i.e. the reason the conflict exists.



8. Let's further analyze these **three aspects of the Conflict Tree**:

- **Dynamic Factors:** Dynamic factors include the form of communication, escalation level, as well as relationship aspects. They are the bulk of smaller conflicts or dimensions of the conflict emerging out of the trunk. Addressing dynamic factors results in short term interventions which are often quick and at times unpredictable.
- **Manifest issues:** These are the issues that the conflict parties want to talk about and present them as the “topic” of the conflict. They are symbolized by the trunk of the tree and it is where all the roots have converged. It is these manifest issues that give the analyst a clue about the nature of the conflict, just as the trunk gives onlookers an idea about the name of the tree. It also comprises dynamics of the conflict.
- **Structural Factors:** Root causes are the basic “reason” of the conflict although no conflict party will be willing to dive into them quickly. They are also known as causal factors. They are the invisible parts of a tree, but also their anchor and source of life. They are difficult to influence in the short-term, but if they are overlooked, the conflict may reemerge later. Examples include corruption, injustice, poor governance, ethnic prejudice and bias, intolerance, and economic deprivation.
 - What do we mean by **'bias'**? Ask participants if they can define or explain what bias is.

- Explain that **bias** is preconceived prejudice or favoritism towards one group over another. Bias can lead to injustice, inequality, discrimination, and violence, and can be a structural factor in conflict. As IMs, we need to be aware of what biases exist in the conflict.

Applying The Conflict Tree - 30 minutes



9. Ask everyone to privately **reflect on a conflict** that they have had an opportunity to resolve using whichever intervention strategy. Alternatively, if they cannot think of a conflict, identify a familiar conflict and describe it for the participants.

10. Provide 10 minutes for each participant to silently **analyze the conflict and identify the Conflict Tree components** by completing the Conflict Tree Worksheet:

- **Dynamic factors** (symbolized by the leaves);
- **Manifest issues** (symbolized by the trunk);
- **Structural factors** (symbolized by the roots).

11. After 10 minutes, ask a few participants to **share** a brief overview of the conflict they analyzed and the Conflict Tree aspects they identified.

Facilitator Note
If time allows, have participants first share their responses in pairs before opening the discussion to the large group.



12. Encourage a **discussion** by asking the group the following questions:

- As you were analyzing, was it an easy task to separate causes from effects?
- Were there issues which you felt could also fit in more than one category? Why?
- *Optional Question:* How do gender norms shape understanding of the dynamic factors, manifest issues, and structural factors?

13. Ask the group for any **questions**. Take questions as appropriate.

14. Summarize the **key takeaways** for the group:

- Conflict analysis is key in mapping the appropriate intervention strategy. Conflict analysis is necessary for us as IMs and includes collecting information so we can better understand the dynamics of the conflict, including the parties, positions, and underlying aspects.
- The Conflict Tree can be a helpful tool to analyze conflicts.

Session 2.2: Intersectionality and Gender-Sensitive Conflict Analysis

Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand why applying a gender-sensitive lens to conflict analysis is so important and learn how to analyze a conflict's gender dimensions.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

The Importance of Intersectionality - 10 minutes



- Explain to participants that our identities play a role in how we experience life and, in particular, conflict. **Identity** refers to how we define ourselves and how we are perceived by others and, at a societal level, refers to certain groupings of identity. For example, our gender is an aspect of our identity. So is our race, age, ethnicity, tribe, disability status, and more.
- Why is it important to recognize identity when we discuss conflict and conflict analysis? (*take responses*)
 - Explain that our different identities may contribute to how we experience conflict. Many times this refers to our overlapping identities, not just *one* aspect of our identity.
 - Ask participants if anyone has heard of **intersectionality** and if they can define this term.
 - **Intersectionality refers to overlapping identities** - i.e. identities that we hold simultaneously that cannot be separated.
 - There are certain intersections of identity that can be affected differently in conflict. This is because of how much *power* this identity holds

Facilitator Note

If participants are having difficulty understanding intersectionality, it may be helpful for the facilitators to share which intersectional identities they hold.

in society. In many societies, able-bodied men of the dominant race or ethnic group may hold the most power, whereas anyone else, such as women or individuals with disabilities, may hold less power in that society. This is often referred to as marginalized or more vulnerable identities. Can anyone think of a different example? *(take responses)*

- For example, women who are disabled may be more vulnerable during conflict than women who are not disabled, whereby women overall may be more vulnerable than men during conflict due to sexual and gender-based violence.

Facilitator Note

For additional topics on identity and conflict, advanced sessions on women and youth inclusion can be found in Module 5.

- Explain that, while this session is focused on applying a gender-sensitive lens, a similar approach can be used to analyze conflicts with respect to other dimensions of identity.

Analyzing Conflict through a Gender Lens - 20 minutes

- Ask the group and take responses: *What is gender-sensitive conflict analysis and why is it so important?*



- Explain that a **Gender-Sensitive Conflict Analysis** is the systematic study of the gendered causes, structures, stakeholders, and dynamics of conflict and peace. It is conflict analysis with a gender lens. Addressing common gender biases in conflict analysis will provide a more accurate and comprehensive understanding of the root causes, triggers, and drivers of conflict. This enables more informed and effective action.

- Explain that a **Gender-Sensitive Conflict Analysis:**

- Recognizes that women and men, girls and boys, and gender non-conforming people may have different experiences, opportunities, and constraints due to gender norms in their society;
- Analyses the unequal social, political, and economic power dynamics between genders within society and how these influence opportunities and capacities for peace and security;
- Addresses underlying gender dynamics in society, including discriminatory or exclusionary practices, as part of addressing the root causes of conflict;
- Emerged as a practice to address the persistent lack of gender as a factor in conflict analysis, which excludes women's different experiences,

Facilitator Note

Although this module discusses gender and includes mention of nonbinary, transgender, or gender non-conforming individuals in conflict, a majority of the content focuses on the gender binary of man and woman. The facilitator should recognize this and adjust as appropriate.

interests, and needs, and which biases planning and response against women and girls.

➤ Explain that **applying a gender sensitive conflict analysis model** implies considering the following practical steps:

- Assess the differentiated impact of armed conflict and other forms of violence on women, men, boys, girls, and gender non-conforming individuals;
- Analyze the different roles of women and men, boys and girls from combatant to peacemakers, and how these have changed due to the conflict;
- Address how norms relating to masculinity and femininity drive or mitigate violence and insecurity and challenge or create opportunities for peacemaking;
- Expand actor mapping to identify the networks and knowledge that women, men, boys, and girls have:
 - Draw on sex-disaggregated data (e.g. numeric representation in mediation bodies) and broaden data collection indicators;
 - Advance participatory analysis, including through consultations with diverse women's groups and women peacebuilders.

➤ Example of **guiding questions for gender sensitive conflict mediators**:

- **What are the prevailing views of the underlying causes of the conflict?** Are there differences or similarities between women's and men's views and experiences in different groups, from different backgrounds, communities, religious groups?
- **What types of violence are there and at what levels?** Is there political violence and by whom? Sexual and gender-based or conflict-related sexual violence? Attacks on human rights defenders? Physical or online harassment? Who are the perpetrators and the victims? Which groups of women, men, or gender non-conforming people are particularly at risk in this conflict setting?
- **Who are the key actors in the conflict?** Who is taking the lead in contributing to conflict? Who is taking the lead in contributing to peaceful resolution of the conflict? What is the gender composition of these key actors?
- **Who is involved in the peace process and how?** Are women represented and are gender issues addressed at each level? Which constituencies do the representatives in peace processes represent? Can addressing women's roles in the existing cultural

and societal structures create opportunities for peace (i.e., supporting women's grass- roots peace leadership, women's access to land, etc.)?

- Discuss how conflict analysis has certain pitfalls when not considering gender dynamics. Review the **common pitfalls of not considering gender** during conflict analysis:
 - Treating men and women as homogenous groups;
 - Limiting gender to a single 'section' or 'part' of the analysis (rather, it should be streamlined throughout);
 - Assuming women are victims with narrow protection needs and not agents or actors in conflict;
 - Ignoring patriarchal power dynamics in the society;
 - Undertaking conflict analysis as a one-off activity and not a lens through which power dynamics are regularly updated and addressed; and
 - Failing to integrate gender from the early stages of conflict analysis.

- To further prompt participants to understand **how gender intersects with conflict**, share the following information.
 - According to UNWOMEN, all the structural causes of conflict have a gender dimension. The following table contains the most frequently observed root causes and corresponding gender issues:

Root causes	Gender dimension.
History of armed conflict	Legacy of past wars, e.g. children born of rape, widows, orphans.
Governance and political instability	Exclusion of women from decision-making, corruption because it affects men and women differently .
Militarization	Public spending on defense reduces resources available for social services.
Heterogeneous populations	Community/separatist mobilization, gender manifestations of ethnic differences.
Demographic pressure	Unemployed young people, infant mortality.

Economic performance	Informal economy linked to the increase in the number of women working in underpaid jobs and in the informal sector.
Human development	High maternal mortality rate, women's unmet expectations in terms of education and healthcare.
Environmental pressure	Women's access to water and arable land.
Cultural influences	Cultural practices that restrict women's rights and favor men's "hypermasculinity".
International links	In the case of trafficking in women, a lack of international links means less chance of implementing the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), or of seeing women's rights as foreign to one's own culture.

Applying a Gender-Sensitive Lens to your Conflict Analysis - 30 minutes



- Divide the participants into groups of 3-4 people.
- Instruct participants to take approximately 10 minutes to discuss the following questions:
 - What are (and have been) the roles, positions, ambitions, and frustrations of women in your community?
 - What are the gender dynamics in your community?
 - Do women and men behave differently in a conflict?
 - What are the attitudes, behaviors, and context of men and women before and during the conflict?

Facilitator Note

If time allows, prompt the group to revisit their Conflict Tree from an earlier session and to assess if they included or would now include any gender dynamics.



- Bring the group back together to **debrief** and have groups share what they discussed. Facilitate an open **discussion**.
- Ask participants for **questions**. Take questions as appropriate.
- Share a summary and **key takeaways** from the session:
 - Gender-sensitive conflict analysis is the systematic study of the gendered causes, structures, stakeholders, and dynamics of conflict and peace.

- Addressing common gender biases in conflict analysis will provide a more accurate and comprehensive understanding of the root causes, triggers, and drivers of conflict.
- This enables more informed and effective action.

Module 3: Conflict Transformation Tools and Methods

Overview

This module equips learners with the knowledge and skills necessary to effectively transform conflicts in local contexts by understanding good communication and by using communication methods and the conflict transformation tool of mediation to consolidate agreements. Learners will be provided with practical, local, and contextual methods and information for conflict resolution. By the end of this module, participants will acquire the skills needed to play an active role in resolving conflicts and promoting peaceful coexistence in their communities and beyond.

Learning Objectives

- Participants understand the five principles of communication.
- Participants increase their skills in active listening.
- Participants understand how to apply Non-Violent Communication.
- Participants can express the difference between multiple conflict transformation modalities and identify which to use for what purpose.
- Participants learn how to prepare for and implement a mediation.
- Participants identify other local conflict resolution in their community context.

Sessions

- **Session 3.1:** The Five Basic Principles of Communication (*60 minutes*)
- **Session 3.2:** Active Listening (*60 minutes*)
- **Session 3.3:** Non-Violent Communication (*60 minutes*)
- **Session 3.4:** Conflict Transformation Methods Overview (*30 minutes*)
- **Session 3.5:** Mediation Ethics and the Role of the Insider Mediator (*90 minutes*)
- **Session 3.6:** Mediation Preparation (*90 minutes*)
- **Session 3.7:** The Mediation Process Design (*60 minutes*)
- **Session 3.8:** The Mediation Agreement (*90-120 minutes*)
- **Session 3.9:** Conflict Resolution in the Local Context (*60 minutes*)

Facilitator Tips

- Fully review and complete the “Adapting to your Context” checklist on pages 6-7.
- Include openings, closing, breaks, and icebreakers as appropriate depending on your training agenda and the energy levels of the group.
- Additional facilitator tips are shared throughout the sessions in text boxes.
- Additional conflict transformation methods sessions can be found in **Module 5: Session 5.4: Dialogue as a Conflict Transformation Tool; Session 5.5: Negotiation; Session 5.6: Gender Inclusion in Mediation; Session 5.7: Youth Inclusion in Mediation; and Session 5.8: Advocacy.**

Session 3.1: The Five Basic Principles of Communication

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants learn the five basic principles of communication and understand their importance in contributing to conflict and resolving conflict.



Materials: Slide deck, flip chart paper, markers, pens, paper, *The Five Basic Principles of Communication* handout, printed "Role Play" scenarios.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Welcome - 5-10 minutes



1. **Welcome** participants to the session.
2. Share the **overview, objectives,** and **agenda** for this session.
3. **(Optional)** Icebreaker activity.

The Five Basic Principles of Communication - 20 minutes

4. Explain that all conflict begins when communication breaks down or is ineffective from the beginning. It is therefore important for us to understand the **five basic principles of communication.**
5. **Principle 1: We cannot *not* communicate.**

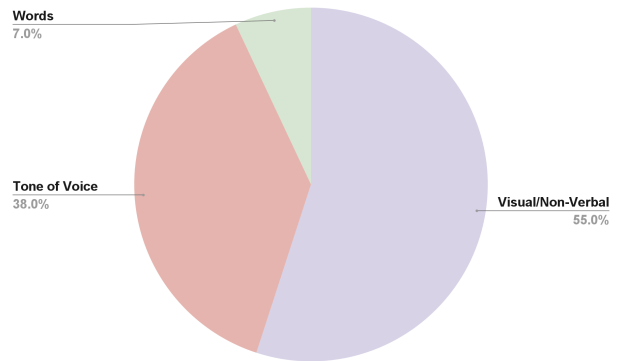
- Share the following quote from Roland Barthes, French essayist and literary critic: "What my language hides, my body says. My body is a stubborn child; my language is a civilized adult." What this means is that we are *always* communicating, either verbally or non-verbally. We consciously or, more often, unconsciously interpret what the other person's body says to make sense of the words.

Facilitator Note

For each of the five principles, the facilitator should include examples relevant and appropriate to the local context.

- When you communicate, your interlocutor – or person with whom you are speaking - perceives **three types of communication:**

- **Verbal communication:** The words - 7% of the message.
- **Para-verbal communication:** Intonations, rhythm, volume - 38% of the message.
- **Non-verbal communication:** Gestures, facial expressions, posture - 55% of the message.



- A good synchronicity between these three types of communication will be the basis for good communication. What characterizes a good actor is that his or her performance sounds right, i.e. that the verbal, the para-verbal and the non-verbal fit together gracefully. Congruence - when our body is in tune with what we say - is therefore essential for good communication.

Facilitator Note

To encourage participants to understand how important non-verbal communication is, ask for volunteers to come to the front of the room and act out the following. After each volunteer acts out their description, ask the group how they interpret what they said:

- Stand with your arms crossed and a frown on your face while saying, in a sarcastic tone, "I am so happy to see you."
- Face away from the participants and say, while laughing, "I am so sorry about what happened to you."
- Have an enthusiastic expression on your face and say, in a high-pitched voice, "I am really upset. Can we talk?"

6. Principle 2: All communication has two aspects: content and relationship.

- Explain that every message has two aspects: the information content and the relationship established. The word *content* refers to what is meant, the word *relationship* to the way it is said and relies more on emotion. Because we are such emotional beings, the *way the words are said* is *more* meaningful than the words themselves. The relationship determines the success or failure of the communication.

7. Principle 3: The nature of the relationship depends on the punctuation of the communication sequences.

- Share the following quote from Paul Watzlawick, Austrian-American therapist and psychologist: "Contradictions in punctuation are the root of many relational conflicts." In conflict, we often default to ask: Who is in the right or wrong? Who is responsible for starting the conflict? Yet, in reality, conflicts are much more blurry than *right* and *wrong*, due to perception, power dynamics, intentions v. impact, and more.

- It is illusory to look for the person responsible for a gesture, an action or a word, since the perception of the situation and the relationship is not the same between two parties. Cause and effect become confused and indistinguishable. Trying to identify who is right and who is wrong in a situation is therefore doomed to failure. The only way out of the impasse is to step back and meta-communicate (communicate about communication) in order to understand the real intentions of each interlocutor and not their interpretations.
- Share an appropriate example of this principle, such as: The husband who comes home late in the evening to avoid his wife's reproaches. Who started it? Did the wife start her reproaches when her husband's absences were too frequent? Did the husband start coming home late and/or because his wife always found something to blame him for? Both husband and wife probably think that the other is the cause of the problem and that they are reacting to his behavior.
- The exchanges will be linked to the power that each partner has or does not have over the other. If one of the interlocutors feels attacked, they will react defensively even if the intention of the first interlocutor was not negative.

8. Principle 4: Communication is simultaneously digital and analog.

- Explain that human beings have two **levels of communication**:

DIGITAL ----- **ANALOGICAL**

The cup has coffee in it



- **Digital communication** uses the verbal: a word for everything, taking into account the necessary nuances. It is structured and precise.
- **Analogical communication** uses everything else: images, behavior, noises, etc. It cannot be as precise because it opens the door to many interpretations and it does not have the notion of "negative". A smile can represent happiness or contempt, but is always perceived as a smile.
- The **information content of a communication is digital** while the **relationship or feelings are defined by analogical** communication.
- These two modes of communication are complementary. Human beings are constantly switching from one to the other.

9. Principle 5: Any communication exchange is symmetrical or complementary depending on whether it is based on equality or difference.

- When we communicate, we always position ourselves opposite the other person.

- A **complementary relationship** is defined by the difference between the two interlocutors. This difference can be related to hierarchical status, social level, age, level of competence, etc. Each interlocutor understands and accepts this difference. This is often what we refer to as **power dynamics**.

- Emphasize how important it is for IMs to understand power dynamics.



- A **symmetrical relationship** is defined by the parity between the two interlocutors. It can be positive when it leads to listening and respect – seeing each other as equals. It can also be negative when the communication is aggressive – for example, with both parties acting violently.

10. Ask the group for any **questions** before proceeding to the activity.

Activity: The Five Principles of Communication in Action - 20 minutes



11. Explain to participants that we will now apply these five principles in a **role play scenario**.

12. Ask for two volunteer actors to come to the front of the room to act out a role play of two parties who get in a fender bender/minor car accident.

13. Instruct all other participants to discern what aspects of the five principles are exhibited.

14. Role Play:

- **Scenario 1** - Have the two actors act out the following:
 - Person #1: (Say with a neutral tone and body language) "I'm so sorry - I didn't see you turning and I'm very sorry that I scratched the back of your car."
 - Person #2: (Say with an angry tone and arms crossed) "It's fine, it's not a problem."
 - Person #1: (Continue with a neutral tone and body language) "I feel so bad! Please let me pay for the damage."
 - Person #2: (Continue with an angry tone and body language, sighing heavily) "I told you it's fine. I'm not mad."
- Ask the other participants, "What principles of communication are exhibited here?"

- Take responses. The answers should include that we cannot *not* communicate. Although person #2 said "it's fine," their tone and body language clearly indicates that they are upset and angry. We are always communicating! It should also include that all communication has two aspects - content and relationship. Although person #2 said they were fine and not mad, their emotions show otherwise, so the content of their words do not indicate how they really feel. Communication is both digital (what we say) and analogical (what we don't say but is relevant to the context).
 - **Scenario #2:**
 - Person #1: (say with an annoyed tone) "What happened? I can't believe you hit my car!"
 - Person #2: (say with an annoyed tone) "I am so sorry I hit your car but you suddenly stopped in the middle of the road and did not give me enough time to stop!"
 - Person #1: (say with an exasperated tone) "Well I only stopped because I saw a small animal run across the road and I did not want to hit it."
 - Person #2: (say with an angry tone) "Well it's not my fault that happened. I am not liable for your car's damage!"
 - Person #1: (say with an angry tone) "You would not have hit me if you weren't speeding. How fast were you going?"
 - Person #2: (say with a confident tone) "I can go as fast as I want. I am very wealthy and am in a position of authority so the rules do not always apply to me. If you sue me, I can easily drop the case and, instead, file a case against you."
 - Person #1: (suddenly become calm and surprised) "I did not realize this...since the damage is minor, I guess I won't press charges."
 - *Ask the participants: What principle(s) of communication are exhibited here? What changed as the interaction progressed?*
 - Answers should include: The nature of the relationship depends on the punctuation of the communication sequence - at first it seemed like person #2 was at fault, but then we realized person #1 suddenly stopped in the middle of the road, so we may have thought they were to blame. If we were mediating this situation, it would not be effective to try and determine "right" and "wrong." Then, we realized that this is clearly an asymmetrical

relationship where person #2 holds all of the power and person #1 felt threatened by them, so it didn't even matter who is to "blame."

- Thank the volunteers and summarize the activity.

Group Discussion: Key Takeaways - 5-10 minutes



15. Ask the group for their **learnings and key takeaways** from this session.

16. Share a summary and **key takeaways** from the session:

- Conflict always begins with a breakdown of communication. This relates to the five basic principles of communication.
- The five basic principles of communication inform us that communication is not just about *what* is said but *how* it is said and what the *relationship* is between the two conflicting parties, i.e. what are the power dynamics. As IMs, we need to understand the five basic principles so we can not just focus on what is said, but the dynamics of the relationship, including whether one party has power over another, and how each party is interpreting the other party's communication.

17. Ask for and answer **questions** before closing the session.

Session 3.2: Active Listening

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants learn what active listening is, why it is essential to conflict and conflict resolution, and how it can be practiced.



Materials: Slide deck, flip chart paper, markers, pens, paper, timer/stopwatch, *Active Listening* handout.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Active Listening Overview - 15 minutes



1. Explain that **Active listening**, developed by Carl Rogers, an American psychologist, is a communication technique which involves using questioning and rephrasing to ensure that the other person's message has been understood as well as possible, and to demonstrate this. This approach is characterized by the expression of respect and warm trust towards the interlocutor so that they break their defenses and express themselves freely.
2. Emphasize that active listening is essential as an insider mediator (IM) to practice and to encourage among interlocutors since we know that so much of conflict is a result of a breakdown in communication and differing perceptions and interpretations.
3. Explain that, according to Rogers, knowing how to listen is based on the following **five imperatives**:
 - **Acceptance:** Knowing how to accept the other person as they are. It is an attitude marked by respect and consideration to encourage trust and show a real interest.
 - **Experience-Focused:** Focusing on what the other person is experiencing and not just on what they say. This means going beyond the facts and opening up to the way the other person feels with their "gut".
 - **Person-Focused:** This means we are more interested in the other person rather than the problem itself. Rather than seeing the problem in itself, it is about seeing the problem from the other person's point of view.

- **A Foundation of Respect:** Showing the other person that you respect them means giving the other person the assurance that you respect their way of living or seeing things without encroaching on their domain and without becoming a psychologist's apprentice who "sees" into the other person's unconscious.
- **Mirroring:** It is not a question of interpreting - "your problem is that"- but of echoing what they feel: "so, you feel deeply that...". The art here is to highlight the feelings that accompany the other's words.

4. Two fundamental attitudes of non-directiveness and empathy should be considered in the context of active listening:

- **Non-directiveness:** The essence of this approach is to be focused on the "other" without pressuring or influencing the other's attitude. While listening, put aside thoughts of who is right/wrong, what someone should do, or what you would do if you were in that situation. Be aware of biases and check whether these affect your listening. Being non-directive does not mean being inactive or uninvolved. It is more about "feeling with" the other person, as this is more important than sharing an idea.
- **Empathy:** Empathy is wanting to experience the other person's inner world as if it were our own. Consider the speaker as a person and not as a party to a conflict. Acknowledge how the person feels about being a party to the conflict. This attitude of unconditional acceptance gives a chance to fully express what you are saying. It gives the other person time to express themselves.

5. Share that we need the following skills to practice active listening, some of which we will review next:

- Stay silent while the other person is speaking;
- Stay focused on what the other person shares (including their body language) and how they feel;
- Show interest and empathy;
- Synthesize and reformulate; and
- Ask meaningful questions.

6. Pause for any questions or points of clarification.

Active Listening Tools - 15 minutes



7. As an IM, it is important that we practice the skill of active listening and do so equally for all parties in a conflict. Explain that you will now **review active listening tools** with the group.

8. **Reflecting and summarizing:** The goal of reflecting and summarizing is to show you have understood the other person, to show empathy, and thereby to clarify issues as well as build trust. There are three types of reflecting which are all useful in communication:
 - **Reflecting while validating:** Reflecting is when the hearer says back to the speaker what the hearer believes the speaker has just expressed, using language that is close to the speaker's own. A good reflection captures both the substance and the emotional tone of what the speaker has said, without parroting. As an IM, we can reflect and validate by saying something like, "So, for you, what's happening is that..." "What you seem to be saying is..." "Is it correct to say that you're feeling..."
 - **Pause to ask one volunteer to practice this with you.** Ask a participant to share a recent experience they had that brought them happiness. As a facilitator, exhibit "reflecting while validating," or ask another participant to do so.

 - **Reflecting while summarizing a large chunk of information into a smaller one:** Summarizing entails a larger piece of conversation. The hearer tells the essential information and ideas expressed by the parties. Summaries help the parties hear the main points. As an IM, we can say something like, "So what you want to talk about today is..." "To summarize what you've said so far..." But be careful: summarizing two parties is delicate, as you will be easily seen as being biased!
 - **Pause to ask one volunteer to practice this with you.** Ask a participant to share one of their hobbies and why they like it so much. As a facilitator, exhibit "reflecting while summarizing" or ask another participant to do so.

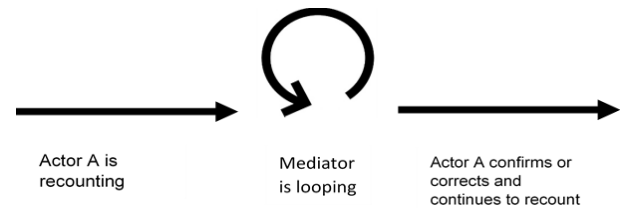
 - **Reflecting while summarizing logic, rather than exact content:** A useful way of checking if you have understood not just the content from one party, but also some aspects of how they think and argue, is to reflect their logic or their style of arguing. You do not need to agree with it, just clarify that the first part of the logic is how you understood them, and the second one is a "logical" further development based on this assumption: "You have said that actor B are puppets of the USA. We can agree or disagree with this, but if we assume that they are the puppets of the USA, then it is of course logical that you want to speak with the USA directly, and not with actor B."

9. **Looping:** Looping is a basic and important technique of mediation. Looping means reproducing in one's own words, what one has heard. Not only words can be looped, but we can also loop

what one hears between the words and emotions. It is important to only loop what one has observed from the speaker, and not one's own interpretation or speculations. Similar to reflecting, the idea of "looping" is to have a structured way of checking if the message sent to the other person has been correctly understood. It consists of three steps:

- Person "A" sends the message to person "B";
- Person "B" repeats how she or he has understood the message and asks if it is correct;
- Person "A" confirms to person "B" if she or he has understood the message correctly, by saying "yes" or "no". If "no", person "A" tries again, and the looping starts over.

- The term refers to the "loop of understanding" (*explain the diagram*).



- However, looping done in a mere technical way has little effect. It takes an inner attitude of wanting to understand one's interlocutor as precisely as possible.

- Looping is very important in our work because it can help by:
 - The person recounting gains the certainty that she is understood.
 - The person looping can make sure they understood the person recounting, therefore it reduces misunderstandings.
 - It helps to build trust between speakers. The person recounting feels that they are taken seriously.
 - It slows down conversations and has a de-escalating effect.
 - The person recounting can determine the content of their story without being interrupted by questions.
 - The mediator can keep the moderation in their hands, all the attention is on the person recounting. Looping is a "nice interruption" which follows the same string of thought.
 - The mediator can become a bridge of understanding between the conflict parties, as they hear the other party through the words of the mediator. This can allow a conflict party to experience a change of perspective without needing to express themselves.

10. Pause to ask for **questions** before moving the group into the activity to practice looping.

Active Listening Practice: Looping - 30 minutes



11. Explain to the group that we will now engage in a **partner activity** to practice looping and active listening.

12. Break the group into **pairs**.

13. Instruct them to do the following: Decide who will be **Person A** and who will be **Person B**.

- Person A is the first speaker and Person B is the listener. We will reverse the roles later.
- Person A chooses a topic that interests him/her/them (a news story, a travel experience, a family event, a hobby, etc.) and talks about it for three minutes. I will set the timer for three minutes and inform you when it is over.
- While they are talking, Person B listens carefully, and is not allowed to speak or interrupt Person A.
- When the time is up, Person B will have one minute to summarize what he/she/they have heard. B cannot ask A any questions, they have to rely on their memory and their ability to summarize what they have understood.
- Then Person A shares with Person B how inaccurate the summary was, somewhat or completely accurate.
- I will prompt you through the entire activity.
- Afterwards, the participants switch roles and repeat the exercise. Let's begin!

14. The facilitator prompts the activity so Person A and Person B each have a chance to be the speaker.



15. After the activity is complete, bring the group back together and moderate a **discussion** by posing the following questions:

- How did you feel during this exercise?
- At the end of the exercise, how well did you remember what was said?
- What was easy? Difficult?

- Were there any thoughts that came to mind or anything that interfered with your ability to listen?
- What would help you to improve your listening skills?
- Do you have any additional questions?

16. Ask the group for their **learnings and key takeaways** from this session.

17. Share a summary and **key takeaways** from the session.

- Active listening is an essential skill for us as IMs and for us to encourage among conflicting parties. Active listening helps us focus on the person, not the problem, and promotes openness.
- Active listening encourages us to have a respectful attitude which promotes collaboration.
- Showing curiosity and empathy helps to better understand the situation.
- Asking open-ended questions helps to get the other person to talk more, i.e. questions that begin with "how", "why", "describe for me", "what do you think of..." that encourage the other person to speak.
- Rephrasing to validate our understanding, saying in our own words to find out if we understand correctly, and helping the other person to understand better, allows us to check if we have understood correctly. We can do so by using the tools of reflecting and summarizing, and looping.

18. Ask participants for **questions**. Answer questions as appropriate before closing the session.

Session 3.3: Non-Violent Communication

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants learn what Non-Violent Communication is, understand the NVC process, and are able to apply this approach as Insider Mediators.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Non-Violent Communication* handout.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Non-Violent Communication - 15 minutes



1. Ask participants if they have heard of Non-Violent Communication (NVC) and, if so, what it is.
2. Explain that **Non-Violent Communication** is a method of communication which aims to prevent and manage violence and the breakdown of dialogue with oneself and with others. NVC is a form of communication that focuses on compassion, common ground, and resolving conflicts. NVC is a skill we can develop so that how we speak to others and share our feelings and interpretations *repairs* and *builds* relationships rather than fracturing relationships with blame or resentment.
3. Ask participants if they have ever said or heard anyone say something like, "You are always late, you're so rude!" or "Why would you say that to me? You're a terrible person!" Explain that this is often the norm when we feel hurt or disappointed – i.e., when our needs are not met – is that we resort to interpretation, blame, and judgment of the other person and their character. With NVC, we refrain from this type of language and accusation.
4. Share that NVC was developed by Marshall Rosenberg, a conflict resolution practitioner, who defined four aspects of NVC:
 - **O for Observation:** The first part of NVC is to observe what just happened and express this observation, instead of moving to blame or judging the other person's character or behaviors. Observe but do not make value judgements or generalize.

Facilitator Note

For each of the steps of NVC, the facilitator should include contextual examples.

- *For example:* Avoid saying: "You are always late/unpleasant/sad!" Instead, one would say what they observe: "We had an appointment at 6pm. It's 6:15pm."
 - **F for Feeling:** In this step, we express how the situation or observation made us feel. We share our emotions. Also, we try to find out what the other person is feeling.
 - *For example:* "When I hear these words, I feel belittled and sad. How do you feel?" or "When you arrive 15 minutes late, it makes me feel upset and I perceive this as not being cared for."
 - *The "Emotion Wheel" from Module 1, Session 2 is a very useful resource to help you identify your emotions or prompt someone else to share theirs.*
 - **N is for Need:** Behind every emotion is a need that is either satisfied (positive feeling) or unsatisfied (negative feeling). Needs are the basis of NVC because judgements about others are distorted expressions of our own unfulfilled needs. To identify them is to engage in restorative action. (*Review "needs" from Module 1, Session 2 if needed*)
 - *For example,* "I am feeling like my time isn't being valued and I need to feel a sense of respect and consideration."
 - **R for Requests:** This is the last step of NVC. It is about expressing a request. Let's not wait for others to guess our needs and what we'd like to experience moving forward; instead, let's express them. In this way, we avoid making hasty judgements about those around us. Also, let us encourage others to formulate their requests for the satisfaction of their needs.
 - *For example,* "In order for me to feel respected and valued, can you inform me ahead of time if you will be arriving late?"

5. Ask the group for **questions** before proceeding to the activity.

Non-Violent Communication: OFNR Model - 30 minutes



6. Divide participants into **pairs**.
7. Ask participants to take turns **practicing Non-Violent Communication using the OFNR model**. Encourage participants to actively listen to each other and to ask clarifying questions to make sure they understand the other person's perspective.
8. Explain the instructions for **round discussions**: In each round, one person will express a situation or issue that they are struggling with, and the other person will practice responding with NVC. The person responding should use the OFNR model to express what they observed,

how it made them feel, what needs were not being met, and then make a request for how the situation could be improved. After each round, ask participants to share their reflections on how it felt to practice NVC and whether they found it helpful in resolving conflicts or misunderstandings.

9. Before the pairs begin, **illustrate an example interaction** with a participant or co-facilitator.

10. Provide approximately 10-15 minutes for this activity.



11. Bring the group back together and prompt a **discussion** by asking the following questions:

- How was that activity for you? How did you feel practicing NVC?
- How can NVC be applied in various personal and professional contexts?
- How can NVC improve relationships and promote mutual understanding?

12. Take any **questions**.

13. Ask the group for their **learnings and key takeaways** from this session.

14. Share a summary and **key takeaways** from the session:

- Non-Violent Communication is a way of thinking, speaking, and acting that serves a kind intention, both for oneself and for the other. It brings together the art of cultivating kindness and the art of expressing oneself to stimulate it. It aims to prevent and manage violence and the breakdown of dialogue with oneself and with others.
- Review the four basics of NVC: **Observation** of naming the facts without judgment; Expressing our **feelings** triggered by the situation; Associating our feelings with our **needs** or values; Formulating a concrete and negotiable **request**.

Session 3.4: Conflict Transformation Methods Overview

Session Overview



Estimated time: 30 minutes



Learning Objectives: Participants understand the different methods of conflict resolution and identify when to select which method.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Conflict Transformation Methods - 20 minutes



15. Ask the group what different methods of conflict transformation they are aware of. Write these down on a flip chart in front of the room.

16. Explain that there are many methods to conflict transformation that utilize the tools we reviewed in earlier sessions, such as active listening and non-violent communication.



17. Review the following chart of methods, their description, and when to use which. Explain which approaches insider mediators should be knowledgeable about, comfortable implementing, and why.

Facilitator Note

Mediation is the only method included in the basic training. The following methods are included in Module 5 as advanced lessons: Advocacy, Dialogue, and Negotiation.

Method	Description	Use When...
Advocacy	<p>Advocacy is generally defined as a deliberate process aimed at influencing decision-makers on the development, change and implementation of policies or laws in favor of people and/or communities affected by a given problem or situation.</p> <p>It is a strategy mainly used by civil society organizations (CSOs) and non-governmental organizations (NGOs) in the defense of a cause and to achieve a desired change. Advocacy is also a dynamic and relational process that aims to change attitudes and behaviors.</p>	A conflict goes beyond the individuals or parties and involves structural issues that need to be addressed.

	Advocacy may be paired with a formal process of conflict transformation below.	
Dialogue	<p>Dialogue is a face-to-face interaction between people with different backgrounds, convictions, and opinions, in which they respect each other as human beings and are prepared to listen to – and learn from – each other deeply enough to inspire a change of attitudes.</p> <p>Dialogue promotes a win-win, collaborative approach.</p> <p>Dialogue can be a more time consuming process and is best implemented over a series of phases and time.</p>	<p>People with diverse identities are open to being curious, commit to active listening, and consent to the rules of dialogue.</p>
Negotiation	<p>Negotiation is a method of resolution of issues or conflicts that we use every day, either with ourselves or others. It can be a means of communication designed to reach an agreement when you and the other side have some shared and some opposing interests.⁶ It can also be an intervention strategy for the resolution of a larger conflict through a process of talks between conflicting parties without the support of a third party.</p> <p>Negotiation often requires compromise. Ideally, a win-win agreement can be made, but oftentimes some parties may agree and feel like they had to “lose” something to reach an agreement.</p> <p>The result of this approach remains in the hands of the conflicting parties, not an external party.</p>	<p>Negotiation can be encouraged when two parties need to find a solution and seem willing to compromise to do so.</p>
Mediation	<p>Mediation is “a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements.”⁷ “The general goal of mediation is to enable parties in conflict to reach agreements they find satisfactory and are willing to implement. The specific goals depend on the nature of the conflict and the expectations of the parties and the mediator. A primary goal is often to prevent or end violence through cessation of hostilities or ceasefire agreements. In order to ensure peace and stability in the long-term, mediation should be cognisant of and, as appropriate, address the root causes of conflict.”⁸</p> <p>Mediation promotes a win-win, collaborative approach.</p> <p>The result of this approach remains in the hands of the conflicting parties, not an external party.</p>	<p>.Two parties cannot find an agreement or resolution on their own and are willing to elicit the help of a neutral, third party.</p>

⁶ Ury W., Fisher R., Patton B. (2012) Getting to yes: Negotiating an agreement without giving in.

⁷ The United Nations Guidance for Effective Mediation (2012, p.4)

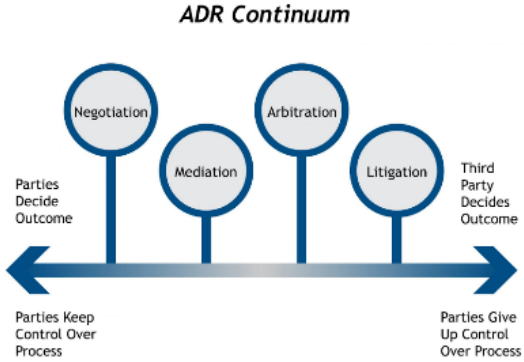
⁸ Concept on Strengthening EU Mediation and Dialogue Capacities, Council of the European Union, 2099

<p>Arbitration or Litigation</p>	<p>A highly formal process requiring knowledge of the legal system and usually involves individuals with license to practice the law.</p> <p>Promotes a win-lose approach because parties then have to “prove” they are “right” and the other side if “wrong.”</p> <p>The result of this approach remains in the hands of an external party, not the conflicting parties.</p>	<p>Criminal activity (beyond the scope of IMs).</p>
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18. For further emphasis, share and explain the following image “**ADR Continuum.**”

19. Explain that additional local approaches and methods exist in all societies (*refer to Session 3.9*).

20. Prompt a **discussion** (either as a large group or by forming smaller groups) on which of these methods have participants been involved in and at what level of involvement. Debrief this with the group.



21. Ask for any **questions**. Take questions as appropriate before closing the session.

Session 3.5: Mediation Ethics and the Role of the Insider Mediator

Session Overview



Estimated time: 90 minutes



Learning Objectives: Participants understand what mediation is, how it can be applied, and understand the role, skills, and ethics needed for mediators.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Mediation Ethics* handout, *Case Study* copies.



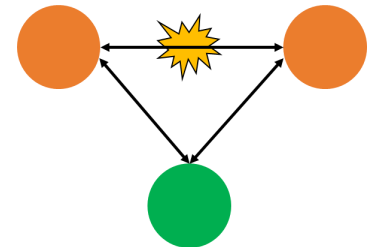
Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Mediation Overview - 25 minutes



1. Define **mediation**: According to the UN, mediation is “a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements”.⁹
2. Share that the EU describes mediation as, “a way of assisting negotiations between conflict parties and **transforming conflicts with the support of an acceptable third party**. The general goal of mediation is to enable parties in conflict to reach agreements they find satisfactory and are willing to implement. The specific goals depend on the nature of the conflict and the expectations of the parties and the mediator. A primary goal is often to prevent or end violence through cessation of hostilities or ceasefire agreements. In order to ensure peace and stability in the long-term, mediation should be cognisant of and, as appropriate, address the root causes of conflict.”¹⁰
3. Explain **why we use the method of mediation**:



⁹ The United Nations Guidance for Effective Mediation (2012, p.4)


¹⁰ Concept on Strengthening EU Mediation and Dialogue Capacities, Council of the European Union, 2009

- In today's complex conflict scenarios, the ability to effectively support a mediation process between parties to a conflict is an essential skill. While opposing parties can negotiate among themselves, old grievances, lack of trust, and maximizing one's gains can make it impossible for the parties alone to succeed. This is where mediation, along with other forms of alternative dispute resolution (ADR), often emerges as an appropriate approach.
 - Mediation is a whole *art* that requires a multitude of technical skills, several personal qualities, and unfailing commitment. Faced with the complexity of today's conflicts, the mediator must combine several personal values (such as credibility, impartiality, patience, creativity, and rigor) with genuine technical expertise combining several skills (such as listening, empathy, conflict analysis, coaching, exploration, and crisis management).
4. Explain that mediation requires certain **ethics** to make the process effective and successful. **Mediation ethics** are a set of general and ethical principles in mediation practices at both national and international levels that have been agreed upon by most institutions. Most national and international institutions have their own lists of important mediation ethics/principles; some commonly cited principles are listed below. Among these are:
- **Consent:** Mediation is a voluntary process in which parties approve to participate, as opposed to court trials that oblige parties to attend.
 - **Impartiality/Inclusivity:** A mediator should avoid any sort of favoritism, bias, or judgment towards one party. Mediation should be a balanced process in which parties are treated fairly and whose perspectives are respectfully integrated. Participants should assess their own bias, address this bias, and take every effort to be inclusive.
 - Ask participants: What do I mean when I say **bias, inclusion, and being inclusive?** (*take responses*)
 - (*Review from Module 2 Session 1*) Explain that **bias** is **preconceived prejudice or favoritism towards one group over another**. We can have explicit or implicit bias – meaning biases we are aware of or biases that are subconscious. Biases can be both positive or negative – such as thinking one group of people is better than another, or the other group of people is more stubborn, for example. Bias among mediators can lead to acting on favoritism, perpetuating power dynamics, unfair processes, inequality, and discrimination. As IMs, we need to be aware of our own biases and address these before mediating.

- Inclusivity is the **process of improving the terms of participation, representation, and decision making** in society, particularly for people who are disadvantaged, through upholding their rights and enhancing their voice, opportunities, and access to resources.
- The **UN defines inclusion in peace processes** as “the extent and manner in which the views and needs of parties to conflict and other stakeholders are represented, heard and integrated into a peace process”.
- Inclusion is important in mediation and our intervention efforts because we must be mindful of who we are bringing into the efforts and not just have them present, but have them actively participate and be involved in decision-making.



- Ask participants: **Why is inclusion so important? What are the benefits of inclusion?** Prompt a short discussion.
- Review the **benefits of inclusion**:
 - Empower people’s investment in peace;
 - Ensure that current power dynamics – that are often at the root of conflict – are not perpetuated;
 - Reduce grievances;
 - Overcome prejudice and stereotypes;
 - Foster peaceful relations across differences;
 - Find strength in diversity;
 - Strengthen social responsibility and commitment;
 - Heighten legitimacy and garner support of the process;
 - Mobilize resources for creativity and co-creation of society;
 - Create a cohesive societal web as a collaborative support system.
- **Confidentiality:** The mediator is bound not to disclose any information s/he/they have become aware of during the mediation, with some exceptions in some countries (in the United States, for example, a mediator has to disclose cases of child abuse or neglect).

- **Self-determination:** Parties have ownership of the process and the responsibility to find a mutually agreed solution. The role of the mediator is to foster dialogue and facilitate a voluntary resolution of a dispute, not to find solutions or impose an agreement.
 - **Conflict of interest:** The mediator should not have an interest in the outcome. If the mediator believes there is a conflict of interest (knowing, favoring one party, etc), the mediator should step down.
 - **Quality:** This aspect refers to all of the above and in particular to the mediator's ability to be aware of their own judgments and assumptions so as not to negatively affect the process. The mediator should not offer opinions on who is right or wrong. A mediator should conduct the mediation fairly, diligently, with sensitivity, civility, and respect.
 - **Competence/Preparation:** Training and experience are key in mediation. Typically, it takes substantial training, practice, and experience to gain accreditation and credibility.
 - **Safety:** Mediation should take place in a physically safe place where all parties feel comfortable.
5. Explain that, as **insider mediators**, we have the responsibility to adhere to these ethics. Your role as an IM is important in promoting sustainable and inclusive peace.
-  **(Optional discussion)** Prompt a large group discussion by asking participants to consider which of these ethics do they feel most confident and competent in, and which do they feel they need to strengthen or build their capacity for. Close the discussion by sharing that IMs consistently need to self-reflect and assess their ethics.
6. Ask participants if they have **questions**. Take questions as appropriate.

The Importance of Insider Mediators in Improving Peace Processes - 40 minutes



7. Explain that **Insider Mediators are** “an individual or group of individuals who derive their legitimacy, credibility and influence from a socio-cultural and/or religious – and, indeed, personal - ‘closeness’ to the parties of the conflict, endowing them with strong bonds of trust that help foster the necessary attitudinal changes amongst key protagonists which, over time, prevent conflict and contribute to sustaining peace.” **Insider mediators can intervene at various levels and on diverse matters:** peace processes, political disputes, election-related violence,

natural resource conflicts, humanitarian crises, prevention of violent extremism, identity conflicts, tolerance within groups, and various community issues.

8. Insider mediators play a key role in peace processes because **only a multi-level approach to peace processes that gives back agency, responsibility, and ownership of the process to women, youth, and local communities, can generate a long-lasting agreement and solution.** The meaningful engagement of insider mediators, that can more promptly address and de-escalate local conflicts, minimize local violence, and generate buy-in for a peace agreement, especially if included in high-level, international processes, is another determining factor.



9. Divide the participants into small groups and ask them to take 15 minutes to brainstorm and discuss the following (*provide flip chart papers and markers if needed*):

- What are the roles you would like to have in peace processes?
- How can the inclusion of insider mediators improve the effectiveness of peace processes in your community?
- Can you think of specific examples of how insider mediators have helped to resolve conflicts in your community?
- Brainstorm a list of actions that could be taken to further involve insider mediators in peace processes in your community.

Facilitator Note

It is essential to create a safe and respectful space for participants to share their perspectives and experiences. The facilitator should encourage creative thinking, active participation, and open discussion. Additionally, it's important to acknowledge that the inclusion of insider mediators is just one aspect of promoting sustainable and inclusive peace, and that broader systemic change may be necessary to address root causes of conflict.

10. After approximately 15 minutes, bring the group back together for **group presentations.**

11. Have each group present their findings to the larger group, including the roles they identified in peace processes, the benefits of including insider mediators, specific examples of successful peacebuilding efforts involving insider mediators, and the action steps they proposed.

12. Facilitate a **debrief discussion** on the following:



- What challenges may arise in implementing these actions and how can they be addressed?
- How can the inclusion of insider mediators help ensure that the peace mediation process is locally informed, inclusive, and effective?

- How do you think the inclusion of insider mediators can improve the effectiveness of peace processes in your community? Consider the benefits of local knowledge and understanding of cultural and social dynamics.
- What challenges might arise in implementing the action steps proposed to involve insider mediators in peace processes? How can these challenges be addressed?

Mediation Case Study: Understanding Mediator Ethics - 25 minutes



13. Explain that participants will read a **case study/scenario** in small groups and consider how to **apply the mediation ethics** we reviewed to your role as an IM in this scenario.

14. Divide participants into small groups and share the following **scenario**:

Paul and Bob (adapted from Charlton, R and Dewdney, M 1995 *The Mediator's Handbook: Skills and strategies for practitioners*. LBC Information Services, Sweet & Maxwell, Ltd: London.)

Paul and Bob are school friends who left school and set up a juice bar business together. Paul's parents lent him \$30,000 towards the business and he still owes them \$15,000. The business cost \$150,000 to set up. Bob contributed \$10,000 towards the business and he owes his parents \$5,000. Paul and Bob still owe the State Bank \$110,000. Six months ago Bob became engaged to a university student, Mary, who is studying to be a doctor and will be studying for another 3 years. They plan to marry in three months time and Mary will be financially dependent on Bob.

The juice bar has been really successful. Bob does most of the management and staffing side of things and Paul does the financial side. Bob and Paul worked really well together up until last year when Bob started going out with Mary. Bob started spending a lot less time at the business and Paul found himself having to organise the staff as well as do the financial things. Paul is fed up and wants to dissolve the partnership and look for new partners in the business. They have decided to try mediation (because they did the SCRAM competition at school) to see if they can find a resolution before things get worse.

15. Ask each group to discuss the following questions for approximately 15 minutes: As an insider mediator, what do you need to consider so that the **mediation abides by the following ethics**:

- Do you have any biases that would prevent you from being impartial and fully inclusive as an IM in this scenario?
- Do you have any issues that would be of concern regarding confidentiality or conflicts of interest?

- Are there any safety concerns for you or the parties?
- How can you ensure a quality mediation where you are competent and prepared as a mediator?



16. Bring participants back together and prompt a large group **discussion** by having each group share their responses.

17. Explain to participants that, in the next sessions, we will learn more details about preparing and moderating mediations.

18. Ask participants for **questions and key takeaways**. Share the following takeaways:

- Insider mediators play a critical role in promoting sustainable and inclusive peace.
- The inclusion of insider mediators in peace processes can help ensure that policies and decisions are locally informed, inclusive, and effective.

Session 3.6: Mediation Preparation

Session Overview



Time: 90 minutes



Learning Objectives: Participants understand how to prepare for a mediation.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Mediation Preparation Checklist* handout.



Set-Up: Have flip chart paper and markers at the front of the room and the slide deck on the screen.

Detailed Session Plan

Preparing for the Mediation Process - 20 minutes



19. Explain that facilitating a mediation requires a great amount of preparation and following a process. Begin reviewing the process of mediation.
20. In the **mediation preparation phase**, insider mediators (IMs) should complete the following checklist (*pass out the handout*):
 - **Assess personal risk:** In any context, there might be issues that can affect the safety of the parties and of the mediator. It is important for the mediator to assess if and how a specific mediation is posing a risk for him/her/them. Risks should be minimized and if they are still too high, the mediator should probably not mediate that case. Remember, practicing Do No Harm is essential in peace processes (*refer to Module 4, and Module 5 session 10*).
 - **Research context and pre-sessions:** Research the history of the parties and of their relationship, the current situation on the ground. IMs can use the tools found in Module 2 to do so. They might want to also meet with each one of the main parties before the actual date of the mediation, to better understand what the issues are and how each side sees them. Be aware, though, about your own thoughts and feelings about the issue and the parties and how these might affect the way you behave as a mediator. **Remember: you are multi-partial, you are there to help both parties. Your goal is to get everyone closer to an agreement. You are not a judge, you are not there to decide who is right and who is wrong.**

- **Co-mediation coordination:** If you are not the only mediator, make sure you coordinate. How are you going to divide roles? How will you make sure that you are both equally involved? It is also important to check-in about methods and styles of mediation as these can be very different.
- **Participation:** Who needs to be involved to reach the goal? Who needs to be involved to make the process credible, sustainable, and inclusive? Will there be any pushback to involve these parties (*inform participants that we will soon discuss inclusion and pushback of inclusion*)?
 - **What third parties need to be involved?** Who will convene, facilitate or mediate the process? What is the role of the third party? (Facilitative, directive, low or high powered?).
- **The Mediation space (i.e. the venue and set-up):**The space where the mediation occurs must be acceptable to all parties, foster cooperation, be practical (with your budget, logistical arrangements), and, in some cases, be symbolic. No matter if the mediation is taking place at a table or seated under a tree, there are some general guidelines how to organize the space (*refer to Module 5 Session 10 on Facility Assessment*):
 - If it is a closed space, the mediators should sit closest to the exit for security reasons;
 - The parties should sit the closest to the mediator;
 - If needed, there should be translators;
 - There should also be plenty of **necessary material:** pens, papers, tissues, water, tea, coffee, etc. Make sure everyone is comfortable.
- **Time, format and sequence:**
 - **Time:** When, how long, and how often will actors meet?
 - **Format:** What different formats will be used (e.g. working groups, plenary, side talks, etc.)? How do they all link?
 - **Sequence:** How will the agenda be set, issues identified and structured (e.g. sequence, parallel, circular)?
- **Procedural questions:** What is the internal and external communication strategy? What are decision making procedures (by full or partial consensus, majority vote, etc.)?
- **Funding:** How will the process be financed? Ensure any financing is impartial.

- **Logistics:** How will participants be invited, arrive, accommodated, with security maintained?
- **Goal/vision** (knowing why you are engaged): What vision do you have for the process? What is the concrete goal you are trying to achieve?
- **Process logic:** What is the logic behind the process design? What is the 'theory of change'? How does it link to other processes?

21. Ask participants for questions. Take questions as appropriate.

Mediation Preparation Scenario - 45 minutes



- 22. Explain that participants will now apply what they learned to a case study and work in small groups.
- 23. Share a **case study** with participants of a conflict with enough details so that participants can identify the following in small groups. The Paul and Bob example from Session 7 can be used again here:

Facilitator Note

This activity may be more effective if the facilitator selects a contextually appropriate case study with additional details than the scenario provided here.

Case Study: **Paul and Bob** (adapted from Charlton, R and Dewdney, M 1995 *The Mediator's Handbook: Skills and strategies for practitioners*. LBC Information Services, Sweet & Maxwell, Ltd: London.)

Paul and Bob are school friends who left school and set up a juice bar business together. Paul's parents lent him \$30,000 towards the business and he still owes them \$15,000. The business cost \$150,000 to set up. Bob contributed \$10,000 towards the business and he owes his parents \$5,000. Paul and Bob still owe the State Bank \$110,000. Six months ago Bob became engaged to a university student (Mary) who is studying to be a doctor and will be studying for another 3 years. They plan to marry in three months time and Mary will be financially dependent on Bob.

The juice bar has been really successful. Bob does most of the management and staffing side of things and Paul does the financial side. Bob and Paul worked really well together up until last year when Bob started going out with Mary. Bob started spending a lot less time at the business and Paul found himself having to organise the staff as well as do the financial things. Paul is fed up and wants to dissolve the partnership and look for new partners in the business. They have decided to try mediation (because they did the SCRAM competition at school) to see if they can find a resolution before things get worse.

- **Identify Participants:** Who needs to be involved to reach the goal? Who needs to be involved to make the process credible and sustainable?

- **Consider the mediation space (i.e. the venue and set-up):** Where will the mediation take place? What will the room set-up be?
- **Time:** When, how long and how often will actors meet?
- **Format:** What different formats will be used (e.g. working groups, plenary, side talks etc.)? How do they all link?
- **Sequence:** How will the agenda be set, issues identified and structured (e.g. sequence, parallel, circular)?
- **Procedural questions:** What is the internal and external communication strategy? What are decision making procedures? By full or partial consensus, majority vote, etc.
- **Goal/vision:** What vision do you have for the process? What is the concrete goal you are trying to achieve?
- **Process logic:** What is the logic behind the process design? What is the 'theory of change'? How does it link to other processes?
- **Funding:** How will the process be financed?
- **Logistics:** How will participants be invited, arrive, how will they be accommodated, how will security be maintained etc)
- **What third parties need to be involved?** Who will convene, facilitate or mediate the process? What is the role of the third party? (Facilitative, directive, low or high powered?)

24. Divide participants into small groups and provide 20 minutes for groups to discuss.



25. Bring the group back together and have groups share their responses. Facilitate a **discussion**.

26. Take any **questions**.

Preparing Participants: Inclusion in Mediation - 30 minutes



27. Explain to participants that you'll now discuss inclusion regarding who needs to be involved, invited, and participate in mediation. **Mediations are more successful and have more enduring agreements when the process is inclusive** of more than just the 'powerful' actors.

Facilitator Note

For additional inclusion considerations, the facilitator can refer to the advanced modules on women and youth inclusion in Module 5.

28. Particularly in the context of peace processes, **the resistance to inclusion** may be very strong. Hence, it is important to be familiar with the arguments against and to be able to mention arguments in favor of inclusion.¹¹
29. Each context is different, and it is important for local stakeholders to identify the various groups which would be needed for a process to be deemed fully inclusive within their own communities and culture. For example, youth play an important role in peace, but are often excluded from formal peace processes. In many places certain sub-ethnic groups (such as clans or sections) are excluded, or customary authorities, despite playing significant roles in peacemaking in their own communities.
30. Benefitting from the inclusion of existing conflict mitigation actors can increase impact, but one has to be careful to not reinforce asymmetrical power structures which can contribute to the exclusion of certain groups.
31. It is important to ensure that people selected to represent particular groups actually have a mandate to do so from their constituencies. This can be done through the establishment of platforms to select representatives and to develop clear demands and positions. This can be difficult and takes time and resources, but is vital to guarantee meaningful representation and not tokenism.
32. **Convincing the “other side”:** Marginalized groups are often in favor of inclusive processes but need to convince the government or the mediator of the importance of their inclusion. In these instances, it is good to know that inclusivity often responds to the needs of realpolitik (e.g. the need to include hardliners or increase public buy-in to save the negotiation processes from breaking-down), and isn't just the ethical thing to do. There are “hard arguments” that can be used to lobby for inclusivity. It might also be helpful to lobby the international community.
33. Some **common critiques** to inclusion and some **arguments in favor** include:
- **Legitimacy vs. effectiveness?**
 - Complexity in design, management, and conduct may rise with a greater number of participants. However, “simple” negotiations with “main” conflict stakeholders do in turn presume compliance on the part of the excluded groups, which is a dangerous presumption. The creation of thematic (sub)working groups can be a viable option to reduce the complexity in numbers.

¹¹ Taken from “[On Negotiating Peace: A compilation of Strategic Frameworks - Based on the Perspectives of Resistance and Liberation Movements](#)”

- The search for overall thematically inclusive “comprehensive agreements” can lead to a dispersion of the limited political capital and material resources available. A decision must therefore be made on whether certain topics can be dealt with in a different format, parallel to or after the peace negotiations.
 - Time constraints: “the negotiation process needs to make progress fast in order to build and not to lose support in the early phase”. Manageable decision-making systems can help to avoid blocking the whole process.
- **Issues of representativeness:** How to ensure representativeness and how (and by whom?) to select the “right” – legitimate and capable – participants? How to establish transparent selection criteria or quotas? How to include non-like minded actors, thereby substantially broadening the spectrum of support? Finally, how to manage the risk of endangering the legitimacy of the process by including certain groups (and not others) vs. their capacity to spoil the whole process if they feel excluded?
- **The danger of “rhetorical” inclusivity:** Power matters. Inclusive processes challenge established power structures. Powerful elites might be inclined to shape processes that seem participatory, but where they retain all the influence on the outcome. As participation on equal terms is additionally impeded by structural, institutional, cultural, and capacity imbalance, as well as political manipulation, a disparity between “passive participation” and actual decision-making power is to be expected and countermeasures need to be taken (e.g. training, early participation in establishing selection criteria for participation, etc.).
- **Internal cohesion or inclusivity as a threat:** Inclusivity can also be perceived as a threat. Political candidates with inclusive mind-sets are often side-lined in a polarized political environment. Therefore, it is also important to advocate for inclusiveness within one’s own movement and to constantly work on the internal cohesion in terms of the inclusive approach.
- **International norms and legal frameworks regarding “talking to terrorists” and security risks:** Participation can be both a right and a risk – people feel exposed, and if a process fails this can have negative consequences, especially if conflict is still ongoing. One way to protect people is to uphold common goals that are shared by both the government and the Resistance and Liberation Movements in order to protect the participants (e.g. the grassroots) from being regarded as “biased” and “partial” when they speak out. Another way is to validate grassroots proposals through independent/“neutral” actors (e.g. opinion polls or recommendations compiled by third parties that are not regarded as biased etc.). Additionally, it is crucial to develop channels of legal communication between the insurgency and the

population and provide safety measures for the negotiation team members and close advisers themselves.



34. Ask participants to think about **their own contexts and the challenges and dilemmas** that they might be facing when thinking about **inclusion** and trying to make processes as inclusive as possible. Ask participants and facilitate a lively **discussion** based on the following questions:

- What are the limitations and trade-offs of inclusivity?
- Are there circumstances in which the principle of inclusivity is not desirable?
- If possible, ask them to speak about their own experience in this by giving examples.

35. Summarize and take **questions** as appropriate.

Session 3.7: The Mediation Process Design

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand mediation process design guidelines and learn how to apply this, as well as understand key considerations and requirements for mediation agreements.



Materials: Slide deck, flip chart paper, markers, pens, paper, slips of paper with each negotiating party's role.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Mediation Process Design Guidelines - 10 minutes



- Explain to participants that, now that they have learned how to prepare for the details of a mediation, such as location, participants, logistics, etc, we'll now learn about the **mediation process design**.
- The mediator designs a process to help parties move from conflict to greater understanding and trust or a mutually acceptable outcome. The role of the mediator is to design a well-rounded process in which the disputants can discuss the content. The process is as important as content and essential to:
 - Ensure that the process **fits the conflict and context**;
 - Ensure appropriate **role division**;
 - Ensure that process and mediator is seen as **impartial**;
 - Ensure that **all necessary actors** are part of the designing some aspect of the process:
 - "The parties should be involved in designing some aspects of the mediation plan, as this helps strengthen their commitment to the dispute resolution process. If the mediator alone designs all of the procedures, the parties may feel that it is external to them and not their own. By involving the parties in

designing their process it increases the parties' ownership of, and commitment to, the process and creates stronger advocates for procedures suggested by the mediators during the process" (Moore 2014; 278).

- Make sure the mediation design is **feasible**.
- Explain the importance of **language**: As you prepare, be careful with the language you use. You do not want to identify people as 'victim', 'offender', etc., but rather keep an open mind. Language that is in any way offensive or non-neutral should be avoided at all costs.
- It is important to note that each step of the mediation preparation process may be **iterative**, and some steps may require revisions based on ongoing discussions with the parties. Therefore, it is essential to stay flexible and open to feedback from all parties involved.

The Mediation Process - 10 minutes



- **All mediations begin with an introduction:** In the introduction, the facilitators will share their prepared remarks. This should include ensuring parties understand it is a voluntary process, explaining possible outcomes, and agreement on any ground rules (respectful language, etc). This is a statement that introduces the mediation and will include:
 - Welcome and introductions, confirm names of people.
 - Check if the conflict is in court or under investigation by any other institution. If the dispute is being decided in some other setting, it matters and can affect the process.
 - Explain what is mediation and your role: you are there to facilitate their conversation and to hopefully reach a mutually satisfactory agreement. You will not offer advice or judgment.
 - Confidentiality and exceptions: Explain that the process is confidential and any notes will be thrown away at the end; explain if there are any exceptions to confidentiality.
 - Discuss possible outcomes such as increased understanding, oral or written agreement, or the possibility of having another meeting.
 - Discuss any ground rules and guidelines.
 - Specify length of session.
 - Ask if there are questions.
- **Next, the mediator facilitates analysis of issues and needs through listening, visioning and questioning:** Both parties explain their version of the facts. The mediator listens

empathically and listens for positions, interests, and feelings. The mediator takes notes (separating the people from the problem). The mediator reflects and summarizes what s/he/they heard.

- **Throughout, the mediator promotes an understanding of key and common issues:** The mediator asks follow up, open ended questions, listens for proposals, ideas for resolution, and sets an agenda of key topics.
- **Encouraging parties to suggest solutions:** The mediator guides a brainstorming of possible solutions for each item on the agenda. It is wise to start discussing items on which there is already some agreement or on which it is easier to reach agreement. The mediator takes notes on the agreements reached.
- **Conclusion of the mediation:** A mediation concludes with a total, partial, or no agreement. We will review details of mediation agreements after the following activity.
- Pause and ask participants if they have any initial **questions** before we apply what we learned in an activity.

Mediation Scenario – Practice - 40 minutes



- Explain that participants will now apply what we just reviewed in a **case study activity**.
- The facilitator can use the same case study as previous sessions or determine a different scenario example.

Case Study: **Paul and Bob** (adapted from Charlton, R and Dewdney, M 1995 *The Mediator's Handbook: Skills and strategies for practitioners*. LBC Information Services, Sweet & Maxwell, Ltd: London.)

Paul and Bob are school friends who left school and set up a juice bar business together. Paul's parents lent him \$30,000 towards the business and he still owes them \$15,000. The business cost \$150,000 to set up. Bob contributed \$10,000 towards the business and he owes his parents \$5,000. Paul and Bob still owe the State Bank \$110,000. Six months ago Bob became engaged to a university student (Mary) who is studying to be a doctor and will be studying for another 3 years. They plan to marry in three months time and Mary will be financially dependent on Bob.

The juice bar has been really successful. Bob does most of the management and staffing side of things and Paul does the financial side. Bob and Paul worked really well together up until last year when Bob started going out with Mary. Bob started spending a lot less time at the business and Paul found himself having to organise the staff as well as do the financial things. Paul is fed up and wants to dissolve the partnership and look for new partners in the

business. They have decided to try mediation (because they did the SCRAM competition at school) to see if they can find a resolution before things get worse.

- (Include the following additional details not included in previous sessions)
 - **Additional details on Paul:** Paul feels really annoyed at Bob because he feels that if it wasn't for Paul's arranging the financing for the business then there would have been no business and it certainly wouldn't have been the success it is. Paul feels that Bob has never acknowledged this and he feels that if he were a partner with someone more committed to the business, then it would work better and that they could grow the business nationally.
 - **Additional details on Bob:** Bob feels that Paul is jealous of his relationship with Mary and that that is the real reason that he wants to dissolve the partnership. Now that Bob is engaged and will have to support Mary there is no way that he wants to leave the business as it makes enough profit for him and Mary to enjoy a fairly nice lifestyle. Bob acknowledges that he hasn't been working as hard at the business as he did before but he thinks that the business is fairly stable and he doesn't think it requires him around every day. He also doesn't want to expand the business, as he knows that a lot of businesses go under when they expand before they are ready.

36. Divide the participants into **small groups** of between 3-5 participants each and instruct them to take approximately 15-20 minutes to determine the following for this mediation:

- What would you include in your **introduction**?
- How will you facilitate an **analysis of issues and needs through listening, visioning and questioning**? What **positions, interests, and feelings** are or might be present?
- Consider what follow up, open ended questions, ideas for resolution, and topics may be brought up.
- How will you **encourage parties to suggest solutions**? How will you guide a brainstorming of possible solutions for each item on the agenda?
- What might an **agreement** look like?

37. Bring groups back together and have each group **share** their responses.



38. Facilitate a **discussion** based on their responses.

39. **Debrief** the activity by asking:

- How was this process for you?
- What did you find easy or difficult?

40. Take **questions** as appropriate.

Session 3.8: The Mediation Agreement

Session Overview



Time: 90-120 minutes



Learning Objectives: Participants understand components of a mediation agreement and learn tools they can apply if a mediation reaches a gridlock.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Mediation Agreement Template* handout.



Set-Up: Have flip chart paper and markers at the front of the room and the slide deck on the screen.

Detailed Session Plan



The Mediation Agreement - 15 minutes

1. Explain that you will now share more about mediation agreements. At the end of the mediation, **if a complete or partial agreement is reached**, it must be **put in writing and signed** by the parties. It is important that each of the parties knows exactly the content of the agreement in order to prevent any misunderstanding and ambiguity. The mediator can help the parties draft an agreement, but he/she/they is not obliged to. His/her/their role is limited to helping the parties to work out their own negotiated solution. Nevertheless, the mediator will 'encourage' the parties themselves to 'hold their pen', especially when they have no counsel. The mediator should issue a simple statement of agreement, which should be communicated to the Judge, if the case is in court.
2. If the agreement is complex and legal aspects of the matter should be taken into consideration, it is prudent for the mediator to advise the parties to **consult a lawyer**. It is useful to mention in the agreement that the parties have been informed of the extent of their rights, as the Court does. The writing will then have to be formatted, either by the parties or by their lawyers, to acquire **actual legal value** in the form of a "Protocol of Agreement" or "Transaction" which will be submitted, or not, to a Judge. There will then be follow-up with local authorities and with the parties (check-ins to ensure the agreement holds), as appropriate.
3. **The essential elements of a mediation agreement are:**

5. Each party should be provided a copy of the signed agreement.
6. Occasionally, a mediation will close with **no agreement**. Even when there is no agreement, the mediation process will have provided the parties with more information and brought them closer to a possible resolution than before the mediation. This may still have positive effects on the community or between the parties at a later stage. Parties can resume their discussions at any time in another form, and the discussions had in mediation will support a new process.

When Agreements are Hard to Reach: Strategies for Gridlock - 10 minutes



7. Explain that at times in mediation, there are situations in which the parties reach an impasse or in which the mediator needs to stir the conversation. This is a list of things we might consider doing to generate some movement in the conversation:
 - **Normalize/reframe:** Make the parties feel at ease, make them know that what they are going through is typical in their situation. Reframe by changing language to less aggressive, in a way that the other side might hear.
 - **Silence:** Allow for there to be silence, don't feel pressured to say something. The same discomfort you are experiencing they are too and they should be the ones talking and taking the initiative.
 - **Provide perspective:** Point out what you see that is making them stuck.
 - **Break-down Problems:** Break down the issue they seem to be stuck on and focus first on the topics that are easiest to mediate. Spend more time on the topics that are the most complex.
 - **Stroking:** Compliment both parties for their effort and for their choice of coming to mediation. Acknowledge merits and be balanced.
 - **Break:** Take a break if people look stressed.
 - **Humor:** Lighten the mood, if you are absolutely sure the joke will work well on both parties. Don't tease them! Be careful with this one.
 - **Future cast:** Ask where they would like to see themselves in a year, what type of solution they are envisioning, and what will happen if they don't come to an agreement.
 - **Appreciative Inquiry:** Reframe something in a positive light. Bring them back to when times were good and they were in agreement.

- **Reality test:** How is it going to work in real life? Is this idea feasible?
- **BATNA:** What is their best alternative to finding a commonly shared solution? Is there an alternative to finding a solution? What will happen if they do not find a solution? (*Refer to Module 5 Session 5 on Negotiation*).

8. Ask if participants have questions. Take questions as appropriate.

Insider Mediation Role Play: Consolidating Agreements - 60-90 minutes



9. Divide participants into groups of three or four.
10. Provide each group with a **scenario** that involves a conflict in a community. The scenario should have two parties in conflict and the issue should be something that can be resolved with mediation.
 - **(Optional scenario):** “This is my land!” (This scenario is based on a roleplay method developed and used by the Berghof Foundation Somalia team.)

Facilitator Note

This activity can be adapted to fit the needs and context of the participants. The facilitator can provide additional guidance and support during the preparation and mediation sessions. The activity can also be followed up with a discussion on how the strategies used in the role-play can be applied in real-life mediation situations.

Two individuals, Fatuma and Hussein, are in conflict with one another and solicit the help of a mediator. Fatuma is a middle-aged female, has the legal ownership of the land by inheritance from her father. She lives in Germany (of the Somali Diaspora), and has an emotional, but remote attachment to the land. Hussein is a male in his mid-20s with an intimate relationship with the land. He grew up and still lives on this land, even though it was grabbed by his father, since Fatuma’s father had fled with his family. He has no formal education, but built his life and income on this land on which he is taking care of his family and is using the income to educate his three siblings.

Fatuma contacts her relatives to ask them about the land and discovers what has happened to it. Her relatives advise her not to claim the land as Fatuma and her family belong to the weaker clan in terms of power and thus fear a violent reaction. However, she is not willing to give up without trying. Hussain hears through the grapevine about Fatuma’s imminent arrival in Somalia. He knows he doesn’t legally own the land, so he is concerned. He wants to defend the land he has called home since birth. He knows that he will get support from his clan. Fatuma flies to Mogadishu. She finds Hussain’s number and they attempt to discuss the issue, but reach a stalemate. They propose that they elicit the help of an insider mediator to assist with finding a solution they can both agree on.

11. Instruct the participants to **read the scenario and assign roles**. Each group should have one mediator, one representative from each party in conflict, and an observer if there are more members in the group.
12. Explain that the mediators are insiders from the community, and they should use their knowledge of the community and their relationship with the parties to facilitate mediation and reach a peaceful agreement.
13. Give participants 20 minutes to **prepare** for the mediation session. Once the preparation time is over, instruct the groups to **begin their mediation session**.
14. Set a time limit of 20 minutes for each group to play the mediation session.
15. After the mediation session, each group reports back on the outcome and the strategies used to resolve the conflict.

16. Ask the following questions to **debrief** the activity:



- How did the role-play activity help you understand the importance of insider mediators in conflict mediation?
- What strategies did you use to mediate the conflict in the scenario?
- What challenges did you face as an insider mediator? How did you overcome these challenges?
- How can insider mediators use their knowledge of the community to facilitate conflict mediation?
- What did you learn from this exercise that you can apply in your work as a mediator?

Facilitator Note

The facilitator should consider an additional activity whereby an existing mediation agreement is shared and participants have to analyze the agreement and identify its components based on what they learned in this session.

In addition, the facilitator can add an advanced aspect of the activity in the session plan by having groups write a mediation agreement for the mock scenario.

17. Take **questions** from the group before closing the session.

Session 3.9: Conflict Resolution in the Local Context

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand existing frameworks for conflict management and resolution in their local context.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Local Conflict Resolution Handout* copies (two versions: blank copies and copies of completed handout).



Set-up: Have flip chart paper and markers at the front of the room; complete the handout in advance; have the slide deck visible on the screen.

Detailed Session Plan

Conflict Resolution in the Local Context Overview - 5 minutes



1. Explain that insider mediators (IMs) come from various backgrounds. They represent the diversity of actors as well as the diversity of conflicts that communities face. While they do not need to be lawyers, it is important that they have a good appreciation of the legal framework in which they are operating. This knowledge helps them take advantage of the laws that may support their work as well as guarding them against operating outside of the legal boundaries. When IMs have a good grasp of the legal framework, they are able to do their work better.
2. Explain how important it is for IMs to understand existing local frameworks for conflict management and resolution, including on guidelines for the mediation of disputes. IMs should be knowledgeable about local processes and, when appropriate, coordinate with existing institutions. **This session will review existing local frameworks** so that you can create a mediation plan that is realistic and that takes into account existing frameworks for conflict management and resolution.

Facilitator Notes

Prepare the "Local Conflict Resolution Handout" found in Annex I beforehand, using the Burundi, Niger, and Zimbabwe example case studies from Annex II as reference. then review this with participants during this session.

When completing the handout, keep in mind that this is meant to be a starting place since a country's entire legal framework cannot be fully captured in a short handout. Experienced mediators or lawyers in their training group may be able to suggest elements to add to the handout.

It is advised that facilitators prepare to speak about the most common local conflicts and identify the best avenues for conflict resolution based on these local conflicts and local context.

Conflict Resolution in the Local Context Worksheet- 30 minutes



3. Share a blank copy of the “Conflict Resolution in the Local Context” handout from Annex I.
4. Break the participants into small groups and instruct them to **complete this handout** to the best of their knowledge. Explain that it is expected that they will not know every aspect of existing frameworks, so to only add what they can.
5. After approximately 10 minutes, bring the group back together.
6. Ask each group to **share their responses**.
7. After each group has shared, pass out the **completed** “Local Conflict Resolution” handout with participants and **highlight important points that participants may have missed**.

Activity - Conflict resolution in Local Contexts - 25 minutes



8. After reviewing the handout, divide participants into small groups and instruct them to work as a group and **brainstorm the following** (*provide flip chart paper and markers to write their responses, if needed*):
 - Any formal and informal conflict management institutions that they are aware of;
 - List at least five types of conflicts they manage;
 - The relationship between the IMs and conflict management institutions, especially official ones.
9. Bring the group back together and have participants **share** their responses. Note on the flip chart the answers of the participants and initiate a conversation on each one of the above to get a comprehensive view of the situation in each country.



10. **Debrief** the exercise by asking participants:
 - What kind of conflicts are the identified institutions involved in?
 - What conflicts are those you cannot mediate as an IM and why?
 - What does competence mean for you?
 - What is the difference between a civil case and a criminal case ?
11. Ask for **questions**. Take questions as appropriate.
12. Review **key takeaways** before closing the session:

- There are many stakeholders in conflict management, some intervene in specific matters (Ombudsman, CNDS, etc.).
- Mediators are allowed to intervene in civil cases only. Criminal cases are reserved for the judiciary.
- It matters where the country laws encourage parties to resolve their dispute through mediation.

Module 4: Safety and Health Considerations

Overview

Description

This module focuses on an essential aspect of success as an Insider Mediator (IM): staying mentally and physically healthy, and preparing to implement a mediation that considers the mental, emotional, and physical safety and health of participants. Participants will learn the importance and process of conducting a risk assessment. Participants will also learn the importance of mental health for their role as IMs and better understand approaches and tools to avoid burnout and take care of themselves as they embark on this challenging yet rewarding work. Additionally, participants will better understand the relationship between trauma and conflict and how trauma may present itself among conflicting parties during a mediation. By the end of this module, participants will be better prepared to take care of their and others' physical and mental safety and health during the mediation process.

Learning Objectives

- Participants understand how to conduct a risk assessment for their mediation.
- Participants understand the importance of mental health and psychosocial support in their own lives as an IM, and identify strategies to take care of themselves as IMs.
- Participants identify the connection between trauma and conflict, and how to respond to signs of trauma during a mediation.
- Participants learn what indirect trauma is and understand approaches to manage this.

Sessions

- **Session 4.1:** Safety and Security Considerations Part 1 - Risk Assessment (*90 minutes*)
- **Session 4.2:** Mental Health and Psychosocial Support for Insider Mediators (*120 minutes*)
- **Session 4.3:** Understanding the Relationship between Trauma and Conflict (*60 minutes*)

Facilitator Tips

- Depending on the experience, skills, and comfort of the trainer, you may decide to bring in an expert who focuses on mental health/psychosocial support to assist with this module.
- Fully review and complete the "Adapting to your Context" checklist on pages 6-7.
- Include openings, closing, breaks, and icebreakers as appropriate depending on your training agenda and the energy levels of the group.
- Additional tips are shared throughout the sessions in text boxes.
- An additional session on safety and facility assessments can be found in **Module 5**.

Session 4.1: Safety and Security Considerations Part 1 - Risk Assessments

Overview



Estimated time: 90 minutes



Learning Objectives: Participants understand and learn strategies to address elements of safety and security for the mediation and its participants.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Risk Assessment* handouts printed.



Set-up: Have flip chart paper and markers at the front of the room and the slide deck on the screen.

Detailed Session Plan

Defining Safety and Security and the Four Tenants - 10 minutes



13. Explain that the **safety and security of participants, mediators, and support staff** in the mediation process is of significant importance. Safety and security (S&S) on its most basic level can be defined as:

- **Safety:** The state of being away from hazards caused by **natural forces or random human errors**. The source of the hazard is formed by natural forces and/or human errors.
- **Security:** The state of being away from hazards caused by the **deliberate intention of humans to cause harm**. The source of hazard is posed by humans deliberately.

14. Emphasize that it is essential that the safety and security of all be paramount in planning any mediation, event, gathering, or even general travel.

15. Share that all **safety and security has four key components** that serve as guiding principles for evaluating any safe environment or event.

- **Duty of Care:** Duty of Care presumes that individuals and organizations have legal obligations to act toward others and the public in a prudent and cautious manner to avoid the risk of reasonably foreseeable injury to others. In that sense, IMs have a

moral, as well as a legal, responsibility and obligation for the health, safety, and security of everyone who is participating or involved in the mediation.

- **Informed Consent:** You must work to provide appropriate information for participants such that they are able to decide for themselves whether or not it is safe to participate. This can include a risk assessment (as below), updated news and information, coordinating and communicating logistics, even the types of food and drink to be made available. The overall goal of this is to be able to make an informed decision about whether or not they are comfortable in incurring the risks. Additionally, all staff and participants have the right to reject any assignment or task if they feel that it is too dangerous, they are uncomfortable with the safety protocol, or if they do not feel that they have the information to make that informed decision. This is without any fear of reprisal or retribution.
- **Duty of Responsibility:** All participants have the responsibility to the event and to the IM to ensure that they are actively and passively engaged in making the baseline of any meeting as safe and secure as it can be, and should not be in conflict with the process.
- **Do No Harm:** Any event, planning, or coordination must not contribute to the future (or immediate) detriment to the location where the action is taking place, or to the nearby environment. This is of course slightly different than the outcome of the mediation itself.

The Six Steps to a Safety and Security Risk Assessment - 10 minutes



16. Explain that the first step of considering safety and security in your work plan is by conducting a **risk assessment of the environment**. There are six key steps in the risk assessment process:

- **Establish the context:** Review both the external and internal context. Build an understanding of the societal and operational landscape as well as the security challenges and threats that exist in the location where you conduct program activities.
- **Identify the risks:** Identify all possible security and safety risks that could affect staff, programs, or the organization (including its reputation), and understand how, when, and why each threat might occur. This may include any type of risk that could cause harm such as any type of harm from coming into contact with programs/operations/staff involved, and does not have to be intentional harm. This could be accidental or unintentional, i.e., taking a photo of participants that could

potentially lead to harassment by authorities or their own constituencies for participating in the mediation.

- **Analyze the risks:** Assess each risk (threat and exposure to it) to determine its criticality and severity, considering the likelihood of it occurring and the potential impact should it occur.
- **Evaluate the risks:** Use understanding of the organization's security risk exposure - if the IM is representing a larger organization - to make informed decisions on whether to accept certain risks or take additional actions to prevent or minimize them. This can be done in consultation with the Country Director, Regional Director, and Senior Manager of Safety and Security.
- **Treat the risks:** Planning guidance to prevent or minimize/mitigate risks include reducing the risk, transferring the risk to, or sharing it with, other parties, or ultimately avoiding the risk by not undertaking that activity. Reducing security risks involves implementing different strategies that minimize the likelihood and/or impact of certain risk events. These strategies are put into practice through the development and implementation of sound and logical operational mechanisms designed to better manage each risk of concern.
- **Monitor and review:** You must continually review each component of the risk management process to ensure that current approaches and measures remain appropriate to the changing situation.

Ongoing Safeguarding Steps - 5 minutes

17. Emphasize that the risk assessment is *one* step, and continuing to assess risks and reduce harm is essential throughout the entire process. To do so, the mediation team should take the following **safeguarding** (reducing potential for harm) steps:

- Assign a **safeguarding/safety and security focal point** for mediators and participants. The name and contact information should be clear and readily available to all.
- Establish a **confidential reporting mechanism** for any concerns regarding safety, security, or safeguarding.
- Identify resources and develop a **referral list** for any support or services that may be needed, based on the risk assessment above.
- **Communicate** with participants and staff about the reporting mechanism, focal point, and resources available.

18. Ask participants for **questions**. Take questions as appropriate.

Discussion on Common Risks - 10 minutes



19. Prompt a **discussion** by asking participants:

- What are the most common risks that mediators have or anticipate facing?
- How have they addressed them? Or how might they address them in the future?
- Were these measures sufficient? What else could have been done to reduce the risk?

Risk Assessment Application - 55 minutes



20. Transition participants to the following activity: Ask the participants to split into groups of five, randomly picking one person per five as the group leader. One member of the group should be the scribe, and can use pen and paper or a computer to type their notes.

21. Instruct participants to **consider either a realistic upcoming mediation session, or a fictional mediation case study**.

After understanding the scenario, **identify 5-10 possible risks**

to the specific mediation session. Indicate the risk, how it would occur, when it would occur, and why it would occur. Allow approximately 10 minutes for groups to work on this task.

- *Further instructions include:* Understanding why and how these risks might occur will help you to create or consider appropriately develop mitigation strategies aimed to ensure the regular safety of its participants, thereby reducing the likelihood that the risk might occur.
- Consider: What is the nature of Search's work here and what types of incidents could potential spoiler groups initiate that could affect the mediation? Are there any unique risks based on the objectives of our program and the format of our activities (e.g. large public events, events involving political representatives, activities addressing taboo issues)? Are there some unique risks for certain staff because of their gender, religion, or ethnicity or because of the specific nature of the job duties (e.g. drivers, journalists, TV or radio personalities)? It is also important to highlight that some risks can be caused by internal forces, such as sexual harassment and participant actions. Any unique health risks such as unusual epidemic outbreaks (e.g. Ebola, Covid) should also be considered.

Facilitator Notes

The facilitator can create a fictitious case study of a mediation for this activity. The case study should be easy to understand yet complex enough to prompt participants to critically assess the safety and security risks.

22. After groups have identified 5-10 risks, **instruct each group to take approximately 15 minutes to rate and score the risks based on the impact and probability on a scale of 1-5** using the following rubric:

○ **Impact**

- **Very Low (1):** This risk has zero impact on the event, but should be noted.
- **Low (2):** This risk would have a low impact on the event.
- **Medium (3):** This risk would have a moderate impact on the event, and the measures implemented to address the risk should reflect the cost and impact of harm to an individual or organization.
- **High (4):** The negative impact of such an incident would be quite high, with substantial disruption or injuries resulting.
- **Extreme (5):** The impact of such an incident would be catastrophic for the event and even the conflict in general, and could encompass complete incapacitation for it.

○ **Probability**

- **Very Low (1):** The probability of a risk occurring is essentially nil, or occurs once a generation.
- **Low (2):** The probability of a risk occurring is unlikely, perhaps once every 10 years.
- **Medium (3):** The probability of a risk occurring is possible, perhaps once every 2-3 years.
- **High (4):** The probability of a risk occurring is likely, perhaps once a year or more.
- **Extreme (5):** The probability of a risk occurring is essentially 100% - an incident is certain to occur.

23. After approximately 15 minutes (*noting to participants that it is likely that more time is needed to complete a thorough risk assessment*), bring the participants back together as a large group and ask each group to present their findings in brief **presentations**.

Facilitator Notes

An additional safety and security session is included in the advanced modules. This session reviews facility safety and security and includes an assessment. The facilitator can decide to integrate this advanced session or share the facility assessment checklist from Annex I as an additional resource.

24. Prompt a **group discussion** to debrief this activity:



- How did you find the process? How hard was it?
- Do you feel you have a better sense of some of the challenges?
- Did any of your ratings surprise you?
- How do you communicate these with the participants?
- We asked you to build your assessment team, and to do it quickly. Did that make the process harder or easier? Better or worse?

25. Remind participants during the debrief of **two key biases** that inevitably come to the fore.

- **Familiarity Bias:** We need to remember to focus on risks that are most likely and most impactful, not just the ones that make the news. The most common risk in most situations is a car accident, but if we considered that every time we get into a car, we wouldn't do it.
- **Impact to the Event:** We should consider how risks would impact the event and its participants itself, not the overall environment. For example, while a carjacking or an explosive device would be quite bad, the likelihood in most situations that this would happen to an event participant would be quite low.
- You should spend the majority of your time considering how best to mitigate risks that have the highest scores from this process, as they will have the most impact on its success.

26. Ask participants for questions. Take questions as appropriate before closing the session.

Session 4.2: Mental Health and Psychosocial Support for Insider Mediators

Session Overview



Estimated time: 120 minutes



Learning Objectives: Participants understand the importance of mental health and psychosocial support as IMs and learn approaches to take care of their mental health.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have flip chart paper and markers at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Introduction - 5 minutes



1. Explain that to achieve lasting peace, in the peaceful resolution of post-conflict situations, it is important to **integrate trauma-focused psychosocial and mental health support**. "Without a psychosocial approach and adapted/appropriate methods, trauma prolongs the victim-aggressor paradigm, perpetuating the cycle of violence and conflict at community level," said Natale Losi, Head of IOM's Psychosocial and Cultural Integration Unit.
2. Trauma in the context of mediation can be **direct or indirect**. An insider mediator may be directly exposed to traumatic stories, verbal or emotional abuse during mediation sessions, or indirectly affected by the tension generated by conflicts within the organization or community. The mediator may also bring their own history of trauma, which makes being exposed to trauma during the mediations more difficult or triggering. The resulting emotional overload - especially when a mediator is unable to distinguish his or her own emotions from those of the people he or she is helping - can lead to severe psychological exhaustion, with consequences for mental health, family relationships and professional performance.
3. **Mediator burnout** is not only linked to the intensity of the conflicts themselves, but also to the way they resonate with their own experiences and emotions. When mediators fail to take care of their own emotional boundaries, they risk prolonging the impact of conflict in their own lives, losing their objectivity and becoming progressively engulfed by stress, anxiety, and cynicism.

Understanding Stress and Trauma - 15 minutes



4. As an insider mediator, we may be exposed to stressful and traumatic situations. It's important for us to understand stress and trauma and learn strategies to address this.

5. Define **stress** as the body's physiological adaptive response to our changing environment. Stress can sometimes serve a positive purpose of motivating us to achieve under pressure, but when prolonged and elevated, stress becomes problematic. Stress is suffering imposed from outside, and ceases when the constraint, such as bereavement, disappears. **Three essential phases characterize stress:**

a. **The body's alarm phase:** As soon as it is confronted with a situation assessed as stressful, the body reacts immediately to prepare for fight or flight. These changes are designed to prepare the body to react by, for example, supplying oxygen to the organs that will be called upon.

b. **Resistance phase:** Shortly after the first phase, if the stressful situation persists, the body enters a resistance phase against the invader. Hormonal mechanisms are put in place (sugar secretion) to provide the muscles, heart and brain with the energy they need. In this case, the body prepares for the energy expenditure required to respond to the stressful situation.

c. **The exhaustion phase:** If the stressful situation is prolonged or intensified, the body enters the exhaustion phase, as its capacities are overwhelmed. The body is flooded with activating hormones which, if attempts to modify the situation prove ineffective, can become damaging to health.



6. Ask participants: **What are the effects of stress on the human body?** Take responses then share:

a. If stress is prolonged, in all cases our ability to react is impaired, our organism becomes exhausted and various pathological consequences appear. Stress provokes certain bodily reactions that last from a few minutes to several days or weeks. These include: Sleep and appetite disorders; Fatigue; Irritability; Nervousness; Muscle contractions (especially in the neck or back).

7. Explain that stress can come from a one-time event, or stress can be chronic. Share the **symptoms of chronic stress:**

a. **Physical symptoms:** Pain, headaches, muscle aches, joint pains, etc., sleep, appetite and digestion disorders, unusual sweating, and more;

- b. **Emotional symptoms:** Heightened sensitivity and nervousness, crying spells, anxiety, excitement, sadness, feelings of unease, and more;
 - c. **Intellectual symptoms:** Disturbed concentration leading to errors and forgetfulness, difficulty in taking initiative or making decisions, and more.
 - d. These symptoms have **repercussions on behavior:** Use of sedatives or stimulants (coffee, tobacco, alcohol, sleeping pills, anxiolytics, narcotics...), withdrawal, difficulty in cooperating, reduction in social activities, aggressiveness, and more.
 - e. If the stressful situation continues, the preceding symptoms set in or worsen, leading to physical and mental deterioration that may even be irreversible, such as serious health considerations like metabolic syndromes (issues with digestion and energy), cardiovascular diseases (issues with the heart), musculoskeletal disorders (issues with muscle or joint pain), and mental health issues.
- 8. Define trauma:** Trauma is the individual's natural, adaptive reaction to a potentially traumatic event, and can have significant consequences for the individual's experience and behavior. Trauma is more than stress. It's a high, prolonged and repeated level of alarm from the traumatic situation experienced in the past that leads to hypersensitivity to stress. It's a suffering that comes from within the psychic system, where an image of a traumatic event from the past has penetrated and taken root (Lebigot, 2005). There may be a rupture:
- a. Relationship to things and the world: Meaning of life, death, age, profession, work, school, parenthood, money, home, independence, etc.
 - b. Style and rhythm of life: Life on hold (impossibility of projecting into the future feeds anxiety), rupture of history (individual and collective).
- 9.** It is not the nature of the event that defines its traumatic aspect, but rather the subjective evaluation that the person confronted with it makes of it. The quality of the resulting adaptive process determines whether or not the event becomes traumatic.¹²
- 10. Post-traumatic stress disorder (PTSD):** PTSD is a disorder that can develop following exposure to an event or series of events that are extremely threatening and horrific in nature, usually prolonged and/or repetitive, from which it is difficult or impossible to escape.
- 11.** There are many causes of psychological trauma, such as mass violence, disasters, loss, torture, abuse, serious illness, and much more.

¹² Taïeb et al., 2004.

12. Signs of trauma: Generally speaking, traumatic events and situations render us incapable of adapting and of understanding why in order to develop resilience measures. We may experience nightmares, aggressiveness, agitation, fears, insomnia, isolation, hypervigilance, anxiety, difficulty concentrating, and more.

13. It is important to note that a traumatized person can do the job normally, but may be affected in some way at a relational, emotional level in a situation of discomfort and unpleasantness linked to the unusual new situation.

Indirect Trauma or Vicarious Trauma - 10 minutes



14. As an IM, we are most often **exposed to indirect or vicarious trauma**. Who knows what this is? (*take responses*)

- a. **Vicarious trauma:** Vicarious trauma is indirect trauma resulting from contact with the victims of traumatic events. Vicarious trauma consists of profound changes experienced by the person who empathizes with trauma survivors and is exposed to listening to their traumatic journeys and experiences, and helping them to overcome the problems of everyday life.

15. We can often experience **empathy fatigue** or compassion fatigue. Who knows what this is and can explain it to the group? (*take responses*)

- a. We speak of compassion fatigue (empathy fatigue) "When the pain of others pierces my heart..."¹³. It's wear and tear, a gradual erosion of our empathy, hope and compassion not only for others, but also for ourselves. This "wear and tear" changes our personal and professional lives, as it leads to compromises in our well-being. We have self-love, we have love for others, we have the initiative to empathize and to feel positively. Compassion fatigue affects the people who directly receive the stories of people who have lived through difficult situations, such as doctors, psychologists, insider mediators (IMs) in our case, and so on. Compassion fatigue can lead to exhaustion, burnout, and the inability of mediators to continue functioning effectively.

16. Explain the **consequences of vicarious trauma:**

- a. **On personal life:** Through empathy, we see, smell, hear, touch and feel the same as the victim, listening to the latter recount his or her experiences in detail, with the aim of alleviating our own pain.¹⁴

¹³ Côté, 2014, p.1.

¹⁴ Debauche, 2017.

- b. **On professional life:** These "vicarious traumas" cause profound ruptures in a person's sense of identity, worldview and spirituality. These changes concern their internal frame of reference, i.e., their values, beliefs and convictions about the world.
- c. **At the level of emotional expression:** Because it is exposed to the reality of cruelty by human beings towards other human beings, the IM can be affected, through its empathy, by the emotional effects.
- d. **Example:** Repeated accounts of distress, violence and trauma can sometimes provoke fear, lack of sleep, etc., leading the caregiver to question the meaning of life, human justice, good and evil, spirituality, human nature and the role of society. It can also call into question one's ability to help others, and one's professional competence.

17. The consequences of empathy fatigue or compassion fatigue:

- a. If the mediator has already experienced trauma or a difficult situation similar to that of the person seeking help, they are more exposed to indirect trauma.
- b. In addition, personal events such as divorce, illness of a loved one or the sudden death of a loved one also have a considerable negative influence on emotional expression and empathy, reinforcing vulnerability to the development of vicarious trauma.

18. Risk factors for IMs to cope with indirect trauma: We may have a harder time as an IM if we have the following:

- a. A history of violence in personal life;
- b. High frequency of exposure to stories of suffering;
- c. Little time for recuperation or self-care;
- d. Poor management of stress and emotions;
- e. High demands on self and others;
- f. Avoidance behaviours linked to unresolved past trauma;
- g. Inability to ask for help;
- h. Little or no time for institutional reflection (supervision and analysis of practices);

- i. No training on psychosocial support for mental health problems and trauma encountered in mediation work.
- 19. Identification with the situations and content experienced by people in conflict can become very hard for IMs. We may start to have dreams of the conflict, become hypervigilant, become fearful, etc.
- 20. Vicarious trauma can have intense effects on IMs in every area of life and can mimic the effects of actually experiencing trauma. We may feel angry, guilty, lonely, withdrawn, moody, lacking sleep, inability to focus, etc.
- 21. Let's now look at a case study of an IM and assess what is occurring.

Case Study Activity: An Exhausted Mediator - 45 minutes



- 22. Transition the group to the activity. Divide participants into small groups of 3-4 people each.
- 23. Share the **case study**:

Clément, a 45-year-old man, has been an insider mediator for over 10 years. He intervenes in sensitive neighborhoods, where he manages conflicts between neighbors, between different communities, and sometimes between residents and local authorities. His role is to ease social tensions, helping to resolve disputes, domestic violence, neighborhood conflicts or even ethnic tensions. Over the years, however, he has begun to experience chronic fatigue and emotional exhaustion due to the intensity and complexity of the conflicts he manages.

He found it increasingly difficult to become emotionally involved in the conflicts he managed. He began to feel that most conflicts were insurmountable, that the parties involved didn't want lasting solutions, and that his efforts were just a blindfold on an open wound. He began to doubt the effectiveness of mediation and to feel detached from the cause.

Clément becomes irritable, especially with those closest to him. Simple situations at home, such as trivial discussions with his wife or children, set him off more easily. His emotional reactions are disproportionate to events. When he's at home, he's often mentally absent, thinking about his mediation cases, unresolved conflict stories or stressful work situations.

Clément gradually isolates himself from his family, no longer actively participating in family activities, and often spends his weekends catching up on unfinished work or trying to rest, but to no avail, as his mind remains preoccupied with the conflicts of the week.

At work, he forgets to follow up on certain files, and feedback from colleagues and superiors is less and less positive. His colleagues have provided feedback that he has a decline in mediation

quality, that their relationships with him feel strained, and Clément himself feels that it has become hard to work with his fellow mediators.



24. Instruct each group to discuss: How can we help Clément overcome this exhaustion?

Provide approximately 10-15 minutes for groups to discuss.

25. Bring the group back together and have each group **share out** their approaches, prompting a **discussion**.

26. Share the following **summary or additional approaches** if they were not shared by participants:

- a. **Take a break and disconnect:** It's crucial that Clément takes an extended break to rest physically and emotionally. This would allow him to temporarily detach himself from his work and reflect on his priorities.
- b. **Improving the management of professional boundaries:** It's important that Clément learns to establish clear boundaries between his work and his personal life. He can set regular working hours and commit to not answering business calls or emails outside these times
- c. It must also recognize that not all conflicts can be resolved, and that its role is to facilitate communication, not to find perfect solutions.
- d. **Strengthening communication with the family:** Clément has to open discussions with his wife and children to explain his state of fatigue and stress.
- e. Explain to participants that one key skill Clément, and all of us as IMs need, is the skill of **Emotional Intelligence**.

The Importance of Emotional intelligence - 15 minutes



27. As IMs, it is important for us to develop the skill of and practice **Emotional intelligence (EI)**.

EI is a set of emotional and social skills that enable people to keep control of their emotions and make informed, conscious decisions that benefit themselves and their colleagues, rather than acting impulsively.

- a. For example, if a colleague says something that you find particularly irritating and unhelpful, it's your emotional intelligence that enables you to keep control of your anger and not trigger a confrontation. You understand what your anger is, why it's there and what you need to do to transform it into positive, useful behavior.

28. Emotional intelligence is a set of emotional and social skills that collectively establish your ability to: perceive and express yourself; develop and maintain social relations; facing major

and everyday challenges; use emotional information effectively and meaningfully. While emotional intelligence is not the only predictor of human performance and development potential, it has been proven to be a key indicator in many areas.

29. Emotional intelligence is important for good communication with others and leads to better learning, better friendships, academic success and employment.



30. Prompt a **group discussion**: How is the skill of emotional intelligence relevant in the case of Clément? (*take responses*)

- a. Emphasize that, if Clement practiced emotional intelligence, he would be aware early on that he is becoming fatigued and overwhelmed. He would identify his feelings and express these to his colleagues and family.

31. Emphasize that it is the skill of emotional intelligence that we, as IMs, can all practice to be able to identify our emotions and become aware when we begin to feel stressed, have difficulties with vicarious trauma, so that we can implement healthy coping strategies.

Coping strategies for stress, vicarious trauma and burnout - 10 minutes



32. As an IM, it is important for you to develop **coping strategies** so you can stay healthy in your role.

33. Coping describes the reactions of an individual acting to produce cognitive and behavioral responses in order to control and moderate the impact of a stressful situation. The aim is to describe the effective behaviours mediators need to adopt when dealing with trauma-related stress and conflict management, in order to prevent and cope with the risk of prolonged stress, vicarious trauma and burnout related to mediation work, and to their professional and daily life in their community.

34. When trauma is brought up during a mediation, we need to assess the experience required to manage this situation; Assess whether you have any training or information on the situation; See if you need to ask for help, or call in someone more experienced in the matter; Evaluate your ability to seek information, solutions and support.

35. Coping strategies based on emotional intelligence: Coping strategies focusing on emotional intelligence aim to modulate or reduce the negative emotional manifestations suggested by confrontation with the uncontrollable stressful event.¹⁵

36. Seeking social support, aimed at obtaining help, encouragement and/or sympathy from others, is a very important strategy for overcoming stressful situations and trauma. Social

¹⁵ Parrocchetti, 2012, p.86.

support can transform the problem and/or emotional state into an opportunity for resilience.

37. From this point of view, in the work of mediation, IMs are not always capable of resolving all conflicts at all times, and the search for social support consists of involving another mediator and other people involved in the matter to support, appreciate or guide you (drawing on resources, etc.).



38. **Coping strategies can be both healthy and unhealthy.** Ask participants to define healthy and unhealthy coping strategies. Explain that unhealthy coping strategies can lead to detrimental health effects and can further stress the body, such as consuming alcohol or drugs. Healthy coping strategies help calm our bodies and address the underlying emotions. **What are some examples of healthy coping strategies?**

- a. Explain **healthy coping strategies** may include movement and mindfulness, such as going for walks, being in nature, or meditating, may include creative expression such as journaling, or may include connecting with others such as friends, family, or a trained mental health professional such as a therapist.
 - i. They can also include: Take moments of self-help by regularly participating in activities that bring you joy (sports, parties, contemplating nature, visiting tourist areas, visiting neighbors or colleagues, etc.); prepare periodic self-assessments, draw up self-care plans and revise them frequently; Use body therapy techniques (mindfulness meditation, yoga, bathing in thermal water, sport, contemplating nature, etc.); Taking care of yourself (resting, reading, singing, dancing, etc.) Revive your spiritual beliefs.

39. Ask participants and prompt a **discussion**: What are your coping strategies? How can you take care of yourself?

40. Summarize and share **key takeaways**:

- a. Mediation work, particularly in conflict situations, exposes in-house mediators to high levels of emotional stress and a significant psychological burden. Due to the nature of the conflicts they handle, often marked by direct or indirect trauma, whether family, community or professional. Mediators are likely to develop symptoms of emotional exhaustion, or even burnout, due to the accumulated pressure, responsibility and chronic stress associated with their roles. This phenomenon, often ignored or downplayed, requires special attention in the training and support offered to mediators.
- b. Support, both personal and professional, is essential if he is to get through this difficult period. By implementing appropriate coping strategies, balancing

professional expectations and seeking help, he or she can gradually regain a balance between work and mental health, and avoid complete burnout. Adopting and maintaining effective self-care practices requires real effort and is worth the effort.

41. Ask for **questions**. Take questions as appropriate before closing the session.

Session 4.3: Understanding the Relationship Between Trauma and Conflict in the Mediation Process

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand the impact of trauma and conflict, and learn approaches to handling trauma among conflicting parties during a mediation.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have flip chart paper and markers at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

The Relationship between Trauma and Conflict - 5 minutes



1. Explain that, in addition to our own mental health and stress as an insider mediator, we need to be aware of **how trauma and conflict intersect** and can impact the parties during your mediation. We'll first discuss what happens to our health when we are in conflict.
2. In conflict, we may be unable to defend ourselves or those we love. The consequence of this failure to defend oneself will be a deregulation of the entire defense system. This is often what we label as fight, flight, freeze – our nervous systems can become stuck in hyperactivity, or can be completely deactivated, almost making us frozen. Or, we may flee at the first instance of conflict in the future.
3. The following factors contribute to **trauma and conflict**:
 - **Lack of support from those around them:** People who lack this support find it very difficult to heal, as they are always in conflict when it comes to demanding support from those around them, and understanding their level of trauma-related affect. Minimization and neglect of their physical and emotional after-effects by those around them can lead to aggression, etc.
 - **Recognition as a victim:** If victims are doing well, they run the risk of lacking legal and institutional recognition. They try to claim this recognition through a variety of behavioral manifestations (violence, drug and alcohol abuse, rape, suicide, etc.).

- **Negative impact of trauma on marital relationships:** Communication deteriorates, strong emotional reaction, many marital break-ups, victims cannot stand family life, children inherit the trauma from parents, violence begets violence.
- **Added mourning process** (loss of a loved one): Events that amplify the effects of the main trauma.
- **Negative interpretation of the trauma and/or its after-effects:** The traumatized person understands that they are not the same as before and feels as though they do not recognize themselves.

Dealing with Trauma among Conflicting Parties during a Mediation - 15 minutes



4. Parties or actors in a conflict often experience trauma and may suffer from Post Traumatic Stress Disorder, as we discussed in the last session. This may show itself during your mediation by people becoming angry, emotional, withdrawn, isolating, etc. What can we, as IMs, do when this shows itself?
5. Use **active listening and empathy** to identify and deal with the individual traumas that underlie and accentuate conflicts (*see Module 3 Session 2*) through the following:
 - Be welcoming and gain trust by introducing yourself and having consistent communication, and ensuring confidentiality.
 - Ask **open questions** instead of closed ones, as this helps them gather more information and you get a detailed answer (how, what or who).
 - i. Example: Say "How do you feel?" instead of saying "I can see it was very hard for you", Say "How did it affect you?" instead of "Were you affected?"; For feelings "how did you feel or how did it make you feel?" instead of "were you affected?"
 - Listen more than you talk.
 - Be aware of your own prejudices.
 - Manage your emotions by implementing coping strategies which we discussed in an earlier session. This might include strategies to calm your nervous system, such as deep breaths, taking a break and stepping outside into nature if available, and more.
 - Be alert to ideas and problem-solving opportunities.
 - Send verbal and non-verbal messages that you are listening and avoid interrupting.

- Listen to both feelings and content.
- Have icebreakers or take breaks when needed.

Prevention of Indirect Trauma - 10 minutes



6. To prevent the problems associated with resolving conflicts in traumatized people or those suffering from PTSD, the recommendations focus on the following:

- **Prepare a referral list/relationship/mechanism** with different potential services and supports needed. This list can be useful for participants and for mediators themselves. When a mediator is aware that the parties are suffering, this can lead to the feeling of helplessness if they do not know what to do with a participant's request for help. This can exacerbate stress for a mediator. Therefore, having a readily available list of services can be of help.
- IMs should **be discerning** when selecting the cases they agree to work on to make sure they are up to taking it on.
- Clearly marking limits and **boundaries** according to one's abilities.
- Prevention through regular **debriefing**, teamwork and peer supervision.
- Limit the number of cases of violence handled each day.
- Take it in turns to use the different methods of peaceful conflict resolution by involving colleagues in your work (group, individual).
- **Reflect** in groups on the mediation case.
- Forcing yourself to **take real breaks** during the day.
- Practice your **coping mechanisms** identified in the previous session.

Case Study: Revisiting Clément - 30 minutes



7. Recall Clément, the IM from our previous session.

Clément, a 45-year-old man, has been an insider mediator for over 10 years. He intervenes in sensitive neighborhoods, where he manages conflicts between neighbors, between different communities, and sometimes between residents and local authorities. His role is to ease social tensions, helping to resolve disputes, domestic violence, neighborhood conflicts or even ethnic tensions.

8. Let's look at a **specific scenario** during a mediation that Clement helps moderate:

During a mediation, a member of one of the conflicting parties approaches Clement during the lunch break. She tells Clement that she has been having terrible nightmares because of how a family member was killed during the recent outbreak of violence. She tells Clement that she is trying to be present during the mediation but her mind keeps wandering. She begins to describe how her neighborhood was destroyed by the conflict. Clement begins to feel very overwhelmed.

What should Clement do?

9. Divide participants into **small groups** of 3-4 people and have them discuss this prompt. Provide approximately 10 minutes. Have flip chart papers and markers available if groups would like to write their ideas down.



10. Bring the group back together and **take responses** from different participants. Responses should include:

- Clement should have a prepared list of resources to refer to participants who have experienced trauma and are still experiencing PTSD.
- Clement should be honest with this participant about his boundaries. This could be expressed as "I understand how terrible the situation has been and I appreciate you expressing how you are feeling during this mediation. I am not a trained trauma-support professional, but I am happy to refer you to someone who is."

11. Ask for **questions**. Take questions as appropriate.

12. Close the session by sharing **key takeaways**:

- Those who experience conflict can feel the effects of trauma on their nervous system. They may exhibit signs of fight, flight, or freeze during a mediation.
- As an insider mediator, we need to be aware of the impact of trauma and always treat parties in a mediation with empathy, active listening, and understanding. We should build trust, ask open-ended questions, listen more than we speak, and manage our own emotions.
- We should be careful to not take on trauma (indirect or vicarious trauma) of those in a mediation. We can prepare a list of resources to refer them to, maintain our boundaries, take breaks, and implement our own self-care and coping mechanisms.

Module 5: Advanced Topics and Cross-Cutting Themes for Insider Mediation

Overview

Description

This module focuses on advanced topics and cross-cutting themes that prompt a deeper understanding of issues connected to peace, conflict transformation, and the role of insider mediators. Participants will learn advanced tools to analyze conflicts and additional conflict transformation approaches such as negotiation and dialogue. Participants will also further dive into inclusion in conflict transformation by learning about gender and youth inclusion. Additionally, participants will learn about the nexus of the environment, climate change, and conflict, and explore environmental peacebuilding and mediation approaches. Lastly, participants will understand key aspects of facility security when planning for a mediation.

Learning Objectives

- Participants understand advanced methods and tools for conflict analysis.
- Participants learn additional conflict transformation techniques and approaches, such as dialogue, negotiation, and advocacy.
- Participants identify how gender and youth can be included and mainstreamed in mediation.
- Participants learn how the environment, climate change, and conflict intersect and approaches to environmental peacebuilding.
- Participants are able to assess the safety and security of future mediation events.

Sessions

- **Session 5.1:** Identifying Conflict Sources - The Circle of Conflict (*40 minutes*)
- **Session 5.2:** The Ladder of Conflict (*60 minutes*)
- **Session 5.3:** The Actors, Content, Context, Process Framework (ACCP) (*90 minutes*)
- **Session 5.4:** Dialogue as a Conflict Transformation Tool (*90-120 minutes*)
- **Session 5.5:** Understanding Negotiation (*60 minutes*)
- **Session 5.6:** Gender Inclusion in Mediation (*60 minutes*)
- **Session 5.7:** Youth Inclusion in Mediation (*60 minutes*)
- **Session 5.8:** The Role of Advocacy (*80-95 minutes*)
- **Session 5.9:** Integrating the Environment, Climate Change, and Conflict Nexus (*3-4 hours*)
- **Session 5.10:** Safety and Security Considerations Part 2 - Facility Assessment (*60 minutes*)

Facilitator Tips

- Fully review and complete the “Adapting to your Context” checklist on pages 6-7.
- Include openings, closing, breaks, and icebreakers as appropriate.
- Additional tips are shared throughout the sessions in text boxes.

Session 5.1: Identifying Conflict Sources - The Circle of Conflict

Session Overview



Estimated time: 40 minutes



Learning Objectives: Participants learn the five different sources of conflict by understanding the Circle of Conflict.



Materials: Slide deck, post-it notes, pens, markers, flip chart paper with the Circle of Conflict drawn largely, printed case studies from Session 2.



Set-up: Have all materials at the front of the room and have the slide deck visible on the screen.

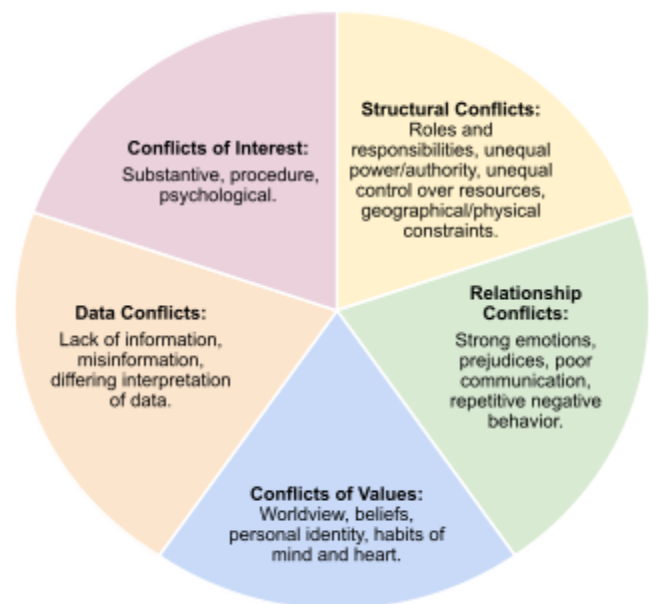
Detailed Session Plan

Identifying Conflict Sources: The Circle of Conflict - 20 minutes



1. Explain to participants that we can **identify types of conflict by their sources**. This categorization of conflict by source, or where the conflict originates from, is illustrated by the **Circle of Conflict** developed by Christopher Moore, a negotiation and mediation expert¹⁶, where he defines five sources, or underlying reasons, for conflict:

- **Conflicts of Interest:** This is when two parties and their individual desires and concerns clash.
- **Conflicts of Values:** Similar to conflicts of interest, conflicts of values arise when parties have different values and principles. However, unlike conflicts of interest, values are not negotiable and are often unwavering



¹⁶ <http://smilemundo.com/moore-circle-of-conflict/>

because they are the foundation of personal identity. Thus, individuals and parties tend to defend their values whenever they are challenged or questioned. If these values and principles are connected to religious beliefs, they may be even more difficult to negotiate.

Facilitator Note

While reviewing the five sources of conflict, the facilitator should insert local and contextual examples or elicit examples of each type from participants.

- **Structural Conflicts:** These emerge from perceived inequalities, competition over limited resources, as well as divergent interests amongst groups. Power and authority inequalities also contribute to structural conflicts.
- **Data Conflicts:** This conflict emerges when there is either missing, inaccurate, and/or different interpretation of information.
- **Relationship Conflicts:** Parties who have had previous negative experiences with each other are prone to relationship conflicts. These conflicts are fueled by stereotyping, poor communication, and emotions.

14. Tell the group that they will now put this into action by identifying the conflict source from the case study from our earlier session.

Identifying the Source of a Conflict - 20 minutes



15. Explain that participants will revisit the **case study from Session 2** in pairs/small groups.

16. Divide the group into pairs/small groups.

17. Prompt the group to take 10 minutes to **identify the types of conflict** present:

- Identify what aspects of the following types of conflicts are present: Conflicts of interest, structural conflicts, data conflicts, relationship conflicts, and/or conflicts of values? Write these on post-it notes.
- Once you have which aspects of the conflicts are related to what type of conflict, stick the appropriate post-its in the correct slice of the Circle of Conflict at the front of the room.



18. Prompt the group to then **discuss** the following reflections for 10 minutes. *Facilitator should adjust questions according to specificities of the case study and context:*

- Which elements/issues in the circle contributed most to the conflict, and in what way?

Facilitator Note

If time allows, prompt the group to consider well-known local conflicts and identify the source of each of these.

- How easy or difficult was it to identify the source of the conflict?
- What lessons have you learned from this analysis with the Circle of Conflict?

19. Ask the group if anyone has **questions**. Take questions as appropriate.

20. Close by sharing **key takeaways**:

- It is important as an IM to be able to classify conflicts according to the parties involved and the source of the conflict. It is important that we are able to explain the importance of this categorization and understand that a conflict can be fueled by several issues. Before we attempt to resolve conflicts, we need to first understand the dynamics of the conflict.

Session 5.2: The Ladder of Conflict

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants learn the Ladder of Conflict and can use this tool to analyze a conflict.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have all supplies at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

The Ladder of Conflict: Glasl's Model of Conflict Escalation - 30 minutes

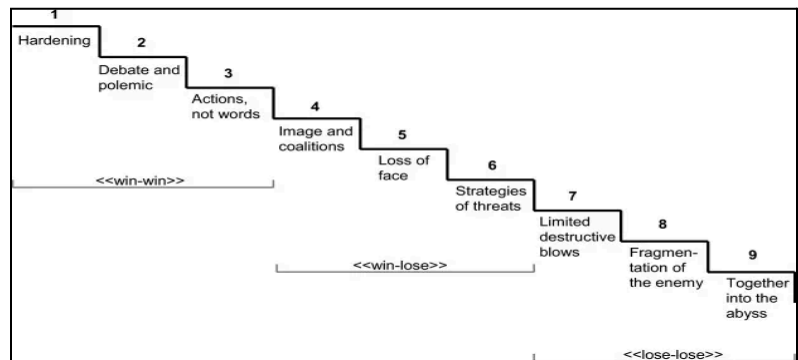


1. Explain to participants that they will now learn another tool: **The Ladder of Conflict or Glasl's Model of Conflict Escalation.**

2. This tool provides a description of the **nine steps of a conflict escalation.** It provides an idea of the increasing negative effects

that may manifest if a conflict is not collaboratively addressed early. At the beginning of a conflict (top of the ladder), parties could still gain something from the conflict and it is considered 'healthy', a natural part of life. As the ladder descends, the situation changes and each one of the parties will aim to maximize gains at the expense of the other. As parties move down the ladder it becomes more and more difficult to de-escalate the conflict. In reaching the three last steps, both parties are likely to lose more than to gain anything from being in conflict.

3. Review the **nine steps of the ladder** in detail:



- **Hardening:** Positions harden and a first confrontation occurs. Each side develops a selective argumentation, dismissing the other's arguments and giving greater weight to its own.
- **Debates and polemics:** Polarization of thought, feelings, and will. Protagonists lock in their positions and both sides freeze so as not to appear weak. Things are black and white with a perception of superiority and inferiority. At this stage, mistrust generates a feeling of insecurity and loss of control.
- **Moving from talk to action:** The parties feel that talking is pointless and that action is called for. Common interests and the prospect of resolving the dispute are receding, and the protagonists are now competitors. At this point, each party does everything in its power to prevent its counterpart from achieving its objective and asserting its own interests. Each side tries to make the other give way. Action and non-verbal communication dominate the exchanges.
- **Image and coalition-building:** Parties push each other into negative roles. They seek support from people who have hitherto remained outside the conflict. An essential symptom of this stage is the impossibility for either party to name a quality of the other, when requested by a third party. Management of the situation is now focused on destabilizing the adversary rather than finding a solution.
- **Attack on dignity:** Public and direct attacks on moral integrity, designed to make the opponent lose face. One sees themselves as the representative of good on earth, while he perceives the other as the representative of evil, destructive, inhuman, and bestial (humiliations). At this stage, it is extremely difficult to build mutual trust.
- **Threat strategies:** As all other avenues of escape seem closed, the conflicting parties resort to the threat of damaging actions to force the opponent in the direction they want. The parties turn their threat into an ultimatum, leaving the adversary no choice but to answer yes or no. They begin to impose precise, drastic deadlines on each other's actions, reducing the possibility of analyzing the consequences of alternative courses of action. Conflict becomes highly complex, difficult to grasp, and impossible to control.
- **Limited destructive blows:** The opponent is no longer perceived as a human being, so it becomes legitimate to strike punctual blows. Ensuring one's own survival becomes a primary concern. The adversary has become an enemy and no longer has

Facilitator Note

To make this more interactive, the facilitator can split participants into three groups, hand each group a large flip chart paper with a ladder drawn on it, and each of the nine steps printed on different slips of paper. Instruct each group to take 5-10 minutes to arrange the papers in which order they think is appropriate for conflict escalation. Then, have each group share their ladder, then explain the appropriate steps and descriptions of each.

human qualities. Potential attacks include undermining financial resources, legal status, or control levers. Such attacks lead to retaliation, which is often even more destructive. Each party feels that its own losses are nothing if the enemy's are greater.

- **Destruction:** The main goal is the destruction and annihilation of the other side's system. Attacks intensify and are aimed at destroying the enemy's vital system and power bases. Negotiators, representatives, and leaders may be targeted in order to destroy their legitimacy and power in their own camp.
 - **Joint fall into the precipice:** Total confrontation with no possibility of turning back. Each side accepts its own destruction as the price to be paid for the destruction of its opponent.
4. Explain to the group that, as IMs, we may be intervening in conflicts that are at different stages or steps of this ladder.
 5. Ask the group for any questions or clarifications needed.

Applying the Ladder of Conflict - 30 minutes



6. Share a **case study** of conflict that is familiar to participants, or a fictional conflict scenario.

7. Divide the participants into pairs or small groups.

8. Instruct them to **identify the aspects of the ladder** in this conflict. Provide approximately 10-15 minutes for group work.



9. Bring the group together to review their responses to the activity. Moderate a group **discussion**.

10. Ask the group for **questions**, learnings, and key takeaways from this session.

11. Summarize the **key takeaways** for the group:

- The Conflict Ladder can be a useful tool to analyse how a conflict started and escalated.
- As IMs, we need to understand what stage of the conflict we are entering in order to help resolve the conflict effectively.

Session 5.3: The Actors, Content, Context, Process Framework (ACCP)

Session Overview



Estimated time: 90 minutes



Learning Objectives: Participants learn the ACCP framework and understand how to apply it to analyze a conflict.



Materials: Slide deck, flip chart paper, marker, pens, paper.



Set-up: Have all materials at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

What is the Actors, Content, Context, Process Framework (ACCP)? - 20 minutes



1. Explain to the group that they will now learn an advanced conflict analysis tool: The **Actors, Content, Context, Process Framework (ACCP)**.
2. ACCP is a model designed by Hottinger, Mason, Michael and Sguaitamatti (2010) and it focuses on analyzing the actors, content, context, and process of the conflict.
3. We first start with **Actor Analysis**: Actors are people, organizations, countries involved directly or indirectly in the conflict. When analysing actors, one asks the following questions:
 - Who are the primary parties directly engaged in the conflict?
 - Who are the allies and patrons of these parties?
 - Who are the relevant external actors (neighboring states, regional organizations, foreign powers?)
 - Who are the affected groups (ethnic communities, religious communities, women, young people)?

Facilitator Tip

While explaining the ACCP Framework, integrating examples from conflicts participants are familiar with may help participants further understand this framework.

- What are the current and historical relationships between the various groups?
 - What are the goals, positions, interests, and needs of the various groups?
 - Who are the leaders and how strong and unified is the leadership?
 - Are women and youth involved directly or indirectly in the conflict?
4. We next engage in **Content Analysis**: Content refers to all the **issues** that need to be addressed to resolve the conflict. They should be understood from the perspective of all the parties in the conflict. Analyzing content can be done by:
- Identifying and clustering issues where there is agreement/no agreement, possibility of agreement, and tough issues;
 - Identifying the timeframe of each issue: short-, medium- and long-term issues;
 - Asking: What are the causes of the conflict—current and recent drivers of the conflict? What are the main structural causes of the conflict, i.e. the root causes? How do parties view the causes of the conflict? How are domestic, regional, and international causes related?
5. Next, we move to **Context Analysis**: The meaning of conflict resides in its context, i.e. the background of the conflict, the systemic conditions behind conflict. This is when we ask: *What else is important for us to know?* This takes into account:
- Social, economic, and political conditions and policies that feed the conflict;
 - Mapping context involves understanding key events that can change content;
 - In the process, one pays attention to the following questions: What contextual topics are important to each side? How can context influence the process? How can regional and international actors influence the context? What is the role of women and youth?
6. Lastly, we focus on **Process Analysis**: Process refers to how the parties respond to the conflict: either non-violently or violently. Non-violent forms include negotiation, mediation, or dialogue. It is important to note that processes change over time whereby violence intensifies or when parties decide to turn to non-violent means. When analyzing process, one looks at:
- Pre-negotiation phase to inform setting up a framework for negotiation;
 - Venue, timing, participation, and frequency of meetings;

- Direct negotiation phase;
 - Mediator;
 - Implementation phase.
7. Ask the participants if they have any questions before they engage in an activity to apply the AACP Framework.

Applying the AACP Framework - 45 minutes



8. Divide the participants into four working groups and provide them with a large flip chart paper and markers. Instruct them to **identify a familiar conflict** of their choice at any of the following levels: Community/local level conflict, provincial; organizational, national, or international.
9. Instruct them to take 20 minutes to work in their group to do the following and write their responses on a flip chart paper:
- **Identify the actors** involved in the conflict (women, men, and youth);
 - **Identify the content-issues/causes** of the conflict;
 - Identify the context in which the conflict resides?
 - Identify the processes.
10. After 20 minutes, facilitate each group reporting out, starting by describing the conflict they identified. They can pin their flip chart sheet on the walls.



11. Prompt a reflection and **discussion** on the activity by asking the group:
- Can you tell how this process has helped you understand the conflict better/deeper?
 - Have you been able to figure out how different actors define the conflict?
 - During the exercise, has anyone noted a change in content, context, and process?
 - How may understanding of the actors, content, context, and processes help in the design of a mediation process?
12. Ask the group for any **questions**. Take questions as appropriate.
13. Share a summary and **key takeaways** from the session:

- AACP is an advanced conflict analysis tool that IMs can use to better understand the conflict;
- Content, context and even actors may change during the life of the conflict;
- Processes may also change (e.g. from violent to non-violent means).

Session 5.4: Dialogue as a Conflict Transformation Tool

Session Overview



Estimated time: 90-120 minutes



Learning Objectives: Participants learn what dialogue is, the process of dialogue, the needed qualities and skills of facilitators, and approaches to address intractable issues.



Materials: Slide Deck, Flip Chart Paper, Marker, Pens, Paper.



Set-up: Have all materials at the front of the room and have the slide deck visible on the screen.

Detailed Session Plan

Defining Dialogue and the Dialogue Process - 20 minutes



- Explain that, according to the Berghof Foundation, dialogue is “A face-to-face **interaction** between people with different backgrounds, convictions and opinions, in which they **respect** each other as human beings and are prepared to **listen** to – and **learn** from – each other deeply enough to **inspire a change of attitudes.**”
- Dialogue is *not* debate. In debate, we try to convince the other party that we are right. In dialogue, there is **no right or wrong.**
- **Provide contextual examples** for when a dialogue may be appropriate. Examples might include: tension is building between community members from different religions due to a lack of understanding; an employer notices that staff members across different generations lack awareness of and understanding among one another, etc.
- **A dialogue requires trusted facilitators** – usually two trusted individuals of integrity and diverse identities who represent the range of identities among the participants, yet are not obviously biased or sided with any identity present in the room. They should always be seen as impartial and unbiased among participants.
- Review the **general guiding principles of Dialogue:**

- **For participants:** Participants understand what they are agreeing to and consent to the process. Dialogue should always be voluntary. Participants should be aware of what they are agreeing to participate in and that this is a process of building trust, being transparent, engaging in partnership, active listening, being curious, and following up.
- **For Facilitators:** Facilitators promote inclusion, ask context-specific questions, build trust, model transparency, and more. We will soon discuss the requirements for facilitators.
- Explain that dialogue follows a specific process. **The dialogue process** entails a series of meetings between two or more actors across the conflict lines with the **intention of exchanging** perceptions and **building understanding and trust**. Dialogue does **not primarily** aim at decisions and implementable action.
- **Parts of the dialogue process include:**
 - **Process Design and logistics:**
 - **Size of dialogue groups:** To allow for a lively exchange of perspectives, a minimum of eight participants should be involved. This minimum, however, depends on the spectrum of different opinions to be taken into account. Some professionals describe a group size between 12 and 25 persons as ideal for in-depth dialogues. In the case of more than 30 participants, it is advisable to find creative ways to form break-out groups for at least some parts of the dialogue process to enable more participation. The very idea of a dialogue is that all of its participants have a fair chance to personally contribute with substantive remarks to the communication.
 - **Spaces for dialogues:** A dialogue's setting and space are often determined by the local conditions and cultural standards. They can range from open-air spaces under a tree in a tropical village to air-conditioned conference rooms in a five-star hotel. Important are the following conditions: that all participants can have direct eye-contact with each other (ideally sitting in a circle); that they can listen to each other easily; and that there is no hierarchical difference in the seating arrangement between the participants.
 - **Refreshments:** Participants usually appreciate it when the organizers or hosts provide some refreshments within the dialogue room like water, tea, or coffee.
 - **Time management, sessions, and breaks:** Most dialogues are organized in the shape of conferences, seminars, or workshops structured into consecutive sessions with breaks in-between. Each culture has its own standards with respect

to punctuality, the lengths of the sessions, and the breaks. Facilitators should act in accordance with these standards. Breaks should be taken seriously and shortening them to make up for prolonged sessions should be avoided. They serve important functions for trust and relationship-building, can be used to clarify misunderstandings, and sometimes offer opportunities for sorting out deadlocks.

- **Pre-dialogue (preparatory meetings and setting the agenda):**
 - From a practical point of view, it is very important to understand the need for a proper preparation of the group sessions. One of the first issues is to draft the agenda for the individual sessions as well as the overall, sustained dialogue process. To generate a promising, relationship-building and trust-building atmosphere it is useful to **start with topics on which at least some degree of procedural consensus can be achieved with some ease**. More difficult issues should be addressed at a later stage. Altogether, the development of the dialogue can be visualized as a “Flow of Divergence” from expanding divergence to increasing convergence: There is a general observation that at the early stages of dialogue, there may be less divergence and more positive expectations and expressions of harmony. Over time, the opinions differentiate and issues broaden (complexify) – both in a positive and negative sense. Towards the end of a dialogue, and often aided by good facilitation, issues and opinions converge again and, ideally, emerge in a general consensus.
- **Dialogue facilitation phases:**
 - **Phase 1: Getting to know each other and defining/elaborating issues.**
 - Setting ground rules together is important to ensure a common understanding of the way the dialogue will be organized and facilitated. It is important to agree on a joint set of ground rules with all participants. This should be done at the very beginning of the first dialogue session and should be explicitly confirmed by all participants. These ground rules should be disseminated in written form, so that participants and facilitators can refer to them whenever necessary during the dialogue process.
 - The participants elaborate the issues to be dealt with in the respective working group and to give all parties/representatives the opportunity to present their perspective on these issues. One useful tool for this is the visualization of issues and perspectives. But be careful: Do not write down positions! It might become difficult to revise these positions later

on. It is better to frame concerns, interests and needs in a way that allows them to be addressed in different ways. Another recommendation is to summarize statements regularly in a format that makes the speaking party feel acknowledged and recognised but without offending other parties.

■ **Phase 2: Deepening of understanding and sharing perspectives.**

- Only after all the parties/representatives have put forward their perspectives and opinions on the issues at stake should you move on to the second phase, the deepening of understanding and the sharing of perspectives. This is the most difficult phase in all dialogues but it is also crucial for moving towards a common ground and for triggering compromises. Helpful in this phase is to acknowledge underlying feelings, concerns, fears and needs of all parties and encourage mutual understanding. To do this, one can use open-ended and circular questions, reframing and mirroring (*see Module 3 sessions on Active Listening and Non-Violent Communication*).

■ **Phase 3: Generating inclusive options.**

- A good indicator for the successful sharing of perspectives is when a party/representative expresses their surprise about an insight or softens the stance on a controversial topic. This can be the starting point for the third phase which focuses on generating options that allow both sides to gain something from the conflict. During this phase it is crucial not to evaluate these options immediately, but to create an atmosphere conducive to open-minded brainstorming and to encourage a broad spectrum of creative alternatives.

■ **Phase 4: Discussing and evaluating options.**

- Only after phase three is concluded, it is recommended to move to the fourth phase of discussing and evaluating the options. To prepare this phase, it is useful to put together a list of criteria that are most suitable with respect to a reasonable consensus.

■ **Post dialogue:** Any action that needs to be taken is implemented.

- Take any initial questions. Answer questions as appropriate.

Dialogue Facilitation - 15 minutes



- Ask the group and prompt a **discussion**:

- What do they think the basic requirements for dialogue facilitators are?
- Would there be a difference in requirements for insider facilitators/IMs? Why (not)?
- What challenges and opportunities do you see for insiders to facilitate dialogues?
- How would you determine who would be an appropriate facilitator for a dialogue?



- **Share the following guidelines for facilitators:** The basic requirements for dialogue facilitators include the following:

- **Neutrality/multi-partiality:** Facilitators are brought in because the parties see the need for someone who has no decision-making authority to support their efforts in finding a common solution in a fair manner. Their role is sometimes described as “neutral” (with respect to the issues at stake) and/or as “impartial” or “multi-partial” (i.e., with either equidistance or the same empathetic openness to all parties).
- **Strong listening, reframing & summarizing skills:** Facilitators need to be able to listen carefully during all phases of the process, to summarize long statements and occasionally reframe statements put forward in an aggressive language that makes it difficult for others to listen. Sometimes, they may also have to mirror statements which indicate a strong emotional reaction in the speaker, but which are articulated only in passing or in more modest words – here, the facilitator may do well to amplify the emotional message (*see Module 3 sessions on Active Listening and Non-Violent Communication*).
- **Formulating good questions:** An effective dialogue process is one in which participants open up to each other and move towards a broader and deeper understanding of each other. This requires asking questions that encourage them to share the background and underlying needs, fears and interests of their statements and proposals. Particularly helpful are “circular questions”, which focus on the context and the perspectives of outside persons.
- **Personal integrity and awareness:** Good facilitators combine personal integrity with a strong awareness of their own strengths and weaknesses as facilitators. Facilitators are often the focus and the projection surface of what is going on in the group. It is important that facilitators are aware of this and know how to handle the implications. One basic way of ensuring that one is able to do so is to work in mixed facilitation teams. Ideally, one team member will be able to observe group dynamics and facilitator-group-dynamics and to talk through difficult situations arising in daily or ad-hoc debriefing sessions.

- **Understanding group development as a dynamic and holistic process:** Good facilitators are aware that ups and downs are normal phenomena in group settings. Moments of hard confrontation and of mutual avoidance are often less due to personal traits. Rather, they are an expression of the group's struggle with its efforts to generate a commonly agreed outcome.



- Prompt the group to **discuss**, either as a large group or as small discussion groups, which of the necessary skills and qualities from what we just reviewed do you feel most confident in and which do you find most challenging and why. Provide enough time to discuss and share responses.
- Take **questions** before explaining how the participants will now apply what they have learned in an activity.

Facilitator's Toolbox: Dealing with Difficult Situations and Deadlocks (*Advanced/optional as time allows*) - 20 minutes



- Explain that, in all dialogues that deal with protracted conflicts and periods of fundamental transition, it is common that the process of communication will occasionally become difficult. Participants may become angry, interrupt each other vehemently, claim that they have been offended by statements from other participants, leave the room in anger, or – worse – threaten each other indirectly with violent action. The facilitators might not even observe hostile behavior, but it becomes obvious that the discussion moves into a deadlock or a blockade by one or both parties. For these cases, it is helpful if the facilitators have a spectrum of tools at their disposal to deal with the situation constructively. Below are tools that can be employed depending on the situation:
 - **First-aid empathy:** Participants who express strong emotions, anger and aggression in particular, should be directly addressed by voicing their feelings (“It sounds like you are really upset and would like to leave immediately. Is that so?”) and by referring to the needs or fears behind these feelings (“Is it correct to say that you want some concrete steps to be taken to address this problem?”). The facilitator then works to identify concrete ways forward (for example: “What could these steps be?”). It is important that the facilitator not take sides with these participants, and instead, keep your multipartial distance while acknowledging the strong feelings.
 - **Remind participants of the principles and ground rules of dialogues:** Time and again, communication on contested issues will slide towards discussion and debate, sometimes in a heated fashion in which the participants only throw arguments at each other, interrupt each other, or start lecturing each other, while some retreat into silence. In these moments the facilitators can ask: “Are we still in a mode of dialogue with each other, or how would you describe this mode of communication?”

This situation can then be used to remind the participants of the ground rules agreed upon at the beginning, or to introduce new ones.

- **Have creative breaks:** Sometimes, it is also advisable to break a bogged-down situation with the simple suggestion to go into the next tea and coffee break. During this break, either the facilitator or other participants can engage with the main protagonists and mitigate or at least de-escalate the controversy.
- **Establish a sound knowledge base accessible for all participants:** Many of the contested issues which will come up in the dialogue have been addressed in the past and in other contexts. It is, therefore, advisable to collect information on these issues and how they were addressed in other contexts. This information should be easily available, which requires adequate infrastructure.
- **Mobilize external expertise:** Similar to the preceding point, it will be helpful to utilize the available expertise among scholars and practitioners who have dealt with similar challenges in the past. For example, when you are holding a series of dialogue or negotiation meetings and are preparing a roadmap for the dialogue process, you can negotiate with the represented parties to invite external experts for sessions on certain topics.
- **Initiate multipartial deadlock-breaking team(s):** If you are having trouble breaking a deadlock, it can be helpful to refer the case to other mediators with specialized expertise. As a kind of safety-net, it is advisable to establish at least one sub-group among the working groups that includes persons with strong communicative and problem-solving skills and to ask them to function as a deadlock-breaking team.
- **Introduce creative tools into the dialogue, e.g. “fishbowl” sessions:** A widely used tool for deepening dialogues is the fishbowl session. The facilitators invite a small number of participants into an inner circle, while the other participants stay in the outer circle. During the fishbowl session, only the people in the inner circle are allowed to talk. This tool allows focusing the dialogue on a small number of participants with a particular role or interest in the topic at stake. It helps to facilitate a more in-depth exchange of statements and obliges the outside participants to concentrate on comparative listening. It can be useful for exploring intra-party as well as inter-party perspectives. To create an outlet for the outer circle, one chair in the inner circle can be left empty, enabling the people in the outer circle to come in for a particular contribution.
- **Take self-care measures:** It is easy for facilitators to become overwhelmed or insecure in difficult situations. In contexts of violence-prone political or social conflict, it is also common for facilitators to become targets of the tensions and projections of those caught up in the conflict. It is all the more important to stay grounded when the situation

heats up. To prepare yourself for staying calm and acting intentionally – rather than reactively – in such situations, you can learn and practice various techniques and skills.

- **Strategically co-facilitate:** With respect to self-care, another recommendation is to work with a mixed facilitation team and to make sure to get to know each other's strengths and weaknesses. As a result, you can hand over the facilitation to another team member when the situation threatens to overwhelm you or get out of your control. It is also advisable to designate one team member as an observer for each session. This person can focus on observing group dynamics and can serve an early warning function when unforeseen tensions arise within the group. The observer can also provide valuable insights for the planning and adjustment of subsequent dialogue sessions at daily debriefings.
- **Visualisation:** Visualization is a creative tool to help bring about new perspectives or sharing. Classic forms of visualization include the use of flip charts or pin boards and cards to present information or to collect, order, and reorder points and ideas. Another form is the use of photos or drawings in dialogues and asking the participants to share their perspective on these visuals. The facilitator can use visualization both to influence and shape the process as well as to document results. When using it to document, it is important to take into account the cultural and individual needs of the participants for anonymity and confidentiality.

Facilitator Tip

If time allows, prepare and facilitate an activity for participants to practice the fishbowl method.

- Ask the participants if they have any **questions**.
- Summarize and close the session with **key takeaways**:
 - It is normal for dialogues to have moments of gridlock and tension. Therefore, it is important for facilitators to be prepared with these tools and employ them effectively.

Session 5.5: Understanding Negotiation

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants learn what negotiation is and understand its application.



Materials: Slide deck, flip chart paper, markers, pens, paper, slips of paper with each negotiating party's role.



Set-up: Have flip chart paper and markers at the front of the room and the slide deck visible on the screen.

Detailed Session Plan

Negotiation Overview - 15 minutes



1. Explain that **negotiation** is a method of resolution of issues or conflicts that we use every day, either with ourselves or others. It can be a means of communication designed to reach an agreement when you and the other side have some shared and some opposing interests. It can also be an intervention strategy for the transformation of a larger conflict through a process of talks between conflicting parties without the support of a third party.
2. Everyday negotiations are usually unstructured and often produce winners and losers, in addition to resentment, anger, dissatisfaction, alienation etc. When negotiating parties fail to reach a mutual agreement, a third party may be an option for positive progress through either mediation, arbitration or even litigation.
3. **Types of negotiation:**
 - **Soft negotiation:** According to established academic/practitioners in the field, with soft negotiation, participants are friends or have a standing relationship which is positive hence the goal is to reach a mutually acceptable agreement and build/strengthen sustainable relationships. Negotiation actors (who may not necessarily be in conflict) are flexible enough to review and change positions so that they can easily reach agreement, even if it means accepting losses. Parties essentially have some level of trust in one another and are willing to lose something for the sake of reaching agreement.

Facilitator Note

The facilitator should include brief contextually appropriate examples or prompt the group to think of examples of negotiation in their own lives.

- **Hard negotiation:** When it comes to hard/positional negotiation, the participants are often adversaries and each participant's goal is to win and be the victor. They do not prioritise relationships, but instead make demands as a condition for establishing a relationship. Participants also tend to dig into positions without much attention on needs and interests and this results in them demanding one-sided gains. The reason for such an attitude is mainly mistrust because actors do not know each other well. This kind of negotiation presents challenges such as:
 - **Entrapment** – the more you defend your position the more entrenched you become;
 - **Inefficient outcomes** -time and cost of reaching an agreement is high;
 - **Relationships** are harmed or destroyed;
 - **Win/lose** outcomes.

- **Interest-based negotiation:** This type of negotiation considers the interests of the parties to a conflict over their positions, which are often concrete and pre-determined. These interests include needs/concerns, fears, and hopes of all parties involved. In interest-based negotiation, it is vital to separate the people from the problem (actor-action), i.e., to deal with people as human beings and with the problem on its own merits. **It is important to identify the needs of each and make the meeting of those needs a shared problem - a unified mission for the conflicting parties.** To achieve this separation, one should avoid labels, and address emotions first and then the material aspects of the issue. Focusing on interests and needs makes it easier to identify common ground and explore multiple options for mutual gain. **Mutual gain translates to win-win** solutions in which no actor wins over the other, but an agreement is reached that satisfies both. While keeping interests in mind:
 - Define and unpack the problem;
 - Expose shared, compatible and divergent interests behind positions;
 - Realize that parties can have multiple interests;
 - Recognise basic human needs;
 - Acknowledge common and diverging interests of others;
 - Focus on the future not the past;
 - Be concrete, but flexible;

- Be hard on the problem, soft on the people.

4. Ask the group for questions. Take questions as appropriate.

Planning and Preparing for Negotiation - 10 minutes



5. Explain that, when planning for negotiations, one should think of options and ideas that are potentially agreeable to the other negotiating party. The sequence of the set of questions brought to the negotiation table should be carefully planned. Negotiators may prepare for negotiations by analyzing the following elements *both for themselves and for the other conflict party*:

- The goal of the negotiation;
- The key issues, and for each issue, the position, interests and options for the way forward;
- Priorities (high-low; short, mid- and long-term);
- The **Best Alternative to a Negotiated Agreement (BATNA)**: In every negotiation, there is a risk of non-agreement, a situation that requires one to know and reveal their BATNA. Should an agreement not be reached, what is the best alternative option for each side? The BATNA is the best “walkaway option”, i.e. the best option parties can achieve away from the negotiating table. The BATNA represents a party’s minimum condition for negotiating which satisfies their interest. It should be treated as the outside option and as a last resort. Parties should only agree to an agreement if it is better than their BATNA. By doing this not only for themselves but also for the other conflict party, negotiators can have a good sense of the possible zone of agreement.
 - While a strong BATNA can be a source of power for the negotiators, parties should carefully consider when and how to disclose it. It may be perceived as a threat and harm the relationship, so the timing and wording should be chosen carefully. To understand what BATNA entails, one can try to imagine: *What would I do if the other side does not agree? What would the other side do if I do not agree?*
 - **Tips to Identify your BATNA:**
 - Know and evaluate your alternatives;
 - Focus on what you want to achieve and the different ways to achieve this;
 - Construct your BATNA to be more achievable, probable, or satisfying more of your interests;

- Consider the other side's BATNA.

6. Ask participants for any questions before transitioning to an activity to apply this information.

Negotiation Activity - 35 minutes



7. Explain that participants will now engage in a **mock negotiation activity**.

8. Share a real or fictitious situation, such as the example below:

- Example fictional scenario: A character wants to sell their property/piece of land for USD 110000. They have three interested buyers but none are prepared to part with USD 110000. The seller gets three offers:
 - USD 90000 one-off payment;
 - USD 95000 in installments over a period of three months;
 - Another property worth USD 100000 in a better suburb.

9. Break the participants into **four working groups** who will each represent one of the parties in the negotiation. Explain that they will **decide what your party's BATNA is** without knowing yet what the other parties' BATNAs are.

10. Give each group their appropriate slips of paper with the confidential information regarding how much they are offering the seller. The first group represents the seller while the other three groups represent the three buyers.

11. Prompt the groups to discuss and identify their BATNA and get ready for a negotiation.

12. After 10 minutes, each group should identify one person whom they send to the negotiation table.

13. The seller will then meet and negotiate with one member from every group while others observe.



14. After the activity is completed, **debrief** by asking the participants:

- As you were identifying your BATNA, what other alternatives came into your mind?
- Before settling for what you say is your BATNA, what considerations came to your mind?
- From your analysis, what are the BATNAs of other parties in the negotiation?

- During the planning for the negotiation, did you plan at what point you would reveal your BATNA?

15. Close the group discussion by asking for **key takeaways and questions**.

16. Share a **summary** of the session:

- BATNA is an advantageous alternative available if a negotiation fails and is revealed after exhausting all other strategies. BATNA can be used as a bargaining chip during the final stages of a negotiation.

Session 5.6: Gender Inclusion in Mediation

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand why gender inclusion is so important in mediation and learn strategies to include women.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have flip chart paper and markers at the front of the room and the slide deck visible on the screen.

Detailed Session Plan

Icebreaker Activity – Gender and Inclusion - 15 minutes



1. Open the session by explaining that you'll share a **riddle** for everyone to solve (ask those who may have heard this riddle before stay silent so others can answer):

*A father and his son are out driving and are involved in a terrible accident. The father is killed instantly, and the son is in a critical condition. The son is rushed to the hospital and prepared for an operation that could save his life. The surgeon comes in, sees the patient, and exclaims, "I cannot operate on this boy... he's my son!" **How can this be?***

2. Instruct participants to write their answer on a piece of paper and pass the paper to the front of the room.
3. Collect all papers and read out all the wrong answers anonymously, before announcing the correct answer ("The mother").
4. Explain that this riddle reveals a deep-seated, **unconscious gender bias** in the prevalent patriarchal societal structure. Research with university students in the USA revealed that only around 15% of subjects were able to solve the riddle. Factors such as gender, age, life experience, political views or social class did not make a difference, even young people and self-described feminists. A reduction in bias was also observed: the percentage of mother inferences more than doubled when "son" was replaced with a gender-neutral kinship term ("child"), suggesting that even incidental exposure to gender-neutral language can loosen the grip of stereotypes.

5. Ask the group and prompt a **discussion**:



- Were you surprised about the answer? And about other participants' answers?
- Does our cultural background shape our answers? What other factors may determine the answers we provide to this riddle?
- What other gender biases and misperceptions are there in our society?
- What do such gender biases mean for exclusion and inequality?
- Apart from gender biases, what other biases are there in our society that lead to exclusion of certain intersections of society?
 - Emphasize that youth bias can also lead to exclusion.

Optional Activity: Bias and Inclusion Spectrum

Ask all participants to stand up and make up a scale in the room where one end of the room is "I completely agree" and the other end of the room is "I completely disagree". Read out loud statements like the following, which you can contextualize as you wish (taking care that they are mixed up though and especially including sentences that are oftentimes used in society but show bias) and ask the participants to place themselves in the scale accordingly:

- Young people are prone to use violent means when they demonstrate or want to change certain situations.
- Women are gentle in nature and can't handle the complexity of life outside of the home and should therefore not be burdened with it.
- Young people have an interest in participating in decision-making.
- A real man provides for and protects his family and can't show weakness in order to not burden his family unnecessarily.
- Youth lack knowledge and experience to be involved in high-level decisions. A good woman is responsible for her children's well-being and should therefore not be distracted by other duties and responsibilities outside the household and education.

Debrief the activity by emphasizing that we all hold biases, and the first step is to be aware of these biases. Becoming more deeply aware of different types of biases we carry helps us address these and become better IMs.

Gender Inclusion in Mediation - 15 minutes



6. Continue to discuss the **bias gender in mediation** and explain the importance of their meaningful participation in mediation processes. Women can make a great contribution in the context of peace processes. Various studies have examined the participation of women in peace processes, highlighting their continued marginalization and its principal causes, as

well as inclusion modalities that women have used to contribute meaningfully to peace processes.

7. The **UN Guidance on Gender and Inclusive Mediation Strategies** describes the importance of women and youth inclusion in mediation as follows:

- “Women’s and youth participation can expand the range of domestic constituencies engaged in peace, strengthening its legitimacy and credibility.
- Women’s and youth perspectives bring a different understanding of the causes and consequences of conflict, generating more comprehensive and potentially targeted proposals for its resolution.
- Peace agreements that are responsive to the specific needs of women and girls, men, and boys, contribute to sustainable peace”.

8. Share **simple strategies for women inclusion in mediation** (which can also be applied to youth inclusion): The simplest way of making women (and other marginalized groups, such as youth) count in insider mediation is to encourage women to take-up the role of insider mediators and to trust their instincts and results in mediation.

- **Adopting a quota system:** Young people and women are the majority of the world’s population. This means that they are and have more access to the communities, and they know their own needs best. To improve women’s and youth’s participation in mediation a quota system can be applied. For instance, at least 50% of the insider mediation team can be constituted by women and youth. Quotas can be applied during the selection process and even during the mediation sessions. The application of the quota system ensures inclusion and diversity.
- **Putting in place the selection criteria and procedures:** To encourage women to participate in insider mediation, the adoption of some selection criteria is useful. Age, education, and location can be taken into consideration. A mediator should be able to read and write, and analyze some documents that need proofreading. Women often have issues leaving the home for extended periods of time or are not allowed to travel alone to other locations, so challenges faced by women and young people should be taken into consideration when assigning mediation tasks/cases.
- **Building trust in women and youth:** Women and youth are trusted in the community because of their involvement in a number of activities. Where this trust does not exist, their local supporters can advocate for their inclusion in mediation and in decision-making activities with the broader community. Women and youth can join well-known, trusted mediators in a mediation to demonstrate that they can contribute just as much as anyone else.

- **Overcoming women and youth challenges:** Women and youth regularly face a number of social and cultural challenges that prevent their full participation. Helping them to overcome those challenges will ease their presence in mediation. To address some of these challenges, aside from the support of local advocates, more gender and age sensitive policies should be introduced at a national level and local governments should promote equality and equity.

Gender Inclusion in Mediation Discussion - 30 minutes



9. Divide the participants into **small groups** and ask each group to **discuss** and answer the following questions:

- How are women currently involved in mediation processes in their community? What are the reasons behind their involvement as mediators?
- Is the environment conducive to their participation? If not, what could be the reasons? How can the participation of women in mediation be improved?

10. Allow 15 minutes for discussion and note-taking.

11. Ask each group to **present** their findings and recommendations to the larger group.



12. Facilitate a **discussion** on the common themes and challenges identified, and ask the participants to come up with practical solutions to improve the level of gender sensitivity in mediation processes.

13. **Debrief** the activity by asking participants the following questions:

- What common themes and challenges were identified during the group discussions?
- What practical solutions were proposed to improve gender sensitivity in mediation processes?
- How feasible and effective do you think these solutions are?
- What can you do, as a mediator, to ensure that women are included and their perspectives are heard in mediation?

14. Ask participants if they have **questions**. Take questions as appropriate before closing the session.

Session 5.7: Youth Inclusion in Mediation

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand why youth inclusion is so important in mediation and learn strategies to include youth.



Materials: Slide Deck, flip chart paper, markers, pens, paper, different colored post-it notes, two flip chart papers (one with “Obstacles” and one with “Opportunities” as headers).



Set-up: Have flip chart paper and markers at the front of the room and the slide deck visible on the screen.

Detailed Session Plan

How to meaningfully include youth in peace and mediation processes - 30 minutes



1. Explain that **UNSC Resolution 2250 sets the Youth, Peace and Security** agenda and suggests that there are five pillars that the agenda is set upon:
 - **Participation:** Are youth participation and views taken into account in every part of decision-making processes?
 - **Protection:** Ensure protection of youth from violence and human rights abuses and make sure to prosecute those who have committed crimes.
 - **Prevention:** Support youth in the prevention of violence and in building a culture of peace and tolerance.
 - **Partnership:** Engagement of youth in the design of peacebuilding strategies.
 - **Disengagement & Reintegration:** Investment in youth through creating employment opportunities, inclusive labor policies and peace education.
2. It is important to keep in mind that youth are not a homogeneous group, but that there are intersectional considerations (e.g. gender, class, ethnicity, religion etc.) that will shape how they experience conflict and how they want to contribute to processes.
3. A **three-layered approach** is useful to make sure that the inclusion of youth is meaningful:

- **Working for youth as participants** (e.g. investing in capacity-building)
 - Invest in capacity-strengthening of youth for peacebuilding and mediation if needed and create an infrastructure where youth will have more easy access to participating and leading in peace and mediation processes.
- **Collaborating with youth and engaging with them as partners** (with varying degrees of responsibility for youth)
 - Encourage intergenerational partnerships and make sure to partner with youth (organizations)
- **Supporting youth as leaders**
 - Are youth part of mediation teams or used as a resource by serving as Insider Mediators?



4. Ask participants: *Some people say that they wouldn't know where to find qualified youth. How would you go about identifying youth suited to be insider mediators/peacebuilders?* Take responses and facilitate a discussion.

- Explain that actor mappings would need to take place, which would include different more youth oriented spaces to identify "insider" youth.

5. It is important to do a **youth sensitive conflict analysis**: this includes not thinking about youth stereotypically (victim or aggressor) or as a homogeneous bloc (trying to see the full range of the youth population).

6. Ask participants: *What would a youth-sensitive conflict analysis look like? What would the approach be? What would the assumptions be? What would the questions be one would ask?*

- Possible answers include: Participation of diverse groups of youth in different ways in the conflict analysis process (e.g. having youth be part of the team or leading the analysis, participating in the data collection, youth contributing personal experiences of the conflict and insecurity and voicing their grievances etc.). However, you need to be aware that this may expose them to more risks as well.

Inclusion - Rethinking Opportunities for Youth Inclusion - 30 minutes



7. Divide participants into small groups of 3-4 participants each.

8. Instruct participants to discuss their thoughts and write down their responses on different color post-it notes for the following questions:

- What **obstacles** have they experienced for youth inclusion in mediation and peace processes?

- What special **opportunities** do they see for youth to enrich peacebuilding and mediation processes and complement older people in these processes?
9. Have two flip chart papers prepared with the following headings at the front of the room:
Obstacles, Opportunities.
 10. Provide participants with 10 minutes to discuss the questions, write their answers, and pin their answers to two different pin boards.
 11. Bring the group back together.



12. Go through the answers from the first question and cluster them together. Let people explain their answers and if possible tell stories of what they might have experienced themselves in that regard. Prompt a lively **discussion**.

- Points that could be covered include:
 - Youth seen as either perpetrators or victims of violence (fear of inclusion because they are seen as a threat to the process or no voice/competence seen due to their young age);
 - Youth are not seen as having enough experience or capacity to be involved in peacebuilding and mediation processes (as peacebuilders/mediators);
 - Lack of access due to lack of financial resources means there is difficulty in getting funding for activities;
 - Labeled as “difficult to contain”/“out of control”;
 - Are not seen to be able to jointly articulate common interests or identify core issues;
 - Are not seen to be able to identify the bigger picture and balance things out;
 - Their already existing efforts for peace are not seen or recognised as such.

13. Do the same for the second question. Prompt a lively **discussion**.

- Points that could be covered include:
 - Youth are often a significant portion of the population affected by conflict, yet the vast majority of youth choose not to engage in violence. Many youth already undertake their own peacebuilding initiatives in conflict and they can often reach populations that others can't, including other youth.

- Giving a new perspective on the conflict and its root causes, as conflicts affect youth in unique ways (e.g. destroying sources of stability and belonging, disruption of education, disruption of transitions to adulthood, intersectionality in combination with their youth makes them particularly vulnerable to violence etc.);
- Potential of finding new and creative ways to resolve conflicts (thinking outside the box).

14. Ask the group for any **questions** and their **key takeaways**.

Session 5.8: The Role of Advocacy

Session Overview



Estimated time: 80-95 minutes



Learning Objectives: This module will enable inside mediators to understand the key concepts and fundamentals of advocacy, including the different importance of advocacy in any conflict management process, particularly in mediation. Participants will be able to use the knowledge acquired to carry out advocacy in their communities.



Materials: Slide deck, flip chart paper, markers, pens, paper.



Set-up: Have flip chart paper and markers at the front of the room and the slide deck visible on the screen.

Detailed Session Plan

Advocacy Overview - 10 minutes

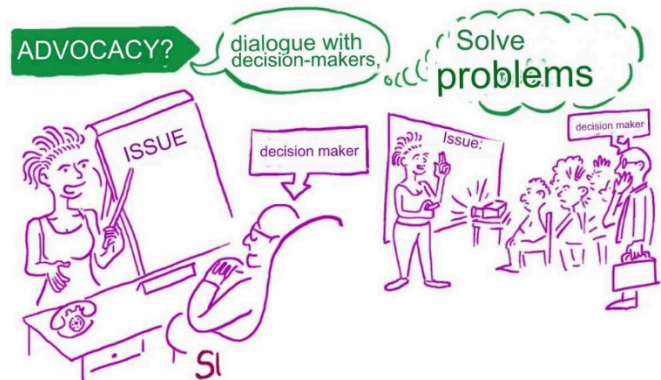


1. Explain that advocacy is generally defined as a **deliberate process aimed at influencing decision-makers** on the development, change and implementation of policies or laws in favor of people and/or communities affected by a given problem or situation.

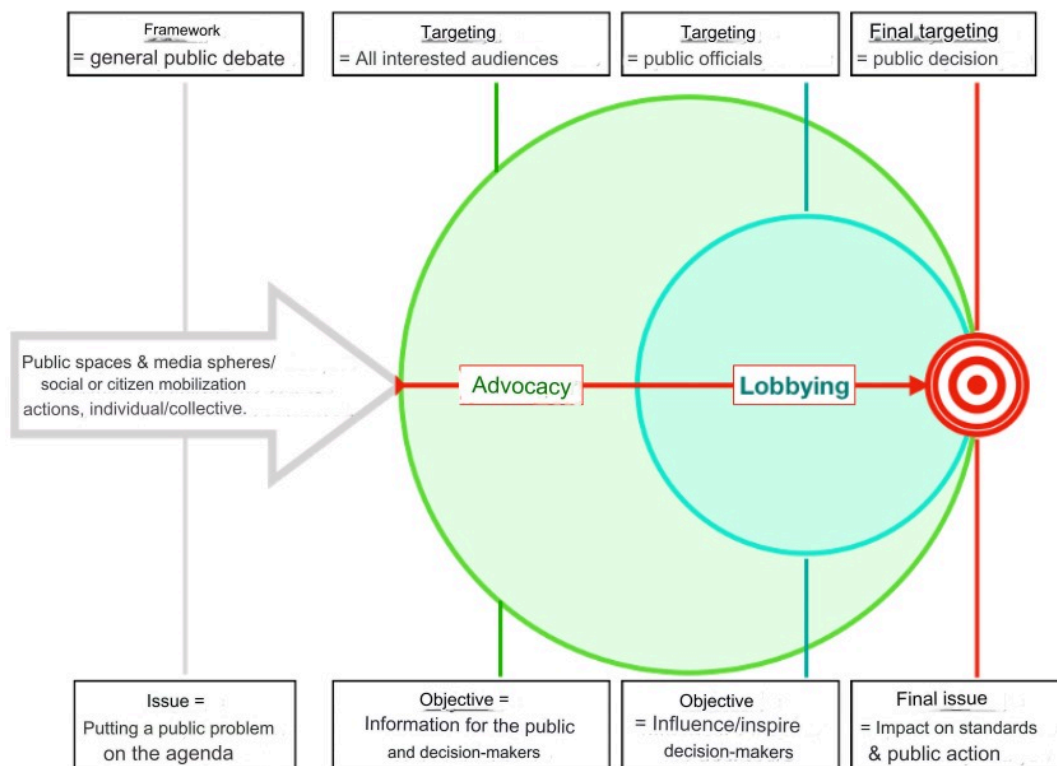
2. It is a **strategy** mainly used by civil society organizations (CSOs) and non-governmental organizations (NGOs) in the defense of a cause and to achieve a desired change. Advocacy is also a dynamic and relational process that aims to change attitudes and behaviors.

3. **Use advocacy to:**

- Solve a problem, propose a solution;
- Influence decision-makers on development, change and policy implementation;
- Change in favor of those affected;



- Change of attitudes and behaviors.
4. Advocacy is a **dynamic and continuous process**. It involves a series of actions to be implemented.
5. **Don't confuse Advocacy with Lobbying.** The terms advocacy and lobbying are often mistakenly used interchangeably. Yet they are different:
- While advocacy encompasses all activities aimed at influencing attitudes and policies, lobbying is one aspect of advocacy consisting of specific activities aimed at getting decision-makers (public officials in particular) to take a specific position (for or against) on a specific issue.
 - The following diagram and table illustrate the difference between the two concepts¹⁷:



¹⁷ <https://www.plaidoyer-lobbying.fr/etude/conclusion/>

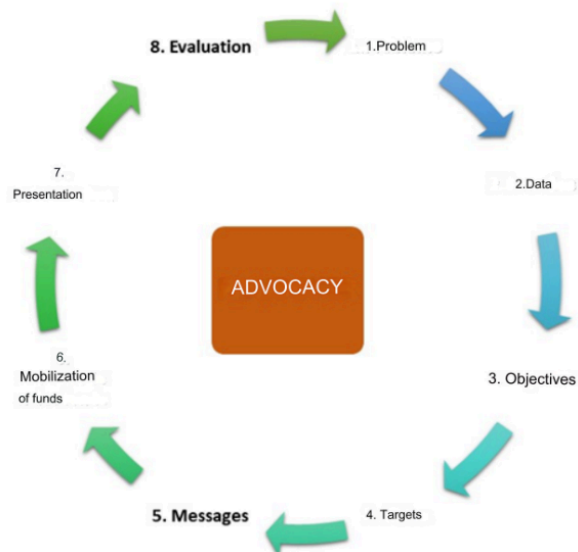
Advocacy	Lobbying
<ul style="list-style-type: none"> • Inform (or raise awareness of) parliamentarians about the impact of a policy on their constituents. • Use social networks to make known a cause or issue. • Meet with a member of the government to explain how a particular issue affects a group, community or organization, the environment, etc. • Invite a minister or parliamentarian to visit a company/NGO to see for themselves how government policy affects its activities. 	<ul style="list-style-type: none"> • Ask a member of parliament to vote for or against a law • Prepare documents (online petitions, for example) or organize events (demonstrations, conferences, etc.) to support or oppose a government decision, a law, etc.

The Advocacy Cycle - 20 minutes



6. The implementation of an advocacy action generally goes through eight stages in order to be able to produce a change or influence the development or implementation of a policy.

- **Step 1: Defining or identifying the problem to be solved.** This involves not only identifying the main problem (what needs to be changed), but also its underlying causes and consequences. The problem tree is the tool used for this



analysis¹⁸.

- **Step 2: Gather contextual data.** The problem to be solved is never isolated. It is part of a political, economic, cultural and other context, which we need to understand well. It would be difficult, if not impossible, to develop a realistic and achievable advocacy action without taking into account the context in which the problem is situated.

- **Step 3: Defining objectives.**

An objective is what we want to achieve, what we want to see changed by the advocacy action we have initiated. It responds to the main problem and must be SMART in order to guide those carrying out the advocacy action. A good objective clearly states what change is intended, by whom, to what extent and when.

S	Specific: Defined as precisely and concretely as possible as to what will be achieved, by whom, how, with what means, when, and why.
M	Measurable: Not hidden behind words but whose quantity and quality can be measured and evaluated.
A	Achievable: Objective that you are sure you can achieve, within the reach of the means available.
R	Realistic: Check that there are the necessary resources (human, material, financial, etc.) to achieve the objective.
T	Temporal: Defined and time-limited.

- **Step 4: Identify advocacy targets.** There are three types of advocacy target:
 - i. Primary targets: The person(s) who has/have the authority to produce the desired change(s).
 - ii. Secondary targets: who have the ability to influence the primary targets, especially when it is difficult or impossible to reach the primary targets. They can be friends, family members, advisors, religious leaders (moral authority), and even mediators.
 - iii. Primary stakeholders: those affected by the identified problem(s).
- **Step 5: Develop key advocacy message(s).** The advocacy message is a clear and convincing statement of the purpose of advocacy. It tells the target what it is being asked to do, why it is being asked to do it, and what positive impact the action will

¹⁸ Source : SFCG, CGA2A : APPROCHE COMMON GROUND DU PLAIDOYER.

have. An advocacy message can take many forms: letters, brochures and leaflets, radio or television broadcasts, press releases, banners, etc.

- **Step 6: Mobilizing resources.** To carry out a successful advocacy campaign, it is essential to know what capacities exist, what financial and human resources are available, and what potential sources of funds are available to finance the advocacy action. With all this information, it will be easier to develop a budget that takes into account available funds, workforce, in-kind contributions, supplies and equipment.
- **Step 7: Action plan and implementation.** Advocacy activities are developed and implemented. A logical framework can be developed to help visualize the relationship between advocacy objectives, the activities that contribute to their achievement, and indicators to measure the achievement of objectives.
- **Step 8: Evaluation.** At the end of an advocacy action, the extent to which the advocacy objective(s) has (have) been achieved is assessed. The change achieved in relation to the objectives set is measured. This step provides an opportunity to reflect on how to improve the capacity of the action.

7. Ask participants for questions.

8. Transition to the activity.

Analyzing Community Issues for Advocacy - 30-45 minutes



9. Begin the exercise by explaining the importance of identifying community issues and conducting a thorough analysis to create effective advocacy strategies.

10. Encourage participants to think critically about a problem they have observed in their community that could benefit from advocacy efforts. Provide participants with the following table format (or distribute handouts) to analyze the chosen community problem.

Problem	Causes	Consequences	Implication for Advocacy

11. Ask participants to work individually or in small groups and propose a community problem they feel passionate about. Each group should select one issue to analyze further.

12. Allow participants enough time to discuss and fill out the table with relevant information regarding their chosen community problem. Encourage them to delve deep into the causes and consequences to better understand the issue's complexities.

13. Bring the group back together and have each group **share** what they discussed.



14. Ask the following **debrief** questions and prompt a lively discussion:

- What were the common themes or recurring issues identified during the problem analysis?
- Were there any surprising insights gained from the analysis?
- How does understanding the causes and consequences of the problem help in formulating effective advocacy strategies?
- What role does stakeholder engagement play in addressing the community issue through advocacy?

15. Ask participants for **questions**.

Advocacy and Mediation - 10 minutes



16. Explain that during a mediation process, a number of **problems can prevent an agreement from being reached** or implemented. These include:

- Lack of willingness to negotiate on the part of one or all of the conflicting parties;
- Rejection of the place, date or time of negotiation;
- Divergent positions that are difficult to reconcile;
- One party withdraws from the negotiation or the signed agreement, etc.

17. All these problems can be **addressed by advocacy** led by a skilled mediator or by community members who are close to the parties and want to see the issue solved. The mediator can use advocacy to influence the parties away from the mediation table, in between sessions, so that they may reconsider their decisions and consider a different course of action.

18. Several types of advocacy action can be taken in response to an identified problem. However, the type of action depends on the likelihood of achieving an impact. Examples of **advocacy actions** include:

- **Capacity building:** Developing or reinforcing skills or instincts by sharing the knowledge needed to tackle a given problem. Capacity-building is done by those with theoretical and/or practical experience and tools that can be shared with participants.

- **Awareness-raising:** Stimulating critical awareness by providing information that targets do not have, and thereby encouraging the adoption or implementation of strategies or policies that respond to the situation we want to change. Awareness-raising can also be aimed at citizens, encouraging them to make their voices heard and to collaborate with those organizing advocacy actions.
- **Public campaigns:** Talking to others about a situation or problem to encourage them to take action. Examples include public meetings, demonstrations, posters with key messages, etc.
- **Media actions:** Broadcasts, debates, press releases, articles, etc. Messages disseminated through the media increase the number of people aware of the situation or problem.
- **Lobbying actions:** Exerting pressure on targets (e.g. officials) with clear messages in official letters, through demonstrations, etc.
- **Resource mobilization:** Strengthen collaboration between the various actors involved (those affected, CSOs, NGOs and decision-makers) around the problem to be solved.

19. Ask participants for **questions**. Take questions as appropriate.

20. Summarize and close the session:

- **Problem Identification:** Participants learn the importance of identifying specific community issues for targeted advocacy efforts.
- **Cause-and-Effect Analysis:** Participants understand how to analyze the root causes and potential consequences of a community problem.
- **Advocacy Strategy:** Participants are able to draw implications for advocacy based on their problem analysis.
- **Emphasize the significance of evidence-based advocacy,** where understanding the problem's nuances is essential for developing successful advocacy campaigns.

Session 5.9: Integrating the Environment, Climate Change, and Conflict Nexus

Session Overview



Estimated time: 3-4 hours



Learning Objectives: Participants understand how interconnected and important the environment, climate change, and conflict are, how to analyze the Nexus, and approaches to strengthen the nexus.



Materials: Slide deck, flip chart paper, marker, pens, paper.



Set-up: Have flip chart paper and markers at the front of the room.

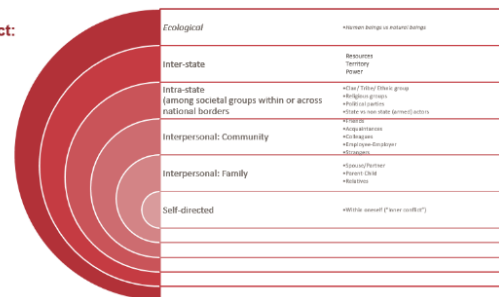
Detailed Session Plan

Introduction - 20-30 minutes



1. **Welcome** participants to the session.
2. Review the **objectives and agenda**.
3. Begin the session by reminding participants that **conflict is a natural aspect of human relationships**. Remind participants that conflicts and violence are not the same thing and that they can work through conflict using non-violent means.
4. Highlight the **types of violence and scopes of conflict** (*reference the image*). Emphasize the connections to the environment/ecological sphere as a most outer layer of complexity (i.e. self-directed, interpersonal, intra-state, interstate, ecological conflicts).

Conflict: Scope



Facilitator Note

This is a complex, advanced module and requires the experience of a skilled and knowledgeable trainer in environmental peacebuilding. Therefore, facilitators should work with an environmental conflict and peacebuilding expert to adapt the content in this session to the respective context, as the environment and needs differ greatly, sometimes even in neighbouring areas.



5. Encourage the participants to **explore the connections between the conflicts they experience and the environment** by asking the following questions and prompting a discussion:

- Is there a Human-Environment conflict?
 - What is the violence in Human-Environment conflict? How does this relate to climate change?
 - What are the Human-Environment relationships in conflict? In peace?
6. Explain that, for a holistic view of positive peace, we need a better **understanding of our environment** and its relation to climate change. Explain that all living things, like plants, animals, and humans, exist and operate among non-living things, like the atmosphere, light, water, soil/rocks. Every living and non-living thing is related to the environment and is embedded within a functional system that contributes to the well-being of us all (i.e., *ecosystem*) by **providing** (resources, food, medicine, etc.), **regulating** (atmosphere & climate regulation, pollination, etc.), **culturally shaping** (spiritual enrichment, intellectual development, recreation and aesthetic values) and **supporting** (stabilizing the habitat and survival, like photosynthesis, the water cycle and nutrient cycles).



7. Encourage a **discussion** by asking participants to answer the following:

- How has the environment you live in affected your lives?
- How has it shaped your culture and spirituality?
- How does its change affect the community beyond the material aspects?

8. After a short discussion, **summarize** by explaining that conflict and violence is not just limited to Human-Human relationships. Sometimes there is a perception of incompatibility (conflict) and violence between humans and the environment and vice versa. This Human-Environment violence manifests itself as and feeds into human-induced climate change. It further feeds into the climate-compounded risks for additional conflict (adverse vicious cycle). The realities of environmental conditions and climate change are specific to each district/region. For each context in which mediators and peacebuilders operate, a localized analysis of the Human-Environment relationship (climate security risk assessment) is recommended. Operating with a heightened understanding of Human-Environment relationships in conflict and peace allows mediators to improve their practices.

9. Explain that what we just discussed can be referred to as the **“nexus.”**

Defining the Nexus - 10 minutes



10. Explain that the **environment, climate change, and social behaviors**, like conflict, interact in a complex system. We define this as a **triple-nexus**. In this session, we will be referring to this simply as the **“nexus.”** Each element of that complex system stands in a relationship to each other.

11. For people to transform this complex system between the environment, climate change, and conflict, they must **shift their mind-set** to one that recognizes that:

- **Everything is interconnected.** A change in one part of this nexus (environment, climate change, social behavior) may have cascading effects on the other parts.
- **Complex systems can be messy.** Problems intrinsic to this system produce undesirable behaviors and outcomes (negative effects and feedback loops that perpetuate adverse trends of climate change and conflict). Short-term strategies may not address these intrinsic issues.
- Good, holistic solutions must begin with **internal acknowledgment and reflecting** on how we think, see, and act with the environment, climate change, and human relationships.
- Climate-sensitivity and environmental awareness in conflict mediation and transformation cannot not just be an afterthought during mediation and transformation practices. Insider mediators learning about the concepts and ideas of climate and environmental-sensitivity must understand that this demands transformative shifts in the way we understand and conceptualize conflicts, its causes, effects, impacts, and opportunities for transformation.
- Hence, climate-sensitive mediation practices operate with a sense of humility.
- This requires us to have a caring mindset that can stay alert to various shades of gray or everything that can exist between our absolute binary thinking (black-white, good-bad).

Understanding the Nexus – The Iceberg Analysis - 45 minutes



12. Share the following story (or a more appropriate, contextualized story for the local environment in which you live) with participants:

- **Scenario:** In a rural area a young man has started to pour carnosine on local trees, which causes them to rapidly dry out and die. He then proceeds to cut down trees, pile the pieces into large mounds and burn them into charcoal. He does this with the intention of selling them at the market in the city. It is not his first time doing so. Another man, a herder also living in this area, has trouble feeding his cattle. The region is experiencing a devastating drought – maybe the worst in 40 years. With all the trees gone, it is becoming more and more difficult for him to find grass and greenery to give to his livestock. He feels wronged and thinks that the other man is damaging his land unjustly. A conflict sparks between them and it gets violent. Quickly this conflict between these two men turns into a bigger conflict between their families. A solution is needed.

13. Show an **image of an iceberg** on the screen and ask participants: What do you think this photo has to do with the story that you just heard?



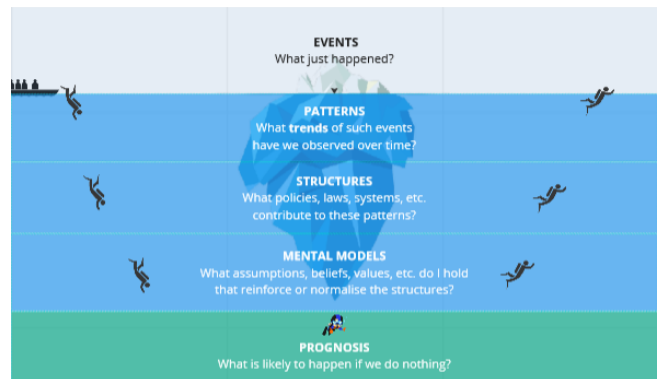
14. Explain to the group that we are going to use an **iceberg metaphor** to understand this story. This iceberg we see here – do you think there is part of it under the surface of the water? What percentage do you think is underwater?

15. Show the second iceberg image and explain: 90% of the iceberg is underwater! **The case study story is like this iceberg.** People usually talk about the 10% they see. To see the rest of the iceberg, we need to deep-dive.



16. Let's dive deep together and explore what's underneath!

17. Show the third **iceberg image** on the screen and explain the following layers:



- What we can see at the surface are the **events**: what just happened. This is what is obvious: Violence around land grabbing, cutting of trees, one of the worst droughts in 40 years.

- Right under the surface of the water we can find **patterns**. **Patterns** are trends of similar events that have been taking place over time. Identifying and observing patterns allow us to forecast events. But what has been influencing these patterns? Let's dive deeper.

- As we dive further, we find **structures**. **Structures** are what influence the patterns. Structures can be *physical* things, like roads and traffic lights; *organizations*, like corporations, governments, and schools; *policies*, like laws, regulations, and tax structures; or *rituals*, which are habitual behaviors so ingrained that we are not conscious about them. What informs our structures? Let's keep diving.

- At the deepest layer, we will find **mental models**. **Mental Models** are the assumptions, attitudes, beliefs, morals, expectations, and values that allow the structures to continue functioning as they are, by reinforcing them and normalizing them. These are the beliefs that we often learn subconsciously from our society or family and are likely unaware of.

18. Explain to the group that we will work together to identify which elements of the **case study** are obvious or visible (i.e., the part of the iceberg that is above water), and what may be under the surface.

19. Draw a large iceberg on a flip chart paper at the front of the room that models the iceberg you just described with the four sections: events, patterns, structures, and mental models.

20. Ask a participant to come to the front of the room and volunteer as the scribe.



21. Ask the group: **What is at the surface** – what are the events?

- Answers include: Violence around land grabbing, cutting of trees, one of the worst droughts in 40 years.
- Prompt the scribe to write these in the part of the iceberg that is labeled “events.”

22. Ask the group to dive deeper with you: **What are the patterns that are just under the surface?** Prompt the scribe to write these in the part of the iceberg that is labeled “patterns.”

- Answers include: Land grabbing violence over time, deforestation, unpredictable weather, recurrent drought, crop failure, displacement, etc.; Gender, age and other vulnerabilities.

23. Ask the group to dive another layer deeper: **What are the structures?** Prompt the scribe to write these in the part of the iceberg that is labeled “structures.”

- Answers include: Charcoal trade – local and international links; armed groups’ interests; Limitations to the traditional elder-based system for conflict resolution; Institutional limitations and clan dynamics; Gender, age and other vulnerabilities.

24. Finally, prompt the group to dive to the deepest layer and **assess the mental models.**

- Answers include: Owning land for power and status; survival of the fittest; historical grievances; Us vs Them attitudes; Gender, age and other vulnerabilities: *women’s place is at home; men are fighters; young people have no experience or wisdom; weaker, smaller clans don’t need to participate in decision making.*
- Clan dynamics feed into the institutional limitations; Historical grievances are taken advantage of by armed groups; lack of justice and healing contributes to a vicious cycle of revenge.

25. Ask the group: **What do you think will happen if we do nothing?**

- Explain that, if we do nothing, it is possible that the following will occur: Continued cycle of violent conflict? Worsening of environmental conditions? Harsher and more unpredictable climate? Compounded risks for vulnerable groups (gender, age, ethnicity, disabilities)? etc.

26. Ask the group: **What could we do?**

- Explain that we need to shift our mind-set from **reacting** to events (symptoms) to **pro-acting** by:

- **Transforming mental models:** Ask ourselves: *How should we change our thoughts? What is a more equitable perspective? How can it become better? Who do we need to consider?*
- **Transforming structures:** How can we restructure our complex system? How can we build more inclusive structures? How can we consider the environment and climate change as part of these new structures?
- Potential impact over time: The **patterns** discussed earlier would change for the better, leading to less occurrence of the adverse **events**.

27. Ask participants if they have any **questions**. Take questions as appropriate.

Understanding the Nexus in your Local Context - 60 minutes



28. Explain to the group that they will now work in small groups to **identify an example of the nexus in their communities and do an iceberg analysis**.

29. Create four groups of 5-6 people. Provide them with flip chart papers, markers, and for each group one copy of the Iceberg handout.

30. Prompt the groups to follow the instructions:

- Identify an **example of the nexus in your communities**.
- On the flipchart, draw a similar **iceberg with the different layers**.
- For each layer, discuss and list the keywords. Remember to consider vulnerabilities, like gender, age, and other factors.

31. After approximately 20 minutes, and once all the groups are ready, invite each group to briefly **present** their iceberg to the plenary for 5 minutes each. This should be followed by feedback from other groups.



32. Ask participants the following **debrief questions** and encourage a lively group **discussion**:

- What was your experience during this exercise? What did you feel at the beginning? What did you feel at the end? Were you able to bring in an example from your home?
- What was challenging? What was easy? What emotions came up?
- Were you able to consider the environment and climate change? In what way or why not?
- How was your thought process during the transformative side of the iceberg? What feelings came up? What was striking?

33. Summarize and share key takeaways:

- **Climate-compounded conflicts can be complex with multiple dimensions and layers.** Environmental conditions, climate change and socio-economic relationships are mutually interdependent and can be compounding factors within conflicts. Each part requires necessary consideration.
- **Addressing the root causes of such complex conflicts is necessary for their transformation.** This requires that we uncover and evaluate all layers that shape our perception and understanding of a conflict.
- **Diving deep** into the layers and models that define our understanding of a conflict **enables us to uncover and address flaws in our current perception.**
- Note that not all layers and dimensions of a complex conflict may be evident to us at any point in time. Hence, **while uncovering, we should be open to uncertainty.**
- **Through consensual exploration, we can find new opportunities to transform the conflict.** These inquisitive processes enable us to exchange possibly damaging perspectives with more inclusive and holistic models.
- Over time, this enables us to influence structures, patterns and finally behaviors towards positive outcomes/events.

A Basic Framework for Environmental Peacebuilding - 45 minutes



34. Discuss the key elements of a **basic framework for environmental peacebuilding**:

- We need to focus on two spheres: our **mental models**, and our **structural models**.
- What do I mean by **mental models**?
 - As IMs, we can help promote our human-environment relationship (what principles and values do we need to nurture for reinvigorating our relationship to land and all natural beings, in order to protect them?); human-human relationship (what principles and values do we need to nurture to be able to humanize 'the other', beyond socio-political divides?), and our human-environment-human relationship (what do we need to be able to move from competition to collaboration in protecting, nurturing and sharing natural resources?)
- What do I mean by **structural models**? This refers to our institutions, policies and laws, services, infrastructure,
 - What **institutions/entities** do we need or create or strengthen? How? Ministries, citizen forums, etc.

- What **policies/laws** do we need or create or strengthen? How? (This might include market regulation (e.g. to counteract charcoal trade), land rights/ownership/sharing, Strategic Action Plans: national plan, subnational and local levels)
 - What **services** do we need or create or strengthen? How?
 - What **infrastructures** do we need or create or strengthen? How?
 - What **mechanisms** do we need or create or strengthen? How? (Early warning, monitoring, community policing)
 - What tangible and intangible **resources** do we need to mobilize? How?
- Indicate the temporal dimension of interventions: Immediate? Short term? Long term? (Make note if an intervention needs to be done immediately, but the effects will be seen only in the long term, e.g. tree planting)

35. Share examples of successful environmental peacebuilding initiatives in the local or other communities. Highlight existing efforts in that particular district/region/context and, if possible, highlight the unique agency of youth and women, the unique agency of insider mediators, and mutual aid and/or accessing of funds (climate-financing).

36. Ask participants for **questions**.

37. Summarize and close the session by sharing **key takeaways**.

Session 5.10: Safety and Security Considerations

Part 2 - Facility Assessments

Session Overview



Estimated time: 60 minutes



Learning Objectives: Participants understand and learn strategies to address elements of safety and security of the facility where the mediation is held.



Materials: Slide deck, flip chart paper, markers, pens, paper, *Facility Assessment Checklist* handout.



Set-up: Have materials at the front of the room.

Detailed Session Plan

Facility Assessment - 20 minutes



13. Explain that it is vital to consider the **suitability, safety, and security of any facility** you are using to host an event. Often, you will need to make a decision quickly and feel pressured to do so without sufficient due diligence by the very nature of the mediation. However, the safety of the venue, accommodations, and/or travel, are among the most common challenges faced and deserve your attention. You should connect with local trusted resources whenever possible. Consider the use of a fixer in an area in which you are unfamiliar. This is important not only for logistical challenges but also for safety and security ones.

14. Explain that we must **consider different identity groups and risk factors**. It is important to consider risk levels in venues for people of differing risk profiles or tolerances, such as for women who have different risk profiles than men, and people with disabilities have other needs that should be met as much as possible. One way to lessen this unconscious bias is to work in a group to complete the facility assessment when possible, including as many different voices as is practical and appropriate.

Facilitator Notes

The *Facility Assessment* content should be shared if relevant to participants and as time allows. This information can also be shared via handout and checklist if time does not allow. The facilitator should add or remove any considerations relevant or irrelevant to their environment.

15. Review the following **handout** with participants or ask them to silently review the list. Provide approximately 10-15 minutes to do so.

16. Ask participants for **questions**. Take questions as appropriate.

Safety & Security: Facility Assessment Activity - 40 minutes



17. Split participants into groups of five.

18. Using some of the questions above, invite them to complete a facility assessment of wherever the current training is being held. Encourage groups to leave the meeting room and examine the property as much as is polite and respectful of its current business outside of the training. **Allow 20 minutes for this task.** Prompt them to take notes and return in 30 minutes to each provide a brief share-out of what they found.



19. Prompt a group **discussion** and debrief by asking:

- How did you find the process? How hard was it?
- Do you feel you have a better sense of some of the challenges?
- Did any of your findings surprise you?
- How would you communicate these with the participants?
- Does this activity prompt any reflection on other locations you have visited as part of a mediation?

20. **Summarize** the session:

- There are many considerations for the location and venue of a mediation. It is important to understand what you should be looking for and consider other things that may make people of differing risk profiles nervous and unable to feel safe in the environment.

21. Ask participants for **questions**. Take questions as appropriate.

Annex I: Session Handouts

1.2: Underlying Aspects Of Conflict

In every conflict, there are visible and invisible aspects.

Parties may come to a mediation and express what they want while demonstrating behaviors that are only part of the story. As insider mediators, it is essential to know there is always more to what is shown and that it is important to uncover these to identify common ground.

WE CAN USE THE MODELS OF THE “CONFLICT HIPPO” AND THE “CONFLICT ONION” TO ANALYZE CONFLICTS.

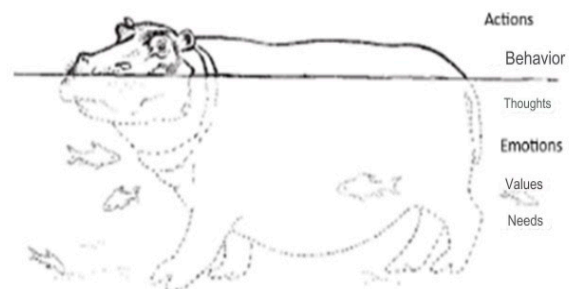
THE CONFLICT HIPPO

Above the surface:

- **Actions** and **behaviors** are apparent and visible.

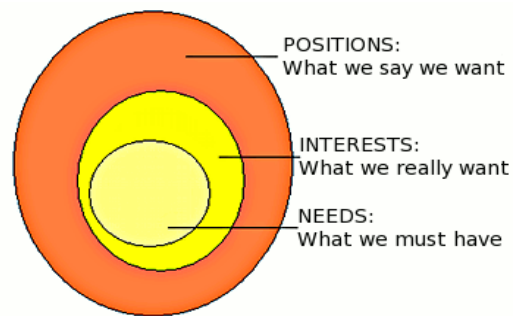
Below the surface:

- **Thoughts** are how we **perceive** situations. Each person's perception or point of view is their reality and may not be the same as others.
- **Needs** refer to our basic human needs identified in **Maslow's Hierarchy of Needs** as physiological, safety and security, love and belonging, self-esteem, and self-actualization. Needs may be at the core of a dispute. Identifying these might uncover common ground among the parties involved.
- **Values** are the ideas that are important to us and determine what we find acceptable, 'good' or 'bad'. Our commitment to certain values indicates how central these values are to our personality and also how difficult it will be to resolve a conflict involving these values.
- **Emotions** are a mental state brought on by neurophysiological changes. When we feel like our human needs are unmet, and our values are clashing with others, this will elicit an emotional reaction.



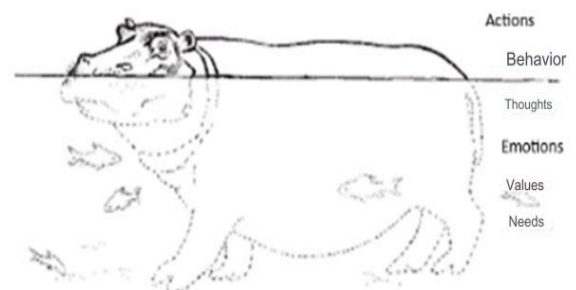
THE CONFLICT ONION

The Conflict Onion illustrates the layers in a conflict. In most conflicts, all we can first see is ours, the other person, or the conflicting parties' positions. The **positions** are what we say we want in public. Our **interests** underneath are underneath this and are what we really want. At the core are our **needs**, or what we must have.



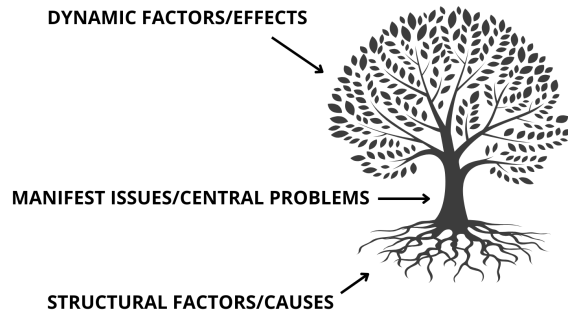
APPLYING THE CONFLICT HIPPO

Identify the layers of the Conflict Hippo for the case study provided by your trainer:



- What are each party's actions and behaviors?
- What might each party's thoughts be?
- What are the underlying emotions of each party?
- What are the underlying values of each party?
- What are the underlying unmet human needs of each party?

2.1: The Conflict Tree



The **Conflict Tree** is a tool that helps visualise interactions between various factors, particularly structural, manifest, and dynamic. It stimulates discussion on the **causes and effects of a conflict**.

The **leaves** symbolise the **dynamic factors**, or effects/consequences. Dynamic factors include the form of communication, escalation level, as well as relationship aspects. They are the bulk of smaller conflicts or dimensions of the conflict emerging out of the trunk.

The **trunk** represents the **issues that manifest** from the structural issues thereby linking them to the dynamic factors. These are the issues that the conflict parties want to talk about and present them as the “topic” of the conflict.

The tree **roots** symbolise the “root causes” or the **structural factors** which are more static factors, i.e. the reason the conflict exists.

DYNAMIC FACTORS:



MANIFEST ISSUES:

STRUCTURAL FACTORS:

2.2 Gender-Sensitive Conflict Analysis

Gender-Sensitive Conflict Analysis is the systematic study of the gendered causes, structures, stakeholders, and dynamics of conflict and peace. It is conflict analysis with a gender lens. Addressing common gender biases in conflict analysis will provide a more accurate and comprehensive understanding of the root causes, triggers, and drivers of conflict. This enables more informed and effective action.

Gender-Sensitive Conflict Analysis:

- Recognizes that women and men, girls and boys, and gender non-conforming people may have different experiences, opportunities, and constraints due to gender norms in their society;
- Analyses the unequal social, political, and economic power dynamics between genders within society and how these influence opportunities and capacities for peace and security;
- Addresses underlying gender dynamics in society, including discriminatory or exclusionary practices, as part of addressing the root causes of conflict;
- Emerged as a practice to address the persistent lack of gender as a factor in conflict analysis, which excludes women's different experiences, interests, and needs, and which biases planning and response against women and girls.

Applying a gender sensitive conflict analysis model requires:

- Assessing the differentiated impact of armed conflict and other forms of violence on women, men, boys, girls, and gender non-conforming individuals;
- Analyzing the different roles of women and men, boys and girls from combatant to peacemakers, and how these have changed due to the conflict;
- Addressing how norms relating to masculinity and femininity drive or mitigate violence and insecurity and challenge or create opportunities for peacemaking;
- Expanding actor mapping to identify the networks and knowledge of women, men, boys, and girls.

Guiding questions for gender sensitive conflict mediators:

- **What are the prevailing views of the underlying causes of the conflict?** Are there differences or similarities between women's and men's views and experiences in different groups, from different backgrounds, communities, religious groups?
- **What types of violence are there and at what levels?** Is there political violence and by whom? Sexual and gender-based or conflict-related sexual violence? Attacks on human rights defenders? Physical or online harassment? Who are the perpetrators and the victims? Which groups are particularly at risk in this conflict setting?
- **Who are the key actors in the conflict?** Who is taking the lead in contributing to conflict? Who is taking the lead in contributing to peaceful resolution of the conflict? What is the gender composition of these key actors?
- **Who is involved in the peace process and how?** Are women represented and are gender issues addressed at each level? Which constituencies do the representatives in peace processes represent? Can addressing women's roles in the existing cultural and societal structures create opportunities for peace?

3.1: The Five Basic Principles Of Communication

Principle 1: We cannot *not* communicate.

We are *always* communicating, either verbally or non-verbally. We consciously or, more often, unconsciously interpret what the other person's body says to make sense of the words. When we communicate, your interlocutor – or person with whom you are speaking - perceives three types of communication:

- **Verbal communication:** The words - 7% of the message.
- **Para-verbal communication:** intonations, rhythm, volume - 38% of the message.
- **Non-verbal communication:** gestures, facial expressions, posture - 55% of the message.

A good synchronicity between these three types of communication will be the basis for good communication. Congruence - when our body is in tune with what we say - is therefore essential for good communication.

Principle 2: All communication has two aspects: content and relationship.

Every message has two aspects: the information content and the relationship established. The word *content* refers to what is meant, the word *relationship* to the way it is said and relies more on emotion. Because we are such emotional beings, the *way the words are said* is *more* meaningful than the words themselves. The relationship determines the success or failure of the communication.

Principle 3: The nature of the relationship depends on the punctuation of the communication sequences.

In conflict, we often default to ask: Who is in the right or wrong? Who is responsible for starting the conflict? Yet, in reality, conflicts are much more blurry than *right* and *wrong*, due to perception, power dynamics, intentions versus impact, and more. It is illusory to look for the person responsible for a gesture, an action or a word, since the perception of the situation and the relationship is not the same between two parties. Cause and effect become confused and indistinguishable. Trying to identify who is right and who is wrong in a situation is therefore doomed to failure. The only way out of the impasse is to step back and meta-communicate (communicate about communication) in order to understand the real intentions of each interlocutor and not their interpretations.

Principle 4: Communication is simultaneously digital and analog.

Human beings have two levels of communication:

- **Digital communication** uses the verbal: a word for everything, taking into account the necessary nuances. It is structured and precise.

- **Analogical communication** uses everything else: images, behavior, noises, etc. It cannot be as precise because it opens the door to many interpretations and it does not have the notion of "negative". A smile can represent happiness or contempt, but is always perceived as a smile.

The information content of a communication is digital while the relationship or feelings are defined by analog communication. These two modes of communication are complementary. Human beings are constantly switching from one to the other.

Principle 5: Any communication exchange is symmetrical or complementary depending on whether it is based on equality or difference.

When we communicate, we always position ourselves opposite the other person. A **complementary relationship** is defined by the difference between the two interlocutors. This difference can be related to hierarchical status, social level, age, level of competence, etc. Each interlocutor understands and accepts this difference. This is often what is referred to as *power dynamics*.

A **symmetrical relationship** is defined by the parity between the two interlocutors. It can be positive when it leads to listening and respect – seeing each other as equals. It can also be negative when the communication is aggressive – for example, with both parties acting violently.

3.2: Active Listening

Active listening¹⁹ is a communication technique which involves using questioning and rephrasing to ensure that the other person's message has been understood as well as possible, and to demonstrate this. This approach is characterized by the expression of respect and warm trust towards the interlocutor so that they break their defenses and express themselves freely.

Knowing how to actively listen is based on the following **five imperatives**:

- **Acceptance:** Knowing how to accept the other person as they are. It is an attitude marked by respect and consideration to encourage trust and show a real interest.
 - **Experience-Focused:** Focusing on what the other person is experiencing and not just on what they say. This means going beyond the facts and opening up to the way the other person feels.
 - **Person-Focused:** This means we are more interested in the other person rather than the problem itself. Rather than seeing the problem in itself, it is about seeing the problem from the other person's point of view.
 - **A Foundation of Respect:** Showing the other person that you respect them means giving them the assurance that you respect their way of living or seeing things without encroaching on their domain.
 - **Mirroring:** It is not a question of interpreting, but of echoing what they feel. The art here is to highlight the feelings that accompany the other's words.
-

Two **fundamental attitudes** should be considered in the context of active listening:

1. **Non-directiveness:** This is to be focused on the "other" without pressuring or influencing their attitude. While listening, put aside thoughts of who is right/wrong, what someone should do, or what you would do if you were in that situation. Be aware of biases and check whether these affect your listening. Being non-directive does not mean being inactive or uninvolved; it is about "feeling with" the other person, rather than sharing your idea.
2. **Empathy:** Empathy is wanting to experience the other person's inner world as if it were our own. With empathy, we acknowledge how the other person feels about being a party to the

¹⁹ Developed by Carl Rogers, an American psychologist.

conflict. This attitude of unconditional acceptance gives a chance to fully express what you are saying. It gives the other person time to express themselves.

Active Listening Tools

- **Reflecting and summarizing:** The goal of reflecting and summarizing is to show you have understood the other person and empathize with them, and thereby to clarify issues as well as build trust. There are three types of reflecting which are all useful in communication:
 - **Reflecting while validating:** Reflecting is when the hearer says back to the speaker what the hearer believes the speaker has just expressed, using language that is close to the speaker's own. A good reflection captures both the substance and the emotional tone of what the speaker has said, without parroting.
 - **Reflecting while summarizing a large chunk of information into a smaller one:** Summarizing entails a larger piece of conversation. The hearer tells the essential information and ideas expressed by the parties. Summaries help the parties hear the main points.
 - **Reflecting while summarizing logic, rather than exact content:** A useful way of checking if you have understood not just the content from one party, but also some aspects of how they think and argue, is to reflect their logic, their style of arguing. You do not need to agree with it, just clarify that the first part of the logic is how you understood them, and the second one is a "logical" further development based on this assumption.
- **Looping:** Looping means reproducing, in one's own words, what one has heard. It is important to only loop what one has observed from the speaker, and not one's own interpretation or speculations. Similar to reflecting, the idea of "looping" is to have a structured way of checking if the message sent to the other person has been correctly understood. It consists of three steps:
 - Person "A" sends the message to person "B"
 - Person "B" repeats how they have understood the message and asks if it is correct

Person "A" confirms to person "B" if they have understood the message correctly, by saying "yes" or "no". If "no", person "A" tries again, and the looping starts over.

3.3: Non-Violent Communication

Non-Violent Communication²⁰ is a method of communication which aims to prevent and manage violence and the breakdown of dialogue with oneself and with others. NVC is a form of communication that focuses on compassion, common ground, and resolving conflicts. NVC is a skill we can develop so that how we speak to others and share our feelings and interpretations *repairs* and *builds* relationships rather than fracturing relationships with blame or resentment.

The ONFR Model of Non-Violent Communication

O for Observation: The first part of NVC is to observe what just happened and express this observation, instead of moving to blame or judging the other person's character or behaviors. Observe but do not make value judgements or generalize.

- *For example:* Avoid saying: "You are always late/unpleasant/sad!" Instead, one would say what they observe: "We had an appointment at 6pm. It's 6.15pm."

F for Feeling: In this step, we express how the situation or observation made us feel. We share our emotions. Also, we try to find out what the other person is feeling.

- *For example:* "When I hear these words, I feel belittled and sad. How do you feel?" or "When you arrive 15 minutes late, it makes me feel upset and I perceive this as not being cared for."

N is for Need: Behind every emotion is a need that is either satisfied (positive feeling) or unsatisfied (negative feeling). Needs are the basis of NVC because "judgements about others are distorted expressions of our own unfulfilled needs". To identify them is to engage in restorative action.

- *For example, "I am feeling like my time isn't being valued and I need to feel a sense of respect and consideration."*

R for Requests: This is the last step of NVC. It is about expressing a request. Let's not wait for others to guess our needs and what we'd like to experience moving forward; instead, let's express them. In this way, we avoid making hasty judgements about those around us. Also, let us encourage others to formulate their requests for the satisfaction of their needs.

- *For example, "In order for me to feel respected and valued, can you inform me ahead of time if you will be arriving late?"*

²⁰ Developed by Marshall Rosenberg, a conflict resolution practitioner.

3.5: Mediation Ethics

Mediation ethics are a set of general and ethical principles in mediation practices at both national and international levels that have been agreed upon by most institutions.

Mediation ethics include:

- **Consent:** Mediation is a voluntary process in which parties approve to participate, as opposed to court trials that oblige parties to attend.
- **Impartiality/Inclusivity:** A mediator should avoid any sort of favoritism or judgment towards one party. Mediation should be a balanced process in which parties are treated fairly and whose perspectives are respectfully integrated. Participants should assess their own bias, address this bias, and take every effort to be inclusive.
- **Confidentiality:** The mediator is bound not to disclose any information s/he/they has/have become aware of during the mediation, with some exceptions in some countries (in the United States, for example, a mediator has to disclose cases of child abuse or neglect).
- **Self-determination:** Parties have ownership of the process and the responsibility to find a mutually agreed solution. The role of the mediator is to foster dialogue and facilitate a voluntary resolution of a dispute, not to find solutions or impose an agreement.
- **Conflict of interest:** The mediator should not have an interest in the outcome. If the mediator believes there is a conflict of interest (knowing, favoring one party, etc), the mediator should step down.
- **Quality:** This aspect refers to all of the above and in particular to the mediator's ability to be aware of their own judgments and assumptions so as not to negatively affect the process. The mediator shouldn't offer opinions on who is right or wrong. A mediator should conduct the mediation fairly, diligently, with sensitivity, civility and respect.
- **Competence/Preparation:** Training and experience are key in mediation. Typically, it takes substantial training, practice and experience to gain accreditation and credibility.
- **Safety:** Mediation should take place in a physically safe place where all parties feel comfortable.

3.6: Mediation Preparation Checklist

In the **mediation preparation phase**, insider mediators (IMs) should complete the following checklist:

- Assess personal risk:** In any context, there might be issues that can affect the safety of the parties and of the mediator. It is important for the mediator to assess if and how a specific mediation is posing a risk for him/her/them. Risks should be minimized and, if they are still too high, the mediator should consider not mediating that case. Remember, practicing *Do No Harm* is essential in peace processes.
- Research context and pre-sessions:** Research the history of the parties and of their relationship, and the current situation on the ground. They might want to also meet with each one of the main parties before the actual date of the mediation to better understand what the issues are and how each side sees them. Be aware, though, about your own thoughts and feelings about the issue and the parties and how these might affect the way you behave as a mediator. *Remember: you are multi-partial, you are there to help both parties. Your goal is to get everyone closer to an agreement. You are not a judge, you are not there to decide who is right and who is wrong.*
- Co-mediation coordination:** If you are not the only mediator, make sure you coordinate. How are you going to divide roles? How will you make sure that you are both equally involved? It is also important to check-in about methods and styles of mediation as these can be very different.
- Participation:** Who needs to be involved to reach the goal? Who needs to be involved to make the process credible, sustainable, and inclusive? Will there be any pushback to involve these parties? What third parties need to be involved? Who will convene, facilitate or mediate the process? What is the role of the third party?
- The mediation space (i.e. the venue and set-up):** The space where the mediation occurs must be acceptable to all parties, foster cooperation, be practical (with your budget, logistical arrangements), and, in some cases, be symbolic. No matter if the mediation is taking place at a table or seated under a tree, there are some general guidelines how to organize the space:
 - If it is a closed space, the mediators should sit closest to the exit for security reasons;
 - The parties should sit the closest to the mediator;
 - If needed, there should be translators;

- There should also be plenty of necessary material: pens, papers, tissues, water, tea, coffee, etc. Make sure everyone is comfortable.
- Determine the time, format and sequence:**
- **Time:** When, how long, and how often will actors meet?
 - **Format:** What different formats will be used (e.g. working groups, plenary, side talks, etc.)? How do they all link?
 - **Sequence:** How will the agenda be set, issues identified and structured (e.g. sequence, parallel, circular)?
- Procedural questions:** What is the internal and external communication strategy? What are decision making procedures (by full or partial consensus, majority vote, etc.)?
- Funding:** How will the process be financed? Ensure any financing is impartial.
- Logistics:** How will participants be invited, arrive, accommodated, with security maintained?
- Goal/vision** (knowing why you are engaged): What vision do you have for the process? What is the concrete goal you are trying to achieve?
- Process logic:** What is the logic behind the process design? What is the 'theory of change'? How does it link to other processes?

3.7: The Mediation Design Process

The mediation design process ensures that the mediator has thought strategically how to move parties from conflict to greater understanding and trust or a mutually acceptable outcome. The role of the mediator is to design a well-rounded process in which the disputants can discuss the content.

1. **Begin with an introduction:** In the introduction, the facilitators will share their prepared remarks. This should include welcoming remarks, introductions, ensuring parties understand it is a voluntary process, explaining possible outcomes, and agreement on any ground rules. It should also include:
 - Checking if the conflict is in court or under investigation by another institution. If the dispute is being decided in some other setting, it matters and can affect the process.
 - Explaining the process and your role - to facilitate their conversation and to hopefully reach a mutually satisfactory agreement. You will not offer advice or judgment.
 - Explaining that the process is confidential.
 - Discuss possible outcomes such as increased understanding, oral or written agreement, or the possibility of having another meeting.
 - Asking if there are questions.
2. **Facilitate an analysis of issues and needs through listening, visioning and questioning:** Both parties explain their version of the facts. The mediator listens empathically and listens for positions, interests, and feelings. The mediator takes notes (separating the people from the problem). The mediator reflects and summarizes what s/he/they heard.
3. **Throughout, the mediator promotes an understanding of key and common issues:** The mediator asks follow up, open ended questions, listens for proposals, ideas for resolution, and sets an agenda of key topics.
4. **Encouraging parties to suggest solutions:** The mediator guides a brainstorming of possible solutions for each item on the agenda. It is wise to start discussing items on which there is already some agreement or on which it is easier to reach agreement. The mediator takes notes on the agreements reached.
5. **Conclusion of the mediation:** A mediation concludes with a total, partial, or no agreement. We will review details of mediation agreements after the following activity.

3.8: The Mediation Agreement

At the end of a mediation, **if a complete or partial agreement is reached**, it must be **put in writing and signed** by the parties. It is important that each of the parties knows exactly the content of the agreement in order to prevent any misunderstanding. The mediator can help the parties draft an agreement, though they are not obliged to do so. The mediator should issue a simple statement of agreement, which should be communicated to the Judge, if the case is in court. The following handout includes guidelines for simple mediation agreements.

Mediation agreements should:

- **Be precise:** Avoid ambiguous deadlines and words such as "soon, reasonable, cooperate."
 - **Be balanced:** everyone must gain something and commit to doing or not doing something.
 - **Be realistic:** Agreements should be doable, durable, inclusive, understandable, iterative, and conflict sensitive. They should be within the present parties' power to enforce it.
 - **Be clear and simple:** An overly complicated agreement may lead to different interpretations or misunderstandings resulting in further conflicts. Each party must know exactly what it has agreed to and there should be no ambiguity over the respective obligations of the parties.
 - **Be forward-looking:** It can be helpful to make provisions for revision of the agreement and set up a monitoring mechanism or a procedure for handling future disputes. It may provide for example penalties in the event of non-execution, forfeiture clauses, etc.
-

Essential elements of a mediation agreement are:

- **Identification of the Parties:** The names and addresses of the parties to the dispute.
 - **Summary of the Dispute:** A brief description of the nature of the dispute.
 - **Terms of Settlement:** The specific terms and conditions under which the parties have resolved their differences.
 - **Payment Provisions:** Details of any payments that must be made by one party to the other.
 - **Confidentiality Provisions:** A clause restricting the parties from disclosing the agreement's contents to third parties.
 - **Signature Blocks:** Space for the parties to sign and date the agreement.
-

3.9: Local Frameworks For Conflict Resolution

The following is a template for trainers to complete and share with IM participants. The order of the sections below can be adapted to each country's specific context. Depending on the context, some topics may also be removed and others added. Additionally, IMs should seek guidance from a trainer local lawyer to ensure their information is accurate

Existing frameworks for conflict management and resolution:

- **Local Laws:** What are the national (and local, if any) laws regulating conflict resolution and detailing conflict management processes, including mediation? IMs need to understand the legal framework in which they work to avoid taking actions that are illegal. Include local laws to review with IMs below:
 - [INSERT LOCAL LAWS]
 - [INSERT LOCAL LAWS]
 - [INSERT LOCAL LAWS]
- **ADR Institutions and Practices:** IMs need to understand what are the main Alternative Dispute Resolution (ADR) institutions and practices in their country so that they may (1) avoid any competition/duplication, (2) promote complementarity and partnerships with other entities, (3) implement the practice lawfully and in coordination with other entities. List the main ADR institutions and practices below:
 - [INSERT LOCAL INSTITUTIONS AND PRACTICES]
 - [INSERT LOCAL INSTITUTIONS AND PRACTICES]
 - [INSERT LOCAL INSTITUTIONS AND PRACTICES]
- **Other Local Mechanisms:**
 -
 -
 -
 -

Prevailing Conflicts: Starting from the types of most common or recurring conflicts locally, the trainer should provide information on any prevailing laws and on the institutions that typically resolve these conflicts, including:

- **Official mechanisms:** The mechanisms mentioned in the constitution of any country (courts, ADR systems, etc.) or set-up by specific laws (including special tribunals, if any).
- **Traditional mechanisms:** Any traditional means for conflict management.
- **Private mechanisms:** The initiatives created by religious organizations, CSOs, NGOs, etc.

This will help IMs understand to which extent different types of conflicts are already regulated and to which extent there is a void or the law is negligent - climate and environmental conflicts are an example. In these cases, IMs can make a difference in the resolution of these local conflicts. Include this information below:

- Conflict: _____
 - Official mechanisms:
 - Traditional mechanisms:
 - Private mechanisms:
- Conflict: _____
 - Official mechanisms:
 - Traditional mechanisms:
 - Private mechanisms:
- Conflict: _____
 - Official mechanisms:
 - Traditional mechanisms:
 - Private mechanisms:

Planning for mediation: Once the space of intervention of IMs has been identified, a plan can be made with the group on:

- The relationship to establish with existing official or traditional institutions. It is important to determine who to involve and who to notify about each mediation.
- What conflicts are prevailing where and what conflicts IMs in different parts of the country are likely to mediate.
- How to keep a record of mediation cases, including: date, location, how many IMs intervened, type of conflict, number of participants, outcome, etc.

4.1: Risk Assessments

The **safety and security** of participants, mediators, and support staff in the mediation process is of significant importance. Safety and security (S&S) on its most basic level can be defined as:

- **Safety:** The state of being away from hazards caused by natural forces or random human errors. The source of the hazard is formed by natural forces and/or human errors.
 - **Security:** The state of being away from hazards caused by the deliberate intention of humans to cause harm. The source of hazard is posed by humans deliberately.
-

Safety and security has **FOUR KEY TENANTS** that serve as guiding principles for evaluating any safe environment or event.

1. **Duty of Care:** Duty of Care presumes that individuals and organizations have legal obligations to act toward others and the public in a prudent and cautious manner to avoid the risk of reasonably foreseeable injury to others. Insider mediators (IMs) have a moral, as well as a legal, responsibility and obligation for the health, safety, and security of everyone who is participating or involved in the mediation.
 2. **Informed Consent:** IMs must work to provide appropriate information for participants such that they are able to decide for themselves whether or not it is safe to participate. This can include a risk assessment, updated news and information, coordinating and communicating logistics, even the types of food and drink to be made available. The overall goal of this is to be able to make an informed decision about whether or not they are comfortable in incurring the risks. Additionally, all staff and participants have the right to reject any assignment or task if they feel that it is too dangerous, they are uncomfortable with the safety protocol, or if they do not feel that they have the information to make that informed decision. This is without any fear of reprisal or retribution.
 3. **Duty of Responsibility:** All participants have the responsibility to the event and to the IM to ensure that they are actively and passively engaged in making the baseline of any meeting as safe and secure as it can be, and should not be in conflict with the process.
 4. **Do No Harm:** Any event, planning, or coordination must not contribute to the future (or immediate) detriment to the location where the action is taking place, or to the nearby environment. This is of course slightly different than the outcome of the mediation itself.
-

The Six Steps to Risk Assessment

1. **Establish the context:** Review both the external and internal context. Build an understanding of the societal and operational landscape as well as the security challenges and threats that exist in the location where you conduct program activities.
2. **Identify the risks:** Identify all possible security and safety risks that could affect staff, programs, or the organization (including its reputation), and understand how, when, and why each threat might occur. This may include any type of risk that could cause harm such as any type of harm from coming into contact with programs/operations/staff involved, and does not have to be intentional harm. This could be accidental or unintentional, i.e., taking a photo of participants that could potentially lead to harassment by authorities or their own constituencies for participating in the mediation.
3. **Analyze the risks:** Assess each risk (threat and exposure to it) to determine its criticality and severity, considering the likelihood of it occurring and the potential impact should it occur.
4. **Evaluate the risks:** Use understanding of the organization's security risk exposure - if the IM is representing a larger organization - to make informed decisions on whether to accept certain risks or take additional actions to prevent or minimize them. This can be done in consultation with the Country Director, Regional Director, and Senior Manager of Safety and Security.
5. **Treat the risks:** Planning guidance to prevent or minimize/mitigate risks include reducing the risk, transferring the risk to, or sharing it with, other parties, or ultimately avoiding the risk by not undertaking that activity. Reducing security risks involves implementing different strategies that minimize the likelihood and/or impact of certain risk events. These strategies are put into practice through the development and implementation of sound and logical operational mechanisms designed to better manage each risk of concern.
6. **Monitor and review:** You must continually review each component of the risk management process to ensure that current approaches and measures remain appropriate to the changing situation.

4.2: Mental Health and Psychosocial Support for Insider Mediators

As an insider mediator, we may be exposed to **stressful** and **traumatic situations**. It's important for us to understand stress and trauma and learn strategies to address this. **Mediator burnout** is not only linked to the intensity of the conflicts themselves, but also to the way they resonate with their own experiences and emotions.

When mediators fail to take care of their own emotional boundaries, they risk prolonging the impact of conflict in their own lives, losing their objectivity and becoming progressively engulfed by stress, anxiety, and cynicism. Mediators need to prioritize their mental health and psychosocial support.

Stress is the body's physiological adaptive response to our changing environment. Stress can sometimes serve a positive purpose of motivating us to achieve under pressure, but when prolonged and elevated, stress becomes problematic.

Three essential phases characterize stress:

- **The body's alarm phase:** As soon as it is confronted with a situation assessed as stressful, the body reacts immediately to prepare for fight or flight. These changes are designed to prepare the body to react by, for example, supplying oxygen to the organs that will be called upon.
- **Resistance phase:** Shortly after the first phase, if the stressful situation persists, the body enters a resistance phase against the invader. Hormonal mechanisms are put in place (sugar secretion) to provide the muscles, heart and brain with the energy they need. In this case, the body prepares for the energy expenditure required to respond to the stressful situation.
- **The exhaustion phase:** If the stressful situation is prolonged or intensified, the body enters the exhaustion phase, as its capacities are overwhelmed. The body is flooded with activating hormones which, if attempts to modify the situation prove ineffective, can become damaging to health.

The symptoms of chronic stress include:

- **Physical symptoms:** Pain, headaches, muscle aches, joint pains, etc., sleep, appetite and digestion disorders, unusual sweating, and more;
 - **Emotional symptoms:** Heightened sensitivity and nervousness, crying spells, anxiety, excitement, sadness, feelings of unease, and more;
-

- **Intellectual symptoms:** Disturbed concentration leading to errors and forgetfulness, difficulty in taking initiative or making decisions, and more.

If the stressful situation continues, the preceding symptoms set in or worsen, leading to physical and mental deterioration that may even be irreversible, such as serious health considerations.

As an IM, it is important for you to develop **copng strategies** so you can stay healthy in your role. **COPING** describes the reactions of an individual acting to produce cognitive and behavioral responses in order to control and moderate the impact of a stressful situation. Coping strategies can be unhealthy (such as substance abuse) or healthy, such as the examples below.

Healthy coping strategies may include:

- Seeking social support, aimed at obtaining help, encouragement and/or sympathy from others, is a very important strategy for overcoming stressful situations and trauma. Social support can transform the problem and/or emotional state into an opportunity for resilience.
 - IMs are not always capable of resolving all conflicts at all times, and the search for social support consists of involving another mediator and other people involved in the matter to support, appreciate or guide you,
 - Take moments of self-help by regularly participating in activities that bring you joy (sports, parties, contemplating nature, visiting tourist areas, visiting neighbors or colleagues, etc.).
 - Movement and mindfulness, such as going for walks, being in nature, or meditating, may be helpful.
 - Creative expression such as journaling or painting, may reduce stress after a mediation.
 - Connecting with a trained mental health professional such as a therapist, may be helpful.
 - Prepare periodic self-assessments, draw up self-care plans and revise them frequently.
-

4.3: Understanding the Relationship Between Trauma and Conflict in the Mediation Process

Parties or actors in a conflict often experience trauma and may suffer from Post Traumatic Stress Disorder. This may show itself during your mediation by people becoming angry, emotional, withdrawn, isolating, etc. Mediators can practice a set of skills to manage this during a mediation and take care of themselves before, during, and after the mediation.

- Use **active listening and empathy** to identify and deal with the individual traumas that underlie and accentuate conflicts.
 - Be welcoming and **gain trust** by introducing yourself, having consistent communication, and ensuring confidentiality.
 - Ask **open questions** instead of closed ones.
 - **Listen** more than you talk. Send **verbal and non-verbal messages** that you are listening.
 - Be **aware of your own prejudices**.
 - Manage your emotions by implementing **coping strategies**.
 - Be **alert to ideas** and problem-solving opportunities.
 - Listen to both **feelings and content**.
 - Have **icebreakers** or take breaks when needed.
 - **Prepare a referral list/relationship/mechanism** with different potential services and supports needed. This list can be useful for participants and for mediators themselves. When a mediator is aware that the parties are suffering, this can lead to the feeling of helplessness if they do not know what to do with a participant's request for help. Therefore, having a readily available list of services can be of help.
 - Be **discerning** when selecting the cases you agree to work on.
 - Clearly marking limits and **boundaries** according to one's abilities.
 - Practice prevention through regular **debriefing**, teamwork and peer supervision.
 - **Limit the number of cases** of violence handled each day.
 - **Involve colleagues** in your work and **reflect** in groups on the mediation case.
-

FACILITY ASSESSMENT CHECKLIST

To prepare for the mediation, it is important for organizers to consider the safety and security of the facility. Review the following checklist with your team and make any safety and security adjustments to reduce risk and potential harm to organizers, mediators, and participants. Please note that, although this is a relatively comprehensive list, organizers should consider any additional risks not listed here, and some of the items below may not be applicable to all contexts.

Event Location

- Is the facility close enough to the beneficiary population?
- Does it have good access to routes and locations that are important for your program? Is it near the transport routes that are important to you, including potential evacuation routes?
- Is it in an area of relatively low crime?
- Is the building accessible from many access points, or only one or two? (One or two may be easier to control.)
- Is it discreetly located, or is it in a high profile location? Which is more beneficial to your security, in the current situation?
- Are external electrical, telephone and gas supply boxes locked?
- Is the building in an area prone to flooding, earthquake or other environmental problems? If so, is it protected against these?
- Are there any health risks in the area? (E.g. sewage or rubbish facilities)
- If fighting were to break out, would the building be potentially exposed to direct fire?
- Is the building close to a sensitive location? (E.g. a military or police barracks; a political party office; the house of a prominent politician, etc.) If so, might it embarrass your organization to be associated in people's minds with that sensitive location? If a nearby location is likely to be targeted by violence, consider whether it might affect your building.
- Is the building close to a dangerous location? (E.g. a fuel store)
- Are the police or other security forces within a reasonably short distance, so that if you need their help they will be quick to arrive?
- Does the location and facility have any additional risks related to vulnerable groups (Women, youth, persons with disabilities, LGBTIQ+ persons, etc.)?
- Consider the local infrastructure in the area surrounding the location: What is the state of the roads leading to the building? Is the power supply reliable? If not, how big a generator will you need? Is the water supply reliable? If not, will you need to install your own water system? How is internet/telecom service to the building?

Physical Security of the Building

- Are the walls strong enough to withstand likely threats?
- Are the doors strong? Check locks, hinges, or bars.

- Is there a perimeter wall, a gate, or guard? Consider if these are needed.
- Is there sufficient lighting, externally and internally?
- Is there a suitable shelter, in case of armed robbery, attack or fighting in the vicinity? A shelter should preferably be behind thick walls and out of sight of any window. Sometimes a central room or inner corridor is suitable.
- Are there sufficient fire safety measures, such as smoke alarms, fire alarm, primary and secondary escape routes?
- Are electrical installations sound and safe?
- Is there sufficient parking, and will vehicles be secure?
- If there is a threat of car bombs, is there sufficient distance from the building to the parking area?
- If there is a threat of any kind of bombs, consider measures such as concrete barriers, blast film for windows, police control of vehicle access. In such cases specialist advice on protection from bomb threats should normally be sought.
- What improvements will you need to make before the building is secure enough for your use? How long will they take? What will they cost? For example, will blast film be needed for the windows? Do any walls need strengthening around the shelter?
- Will you place a sign on the building to show that it is occupied by a humanitarian organization, and if so how prominent should it be? This depends on the local situation and the perceptions of local groups about your organization.

Arrangements for Receiving Visitors

- Is there a place where visitors can wait? Will it be easy to control visitors?
- Reception staff – where will they be and how many will you need?
- Which areas should be accessible to visitors? Will visitors need to be escorted within the building?
- Will visitors' identity badges be needed? Will designated visitors' hours be needed?
- How can you strike the right balance between security and courtesy: making visitors feel welcome without compromising security?

Hotel Considerations

If arranging hotels for participants/organizers/mediators, consider the following:

- Look at the hotel's location. Using online maps and hotel reviews, determine the nature of the surrounding environment (rural, isolated, residential, downtown, industrial). How close is it to reason for your travel (office, school, conference facility)? What are the transportation options and how safe are they? How close is it to areas that should be avoided?
- Research the hotel's security. Is the front desk staffed 24 hours a day? Depending on the country and location, does the hotel have resident security and use surveillance systems? Is access to guest rooms limited or controlled? Is the exterior fenced or walled?

- Research local amenities. Is there an adequate restaurant in the hotel or immediately adjacent? Can you safely access food service after dark if necessary? Is there a convenience shop for bottled water or other small necessities?
- Read hotel reviews on multiple websites. Ask local contacts supporting your visit for recommendations.
- If possible, do not accept a room on the ground floor or do not book participants on the ground floor. The second floor is better, but the third or fourth floors are considered optimal. Rooms should be above the ground to make access from the window or balcony more difficult, but not so high that emergency services cannot access the room in case of fire.
- If no interior access (room doors open directly to the outside), ask for a room positioned on an interior courtyard. Avoid rooms that open directly into a parking lot.
- If possible, do not accept a room in close proximity to a fire escape; these rooms may be targeted by thieves because they offer a quicker escape.
- If the hotel clerk announces your room number loudly while checking in, ask them for another room.
- Verify the hotel phone number with the clerk and ensure it is properly entered in your mobile phone. Also ask how to dial the front desk from your room phone.
- If the hotel layout is not simple, ensure you and the participants understand where the room is located. While traveling to the room, take notice of the location of elevators, stairs, fire escapes, and emergency equipment (fire extinguishers, etc.). Plan ahead for how you will exit in the event of an emergency.

Hotel Room Safety

- Immediately check the locks on windows and doors (balcony and adjoining rooms) after arrival and inform the front desk if any are not working. Ensure they are locked. Check the lock on the bathroom door as a safe haven if necessary.
- Check that windows and doors are locked every time you return from being out, as housekeeping may have forgotten to close and lock them.
- Keep your door locked at all times whenever you're in your room, to include all the additional locks (deadbolt, chain, etc.).
- Never prop your door open.
- If traveling in a group, never leave notes on the door. Slide notes under the door. Record other members' room numbers in case of emergency.
- If someone unexpectedly visits your room, call the front desk to verify their reason. If in doubt or uncomfortable with the situation, do not give them access. Ask someone from the front desk to come and verify in person.
- If the hotel offers a safe in the room, use it. Practice locking and unlocking once without placing valuables inside to ensure it is properly functioning and reset from previous use.

- For extremely valuable belongings, consider using the central hotel safe if available. Make sure to receive a receipt for your items. If a hotel does not accept liability for items in their office safe, your renter's insurance may with a receipt and police report.
- When going out for the evening, turn on the TV or radio at a low volume. Leave a light on as well.
- When in the room for the night, place a can with marbles or other objects that will make noise against the door to prevent someone from gaining silent entry to the room.
- Check that hallways are well lighted and report any outages to the front desk for replacement.

Annex II: Case Studies

Case Studies of Legal Frameworks

Legal Framework for Conflict Resolution in Burundi

Land and herder-farmer conflicts: Mediation has long been a recognized practice in the management of land disputes. Land laws used to require the Bashingantahe (traditional/invested notables) to be consulted before recurring to the courts in the first degree (Tribunal de Résidence).

The official judicial mechanisms are:

- **The first-degree Courts:** These courts can manage disputes/conflicts whose value does not exceed one million Burundi Francs. In matters related to land, their jurisdiction is limited to unregistered land. If one of the parties decides to appeal, the High Court has jurisdiction.
- **CSTB (Special court for land and other property):** This court handles files that have not been closed by the Commission Nationale des Terres et autres Biens (CNBT). The CNBT dealt with disputes arising from the country's past socio-political conflicts, but its mandate expired in March 2022.
- **Communal land services:** These departments issue land certificates, which help to prevent land disputes.
- **Land Titles Department:** This Department issues title deeds that help to prevent land disputes.
- Since 2021, the **Councils of the Hills' notables** have been responsible for managing disputes within the community. The Council is an auxiliary judiciary organ that takes care of disputes before they reach the courts.
- In 2018, a law on **permanent stabling** and the prohibition of the roaming of domestic and farmyard animals was signed. It is an important instrument for dealing with herder-farmer conflicts.

Family conflicts: Apart from the official frameworks, the law favors mediation in the management of family disputes, with the aim of preserving the family. For example, in divorce proceedings, the law requires the judge to reconcile the spouses at the first hearing without the assistance of their counsel and in private. S/he makes any observations s/he deems useful with a view to reconciling the spouses. If one of the parties is unable to appear before the judge, the latter determines the place where conciliation will be attempted. In the event of non-conciliation by the defendant, the

judge draws up a written report and authorizes the plaintiff to continue the action. (Article 164 of the CPF).

- **Provincial Family and Social Development Departments or the Directions Provinciales de Développement Familial et Social (DPSFS):** These Departments are tasked with welcoming, listening to, treating and guiding clients seeking family services. In most cases, these Depts take care of victims of GBV and individuals with special needs.
- **Family Council:** An institution created within each family to safeguard the interests of all of its members in cases assigned by the law. In the event of family disputes, the family council deals with the matter before it is brought before the courts.
- **Primary Courts:** The primary courts hear matters relating to personal and family law which are not assigned to another jurisdiction; (Article 12, d. of the Code of Judicial Organization and Jurisdiction).

Other conflict resolution mechanisms: Alternative Dispute Resolution, particularly mediation, is not a regulated domain in Burundi. Nevertheless, some institutions have been set up by the state and private institutions to manage specific types of conflict. In the case of failure of mediation and conciliation, Burundian laws advise people to take cases to court.

Official ADR Institutions:

- **The Ombudsman Institution:** Since November 2010, Burundi has had an Ombudsman of the Republic. The Institution of the Ombudsman was adopted during the Arusha negotiations for peace and reconciliation in Burundi and was added to the constitution in 2005. The Constitution clarifies its mission and domains: it has a role of inquiry, mediation and conciliation as well as the observation mission. On other occasions, the President of the Republic may entrust it with special missions. In order to make the Ombudsman's services easily accessible, the Institution has set up three regional offices and networks at commune level. Community networks for conflict prevention and management operate at commune level, and are made up of five members per commune. They receive complaints about the mismanagement of administration at the commune level.
- **The National Social Dialogue Committee:** In order to promote dialogue in the workplace, the government set up the National Social Dialogue Committee (NSDC) in 2013. This committee is composed of 21 members representing all social partners (government, workers and employers) with 7 representatives each. Its mission includes:
 - Promotion of a culture of prevention of labor conflicts;
 - Facilitation of social dialogue;
 - Participation in the resolution of national or sectoral labor conflicts;

- Participation in reflections and consultations on the part of national labor legislation relating to collective disputes;
 - Participation in the reflection on the policies on employment, work, health and safety at work, vocational training and social security..
 - The NSDC has Provincial Social Dialogue Committees (PSDCs) that operate at the local level.
- **Independent National Commission for Human Rights (CNIDH):** The CNIDH is an independent national mechanism created in 2011 for the "promotion, protection and defense of human rights". In addition, the CNIDH can receive verbal or written requests from anyone, even alleged perpetrators, and to investigate cases ex officio. In accordance with the Paris Principles, the Commission has quasi-jurisdictional powers. It seeks an amicable settlement by conciliation or, within the limits set by law, by binding decisions, and, where necessary, in confidentiality. The Commission's decisions are guided by the principles of respect for the law and fairness.
 - **Private institutions for conflict management:** In addition to the official mechanisms, there are private structures that contribute to conflict management at the community level. Some of these structures were initiated by NGOs while others are traditional initiatives.

NGO initiatives: These are the most numerous, among which:

- MIPAREC: management of community conflicts;
- Insider mediators: management of community conflicts;
- AFAPED (Femmes médiatrices): management of community conflicts with a focus on conflicts involving women.

Religious initiatives:

- Inter-Confessional Council of Burundi (CICB), this council intervenes in the management of community conflicts.
- The National Council of Churches of Burundi (CNEB), intervenes in the management of conflicts between churches.

Traditional initiatives: The Bashingantahe Institution which intervenes in the management of community conflicts.

These actors are authorized to intervene in civil cases and not in criminal cases. For criminal cases the courts are the only ones authorized to judge.

To learn more about official measures, read the [Constitution de la République du Burundi](#).

Legal Frameworks for Conflict Resolution in Niger

In Niger, mediation, also known as conciliation, is carried out by traditional chiefs, who are empowered by law to conciliate civil matters, including family disputes. All legal court proceedings must be preceded by an attempt at conciliation by the customary authorities.

Managing land and herder-farmer conflicts:

- **Niger Rural Land Policy:** The PFRN aims to make rural land tenure a powerful lever for the country's economic and social development. Through modernized, integrated and effective land governance, this policy aims to ensure sustainable land management, equitable and non-conflictual access to land and renewable natural resources, and the securing of legitimate land rights for the most vulnerable - women, young people, people with disabilities.
- **Rural Code of Niger:** A tool for managing land and natural resources. It is a set of legal texts relating to all components of the rural environment (natural resources, activities, territories, societies, etc.).
- Prior to any legal proceedings, conflicts between farmers and herders must be heard by a **joint commission**, chaired by the competent customary authority, except in the case of criminal offenses. The Decree no. 2013-003/PRN/MEL of January 4, 2013 specifies the conciliation procedure and sets out the terms and conditions for compensation in the event of field damage or animal abuse.

Pastoralism is a fundamental right recognized and guaranteed by the State and local authorities. Access to and rights over pastoral lands belonging to the public domain of the State or local authorities are governed by pastoral traditions. The owner of the livestock may, by written or verbal contract, entrust a shepherd or herdsman with the operation or management of the livestock. Both parties are jointly liable in the event of damage caused by the livestock to the environment or infringement of third-party rights.

Mediation plays a key role in the management of land conflicts. To prevent conflicts among users of natural resources, traditional chiefs carry out periodic missions in their respective localities to raise awareness among rural operators of the need to respect the limits of grazing areas and passage corridors, and to leave a clear strip around watering points. To ensure strict compliance with field release and closure dates, traditional chiefs also raise awareness among local people, asking them to alert the relevant authorities in good time of any damage to fields or outbreaks of bushfires.

Managing family conflicts: The following mechanisms are in place for family conflicts:

- **Child Protection Committees:** Frameworks at national, regional and departmental levels, with a particular focus on preventing child marriage.
- There is no family code, but the law applicable to the family derives from both the French civil code and the customary law. In addition, international conventions ratified by Niger contain articles that pertain to family law that are being applied without much difficulty.

Other conflict resolution mechanisms:

- **The Mediator of the Republic:** This is an independent administrative authority in charge of institutional mediation i.e. the repair of wrongs caused to citizens by public authorities and the reconciliation of these citizens with the incriminated administration. Indeed, the role of the Ombudsman is to:
 - Defend the citizen (claimants, children and vulnerable persons)
 - Reconcile the administration and the citizens in case of disputes between them;
 - Support and advise the public administration (through proposals for reform and improvement of public services)
 - Carry out any mission to improve the public service;
 - Carry out any action of conciliation between the public administration and the socio-professional forces.
- **The Regional Delegates of the Mediator of the Republic:** Their role is to: a) reconcile users of public and parapublic services with the administration and then to defend citizens, i.e. claimants, children and other vulnerable persons, free of charge; and b) to carry out awareness-raising activities to promote peace, dialogue, tolerance, national unity and social cohesion.
- **The leaders of the peace committees:** Their role is to launch appeals through community radios, hold meetings around the time of elections, and regulate agro-pastoral activities. Particularly around elections, they raise awareness of the importance of peace particularly around water points. In the context of conflicts related to non-state armed groups, the members of the peace committee carry out awareness campaigns to prevent the recruitment of young people to violent extremism and armed groups. Beyond this, peace committees facilitate collaboration between communities to prevent conflicts and preserve the stability of communes.
- **Youth leaders:** Their role is essential because they serve as a relay between communities and the authorities. They are responsible for raising awareness in each neighborhood and,

in the event of conflict, they seek to resolve it amicably. These leaders, through the community radio stations, lead debates to raise awareness and ease conflicts. They also raise awareness among youth on the behaviors to adopt and those to avoid to promote peace and stability (for example, cohesion activities between young people and the FDS).

- **Traditional chiefs:** These hold the power of conciliation between the parties in conflict. Indeed, before the two parties go to court, they try to find an amicable settlement. They are the guarantors of tradition and call on the communities to social cohesion but also to cultivate peace and tolerance.
- **The leaders of the Civil Society Organizations:** They raise awareness in the villages on the themes of peace and social cohesion for a better cohabitation between the members of the communities. They believe that without peace it is impossible to foresee the economic recovery and development of the communes.

Example scenario of the role of youth leadership in conflict resolution in Niger

In N'Nguigmi, during the interviews, it emerged that when conflict erupted between the FDS and the civilian population (particularly youth) and resulted in beatings within the mosques because of non-compliance with social distancing measures during COVID-19, the youth leaders played a crucial role in easing the tensions. The young community leaders and youth group leaders "Fada" played the role of mediators and collected the grievances of young members of their community to share them with the authorities and security forces. According to them, this role is particularly important because of the restrictions of movement during the pandemic. For these youth, the role of mediators is crucial to convey the needs of youth to the relevant authorities.

To learn more, visit these additional resources:

- République du Niger, [Politique foncière du Niger](#)
- République du Niger, [Code rural du Niger](#), édition 2013
- [Politique foncière rurale du Niger](#)

Legal Frameworks for Conflict Resolution in Zimbabwe

Land and herder-farmer conflicts: These conflicts occur in areas where **traditional chiefs** are competent and managed at traditional court level. In many cases, traditional chiefs directly engage the conflicting parties and resolve the conflicts.

- **Communal Lands Act:** Provides guidance on the management of communal lands. The Communal Land Act guides the use and ownership of communal land which is land that is not private, commercial, state or urban. Simply - rural land. According to the law, this land belongs to the President who allows its occupation and use in terms of the Communal Land Act. By a declaration, the President designates communal land for other purposes like dam construction, irrigation, growth point expansion. Upon designation, occupants of the land are entitled to compensation and must be allocated alternative land. Traditional leaders have no right to grant permission for occupation or use without the authorization of the rural district council.
- **The Constitution of Zimbabwe** contains several provisions which provide guidance on all matters relating to land. Section 72 provides for rights over agricultural land. Chapter 16 of the Constitution provides detailed guidance on agricultural land, including the establishment of a Land Commission.
- **Zimbabwe Land Commission (ZLC):** The commission's mission is to ensure fairness, transparency and accountability in the administration of land to improve livelihoods.
- In Zimbabwe, mediation on land-related issues takes place at all levels (intra and inter-family, community and even national). At family level, family members engage the **village head** who invites the disputants to his court to mediate. If a mutual agreement is not reached, cases are taken to a higher traditional court - the Headman - and then to the Chief's court. However, this depends on the nature of the conflict.

Family conflicts: In family conflicts, mediation is used very often by a variety of individuals who play this role. These include aunts, uncles and, in some cases, nieces, nephews and family friends. Depending on the nature of the dispute, sometimes a family court, including all family members, assumes responsibility for mediation. The following legal instruments also impact family law:

- **The Marriage Act** consolidates marriage laws, provides for the recognition and registration of customary law unions, and provides for the recognition of civil partnerships. Key issues addressed in the Marriage Act are:
 - The equality of marriages - all parties are given equal rights in marriage and at the dissolution.
 - For customary marriages, customary rites are a prerequisite.

- Parties to marriage have equal rights during and after the marriage.
- Children born of these marriages are equally protected by the law.
- Chiefs and marriage officers are now certified to officiate customary law marriages.
- **The Matrimonial Causes Act** provides for judicial separation and nullity of marriages, as well as related matters.
- **The Domestic Violence Act** (December 2006) that provides for the protection and relief of victims of domestic violence, and makes provision for related matters.

Other conflict resolution frameworks

- **National Peace and Reconciliation Commission Act:** This law provides for the operationalization of the National Peace and Reconciliation Commission (NPRC), a body established by section 252 of the Constitution, to assist the country with resolving conflicts.
- **The Customary Law Courts Act** prescribes under what circumstances customary law applies. Section 3 of the Act states that customary law will apply in civil cases:
 - Where the parties have expressly agreed that it should apply;
 - Where it appears the parties have agreed;
 - It appears just and proper;
 - It will not apply where the court determines that it will lead to an unjust outcome.

Annex III: Additional External Resources

General Conflict Transformation Resources

- Lederach, J. P. (2003). The Little Book of Conflict Transformation. Intercourse, PA: Good Books
- Wilmot, W.W. and Hocker, J.L. (1998) Interpersonal Conflict. 5th Edition, McGraw-Hill, New York.
- [Donais, T. \(2013\) Towards Vertically Integrated Peace Building: Bridging Top-down and Bottom-up Approaches](#)
- Botes, Johanes. [Conflict Transformation: A Debate Over Semantics Or A Crucial Shift In The Theory And Practice Of Peace And Conflict Studies?](#)
- IREX, [Conflict Resolution and Peer Mediation Toolkit](#).

Additional Mediation Resources

- Moore, C. (2014). The Mediation Process: practical strategies for resolving conflict (Fourth edition.). Jossey-Bass.
- Riskin, [Leonard L \(1996\). Understanding Mediators' Orientations, Strategies, and Techniques: A Grid for the Perplexed, 1 Harv. Negot. L. Rev. 7.](#)
- [UNDP \(2020\) Engaging with Insider Mediators - Sustaining peace in an age of turbulence.](#)
- Spangler, B. (2013) [Transformative Mediation](#).
- [UN Guidance for Effective Mediation \(2012\)](#).
- European Union, (2020) [Peace Mediation Guidelines](#).
- General Secretariat of the Council, (2009) [Concept on Strengthening EU Mediation and Dialogue Capacities](#).
- Council of the European Union, General Secretariat of the Council, (2020) [Concept on EU Peace Mediation](#)

Additional Resources on Gender and Youth Inclusion

- ETH Zürich, Swiss peace (2017). [Gender in Mediation Handbook](#).

- HD Centre for Human Dialogue (2021). [Gender-inclusive peacemaking - strategies for mediation practitioners.](#)
- Conciliation Resources (2015). [Gender Toolkit.](#)
- United Nations (2017). [UN Guidance on Gender and Inclusive Mediation Strategies.](#)

Climate Change/Nexus Country or Region Specific Resources

- [CNEDD \(2011\). Impacts des changements climatiques dans le secteur de l'agriculture au Niger.](#)
- [IIED \(2020\). Conflit entre agriculteurs et éleveurs en Afrique : repenser le phénomène?](#)
- [Krätli S., et Toulmin C. \(2020\). Conflit entre agriculteurs et éleveurs en Afrique subsaharienne ?. L'Institut International pour l'Environnement et le Développement \(IIED\).](#)
- [ONU-HABITAT \(2010\). Guide de médiation foncière Basé sur l'Expérience de l'Est de la République Démocratique du Congo.](#)
- [PNUD \(2012\). Guide pratique pour la prévention et la gestion de conflits liés à la terre et aux ressources naturelles.](#)
- [République du Niger \(2022\). Plan national d'adaptation aux changements climatiques.](#)
- [SFCG \(2021\). Pastoralism and conflict: Tools for prevention and response in the sudano-sahel.](#)