

 <p>Erasmus+</p>	<p>Co-funded by the European Union</p>		<p>Erasmus+ EU Programme 2014-2020 Key Action 2 Strategic Partnerships for Youth</p> <p>Project title: <i>Development and testing of Youth Mediator - a non-formal qualification in youth field in line with new European common competence standards</i> (Youth Mediator)</p> <p>Project Nr: 2015-3-HU02- KA205-001223</p>
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**-Youth Mediator -
A non-formal qualification in youth field in line with new European
common competence standards**

Erasmus+ EU Programme 2014-2020
Key Action 2 Strategic Partnerships for Youth
Project Number 2015-3-HU02-KA205-001223

**Intellectual Output O5 – European common curriculum for new non-formal
qualification "Youth Mediator"**

Trainer's Manual

June 2017
(drafted by the applicant *LAURUS Fejlesztő Intézet Kft.*)

**This project has been funded with support from the European Commission.
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01.06.2017 - 30.06.2017

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Rábaköz Ifjúságért Egyesület

PROJECT PARTNERS	4
DIFFERENT TYPES OF ALTERNATIVE DISPUTE RESOLUTION	5
MEDIATION LEGISLATION AND PRACTICE IN HUNGARY	9
MEDIATION LEGISLATION AND PRACTICE IN SPAIN	15
MEDIATION LEGISLATION AND PRACTICE IN ITALY	20
EUROPEAN UNION LEGISLATION ABOUT MEDIATION	25
MEDIATION PROCESS	29
ROLE OF THE MEDIATOR	33
COMMUNICATION DURING MEDIATION	36
YOUTH FIELD IN HUNGARY	39
YOUTH FIELD IN SPAIN	42
YOUTH FIELD IN ITALY	50
YOUTH MEDIATION	52
SUMMARY OF THE TRAINING METHODS	54

Erasmus+ Strategic Partnerships for Youth

Project Title: Youth Mediator -A non-formal qualification in youth field in line with new European common competence standards

Project number: 2015-3-HU02-KA205-001223

Project duration: 18 months, 1st January 2016 – 30th June 2017

Project Partners

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DIFFERENT TYPES OF ALTERNATIVE DISPUTE RESOLUTION

THE DEFINITION OF DISPUTE AND CONFLICT, THEIR TYPES AND THE DIFFERENCE BETWEEN THEM

Definition of dispute – an intellectual battle between two or more parties in order to decide on an issue. It could also be a summary of comments/opinions after a presentation/performance, a litigation, a hassle; but we can also call it a disagreement, a dissidence, a fight, a rumpus, a miff, or a jar. They are not always spontaneous, it occurs occasionally that a leader generates it in order to solve a problem, gather ideas or suggestions or explore opinions of coworkers. The goal of the debate can be positive, for example in conferences, company discussions and meetings.

Definition of conflict – situations based on opposition of interests where groups or individuals compete with each other for the obtention of goods and resources. It means disagreement, tension, unresolved misunderstanding, opposition of interests, complication, confrontation of ideas between two or more parties; in international politics it can be the cause of a war. In the latin language it refers to confrontation, disagreement, battle, combat, spiritual conflict, battle of the conscience.

According to Willem F. G. Masterbroek the party or parties intend to achieve their incompatible plans and ideas by any means while having negative feelings and prejudices towards the other party.

Differences – there are numerous common facts and contradictions regarding the concept of conflict and dispute both in an ordinary and an academic sense. Different studies and encyclopedias also have a lot of different definitions of them. In colloquial language the terms are synonyms. On one hand disputes and conflicts can cause damage, on the other hand though they are the essential elements of change and progression which are able to loosen and break the rigidity of some systems. Nowadays conflicts are considered in quite a negative way in Hungary. If one has a conflict with someone they are afraid to be judged as a bad-tempered, incompatible person. Conflict is a more intense, aggressive type of a dispute, it can mean competition, rivalry or total contraposition. The goal of the conflict is often to attack the other person physically or mentally; to

obtain benefits or advantages, put pressure on someone, show off power, demonstrate power, quick resolution of dispute even in a violent way.

Types of disputes/conflicts based on their cause:

Value conflict – evolves through different ideological, philosophical, political and religious values, concepts and views. It involves/contains the so called corporate philosophy, the code of ethics, ideological elements, values and concepts of the functioning of a company which are to be respected by the management and the employees. In some cases the gravity of the disagreement impedes the possibility of a compromise so the conflict has no solution. It is pointless to open a debate about values since they become part of our attitude and behavior by school- and family education and society. A possible solution for peace could be tolerance, peaceful coexistence and acceptance of other views, prevention and avoidance of conflict situations.

Interest conflict – Conflicts based on interests have no regular categorization or a distinctive practice in different countries. It means the satisfaction of different needs which the individual has an interest in. It usually evolves around the control over resources or the obtention of goods. A substantive resolution is possible if the parties approach the subject by examining their interests.

Disputes – violation of laws, instructions, policies and regulations; disputes regarding their interpretations which can be followed by mediation, peacemaking, arbitration or a litigation procedure. It is connected to the application of facts and standards of the law.

Relationship conflict – prejudices and stereotypes are categorized content. They are based on religious and ethnic beliefs, not on empirical evidence or experience. They are featured by strong emotions.

Data conflict – data (information) is power which can easily result an unequal position between the parties. The lack of information leads to isolation while having too much information can cause data processing issues. The misinterpretation of information, misleading information or deliberate misrepresentation often become causes of a conflict.

Structural conflict – all contacts are purely professional, they take place in a well regulated environment. The parties have no personal issues with each other, their conflict is based on and caused by legal regulations, organizational structures, lack of time, bureaucracy, authorization and distance.

Types of controversies according to their nature:

Pretence conflict – a superficial and temporary battle, it only has a short-term effect. For example: stalling, then a quick, immediate agreement.

Marginal conflict – low intensity, not so relevant/grave, can be solved quickly.

Extreme conflict – strong and long-term, the resolution outgrows the competence of the parties. It is often accompanied with the following phenomena: putting pressure on each other, applying means of work fight, causing damage, national publicity, communication media.

Central conflict – deep and long-term, with great relevance/gravity, many parties involved, a central issue/key question.

THE TYPES OF ALTERNATIVE DISPUTE RESOLUTION

Alternative dispute resolution (ADR) – applying the types of alternative dispute- and conflict resolution can increase trust and acceptance among the parties, they will be able to discuss the matter in a civilized way, there is more chance to reach a settlement or an agreement. It usually means people who represent their values and stand up for them, who are willing to negotiate and come to an agreement in order to improve their circumstances. It is a nonviolent form of conflict resolution, including negotiation, counselling, reconciliation, peacemaking, mediation and arbitration. It is possible with (peacemaking, mediation, arbitration) or without including a third party (negotiation, counselling, reconciliation). The third party is an external, impartial person who is not involved in the conflict, the parties mutually agree on who it can be and ask them.

Negotiation – the main type of conflict preventing and –management, for example reconciliation, discussions, clash of viewpoints, it is possible to reach a mutual agreement that reflects the interests of both parties. A party can arrive at a hearing when previously having consulted with a professional

counsellor or an advocate. During a negotiation there are two important roles: the moderator who controls the content and the temper of the present parties and the facilitator who helps and fosters the process by running, leading, summarizing and recording all that is said. They promote the efficient, uninterrupted problem solving and decision making. They identify the parties, let them talk, follow the agenda, watch the relevance of the matter, the schedule, the order of speakers, the calm atmosphere. They also moderate and/or prevent emotional outbursts, clarify who is able to manipulate or endanger the agreement process. Conferences, council meetings, consultations or even ordinary conversations are considered negotiations when their goal is to dissolve conflicts and tensions in a nonviolent way.

The identification and the evaluation of the involved parties is important because of their power, interests and rights. Aspects of power: do they have the right to make decisions and orders; aspects of interests: is it in their interest to reach an agreement quickly or do they want to stall; aspects of rights: do they have the right to participate in the procedure, to sign or dash a settlement.

Counselling - a type of conflict prevention and –management, one-sided procedure. It is possible to ask for advice from a professional consultant/counsellor or an expert in any phase of the negotiation/hearing. During the counselling it is obligatory for the consultant to have empathy, give impartial answers, look for possible and realistic options, analyze the situation, give professional opinion and suggestions without criticizing the client. The counsellor is not necessarily an expert on the given issue. To pay an honorarium is common. The counsellor's task is not to reach an agreement but to find facts in the case and prepare a professional material of arguments or in some cases to elaborate negotiation tactics and strategies.

Reconciliation – also a type of conflict prevention and –management, the parties try to reach a mutual deal or agreement but they can involve a third party in the process (for example: mediators, moderators, facilitators, experts, advisers, counsellors, legal representatives).

Conciliation/Peacemaking – a third party asks the parties to discuss and negotiate their situation. Their task is to reduce and dissolve the tension, calm down the parties in order to open a communication channel for them. The parties explore the the possible solutions for their demands and approaches together with the conciliator who tries to suggest ideas for peacemaking. According to the Labor Code the mediator and the conciliator can proceed in disputes of interests and legal

disputes of peacemaking. The goal of the peacemaker is to try to create an agreement which can later be put down in writing.

Mediation- a competent, external, impartial person is requested by the parties who works with systematic communication strategies, puts the parties in a situation where it is their responsibility to make their own decisions which is acceptable for everyone. The expression of mediation – or intercession - is often used to substitute peacemaking. The elements of mediation are the following: reconciliation, counselling, negotiation, deal, agreement, partial agreement, arrangement. The role of the mediator is to clarify positions, explore the cause and the background of the dispute/conflict and suggest a possible solution. Additional information, data or documents might be needed. They decide if they negotiate with the parties together or separately. According to the law the goal is to help natural- and other persons to settle disputes regarding private matters or assets.

Arbitration – decision-making process, the involved parties give the right to final decision to a third party who interprets the rules and tries to find a just solution to the problem. In Hungary it is only applicable in disputes of interest. It is similar to a judicial proceeding, documents are needed to be handed in, witnesses are called, the legal decision on the matter is announced after examining all facts and evidence.

MEDIATION LEGISLATION AND PRACTICE IN HUNGARY

Developing of mediation

Mediation relies on the thought that a third neutral person helps the parties to solve a problem in a way that he does not interfere into deciding the case. This kind of action served the peaceful living together and we can track its use in the ancient society. It was a well-known way in several ancient communities or cultures that an external neutral third person helped the parties to solve the disputes.

The panchayat system was widely used in hindu villages in India. It means that a body of five people used mediation (or arbitration). In areas of buddhism the people of the monasteries played the mediators' role.

In China, mediation was the most important means in the resolution of disputes. This way of resolving disputes is supposed to be known e.g. in ancient Babylon as well. According to some resources it was used in the Phoenician trade, too, and later it developed in Greece where the mediator was called proxenetas.

This method was also used in Roman law: it is mentioned in Justinian's Digest. The Roman mediator had several different names: internuncius, medium, intercessor, philanthropus, interpolator, conciliator, interlocutor, interpres, even mediator.

Mediation also has a tradition in Islam culture. In several Near East nomad societies disputes inside and between the tribes were resolved during meeting of the older members of the community: with the help of talking, discussing, negotiating and mediation.

Appearing of mediation in America had two sources. One is bound to resolving disputes between societies (between two ethnic groups). In a great part of Indian cultures (even until today) the aim of resolving disputes inside the tribe has been to preserve or keep peace. The approach of the interfering third person is determined by this atmosphere. Finally, court has become the scene for resolving disputes gradually from the 18th century. Accordingly, the first resource of mediation could not prevail because the frames for its use were constricted through the breakup of colonies, the change in the life circumstances and new regulations. The other source which was opened through new life circumstances and the demands of the developing economy turned out to be more viable. The collective labour disputes occurring at the turn from the 18th to the 19th century meant the key.

To keep on the developing of the economy it was necessary to find an effective resolution for the conflicts on the employees' side. Strong trade unions arose, labour disputes became common, therefore the Congress established the U.S. Conciliation Service within the Department of Labor to stabilize the economic situation in 1918. The president of the institute did the task of a mediator when the conflict between the trade unions and the employers turned into a dispute threatening to become a strike. The disputes were resolved and the social tension coming from the strikes was eased thanks partly to the use of mediation and partly to the legislation. As the claim to the mediation method rose, the Congress established the Federal Mediation and Conciliation Service (FMCS) in 1947. FMCS still works until today, it plays an important role mostly in resolving collective labour disputes by mediation and arbitration. The American developing line deserves

attention because the spreading of AVR grew over the labour disputes in this country and it offered resolution possibilities in areas outside labour law disputes as well and it influenced the practice in other countries.

In Europe, the establishing of the *Conseils des Prud'hommes* meant a first step in the way of resolving the labour disputes by the means of mediation. This tribunal was specially created to resolve labour disputes in 1806 in Lyon, then the institute gradually spread all over the country, it even served as a model for other Western-European countries. The institute still works until today and its main point is that in cases for the *Conseils des Prud'hommes* an agreement is to be made – which is a type of mediation, and the case only comes to the decision-making body of the institute after the first method failed to succeed.

As for the German law history, the courts have to be mentioned which were ruled by the *Allgemeine Gewerbeordnung* (General Industrial Code) in 1845 and later the courts which were organised according to the *Gewerbeordnung* of the North German Confederation in 1869. As the labour act of the United States developed in a different way from that of the European countries, mediation began to arise again at the end of the 20th century in disputes about individual rights. (József Hajdú: *Alternative Dispute Resolution Systems in the Field of Labour Law A Comparative Study* Szeged, 2000 Manuscript pp 99-100; 109-114. 29)

However, the courts were not successful in the role of mediators.

In Great Britain, the roots for mediation law arose in 1896, when the Conciliation Act was passed and the legislator voted for the voluntary dispute resolution. This act established the Board of Trade, the task of which was mediation and arbitration in collective disputes. The organization remained under the control of the government from its establishing to 1975, later, from the 1st January 1976 it was controlled by an independent body and its actual modern organism was established. It has had the name: Advisory Conciliation and Arbitration Service since 1975. Its responsibilities include mediation (conciliation and facilitation) and arbitration in collective disputes, and conciliation or facilitation in individual disputes or it can do arbitration in a small circle. From the end of the 70s to the middle of the 80s collective disputes were mainly taken to the organization, and later, from the beginning of the 90s it contributes to individual disputes because of the changes of labour law. However, giving advice and information plays a more and more important role.

Brief history of mediation in Hungary

In Hungary, Act XXII 1992 of the Labour Code included this kind of method for dispute resolution at first. However, its roots go back earlier.

Partners Hungary Foundation has been a pioneer in its use, spreading and training since the middle of the decade. In September 1996, a mediation program was started with the help of USAID (United States Aid for International Development) and with the objective of introducing the out-of-court settlement in case of local governments, in economic life and in social fields.

The establishing of OME (National Mediation Association) in 2000 showed that mediation spread all over the country, more and more people knew it, and facilitators demanded cooperation and to become an institution. Act LV 2002 on facilitation indicated that mediation as a means of resolving conflicts should be taken into consideration in the level of law.

More progress was made in the awareness and the respect of mediation when, in 2007, (restitution) criminal case mediation became legal to be used in certain parts of criminal cases. The facilitating patrons were trained by Partners Hungary Foundation members, later their mentors were members of the foundation, too.

The regulation 63/2009 (17. XII.) of Ministry of Justice and Law regulated the process of becoming a trained mediator. The foundation played an important role in its preparing by organising consultations for other organizations.

Mediation was used at first in the 90s in Hungary, later, in 2002 it was ruled by law. Today it is used not only in labour, family or other civil law disputes but in the field of offence and criminal law as well. Moreover, law requires in certain family law areas that parties should try to come to an agreement by means of mediation before starting legal proceedings (parents can be obliged to mediation by a welfare department or a court).

Officially, mediators listed in the mediators' register of the Ministry of Justice may do facilitating tasks in Hungary. Mediators listed in the mediators' register have an obligation to report to the ministry every year and they are obliged to participate in trainings.

Legislation in Hungary

In Hungary, there has been an opportunity to resolve a dispute legally but not at a court since 2003 the base of which was ensured by Act LV 2002. Its objective was to help resolve the civil disputes regarding personal and property rights of natural and other persons where the parties' right of action is not restricted by law.

According to the act, mediation is a special method which serves the prevention or ending of a trial or an official process, the method serves conciliation, dealing with conflicts and resolving disputes. Its objective is to come to a written agreement of the disputing parties with the help of a third neutral party (hereafter called the mediator). The task of the mediator is to co-operate neutrally and honestly in finding an agreement to close the dispute between the parties.

The minister of justice records the mediators and the legal persons or companies without a legal personality (hereafter called legal persons) that employ mediators and he prepares a list of mediators (hereafter called the list). The act regulates the data to be recorded in the list.

The act regulates which data the list must include. The list is a certified public record. It is a very important point that it is public. The request to be recorded in the list and the enclosures must be handed in to the minister in one copy by filling a form. After the statement, a mediator card will be given to the mediator by the minister.

The act regulates reasons for and cases of interrupting the mediation activity and being struck off the list.

The act also regulates the obligation to participate in training, to report changes in data and to report and give data. To ensure an adequately professional level, the natural person is obliged to participate in training. The minister may grant discharge in the case when the mediator regularly performs mediating activity in a defined legal relationship or he participates in trainings as a tutor. He is obliged to report changes in his registered details within 15 days after the change. The mediator is obliged to record mediation activity, numbering it continuously every year and he is also obliged to present data to the minister until the 31st January of the following year covering the mediation activity, the number of agreements that were reached, the number of unsuccessful processes (giving the reasons) and the nature of the dispute.

The act includes rules of controlling the mediator, that means the minister has the right to control the mediating activity regularly or occasionally. The controlling process is done by a person appointed by the minister, hereafter called the inspector, who investigates the facts and prepares the

case for making a decision. When there was no misconduct, the minister drops the case. If it was proved in the investigation that the mediator failed to follow the regulations of the act on mediating or the act on general rules of services, the minister warns the mediator to follow the regulations. In case the mediator fails to follow the regulations again or despite the warning, the minister strikes him off the list.

The act includes the rules for the mediating process. The parties may request a mediator written, by telefax or e-mail. The act regulates what the request must include.

In the request, the parties must state that they both wish to resolve their dispute by a mediating process. The mediator is obliged to refuse the request if there is a conflict of interests or he may refuse it in case of other hindrance.

The act also includes regulations for conflicts of interests, professional secrecy and mediator fees. When starting a mediation process the mediator must invite the parties for the first mediator meeting and he must give them information about possibilities of representation, the process, its stages, costs, the secrecy which must be stated in a written form.

The act includes that the mediator must listen to the parties carefully during the mediating process and he must ensure equality for the parties. The parties may present their position according to their interest and they may introduce their documents. The parties must participate in separated talks following the first mediation meeting unless otherwise stated. Depending on the parties' agreement the mediator may do the mediating process in the presence of all parties or separately. The mediator may give information from one party to the other so that the other party can establish his position taking it into consideration except if one of the parties declares that information may not be given to the other party.

The act states that an expert may participate in the mediating process where the regulations must be followed.

The mediation process ends on the day of signing the agreement or on the day when one of the parties declares he considers the mediating process finished or when the parties agree on asking the mediator to finish the mediating process or in the lack of a different agreement of the parties four months after signing the agreement. The act contains regulations for agreements.

The act also includes regulations on judicial mediation and special regulations on judicial mediation, furthermore on obligation of using mediation which obligation may be ordered by the court or an authority.

Sources:

<http://www.uplink.com.au/lawlibrary/Documents/Docs/doc118.html> 37 <http://en.wikipedia.org/wiki/Mediation> 38 Pl. azonos foglalkozási csoportba tartozók, akik viszonylag zárt közösséget alkottak, így a bányászok, majd később a különböző céhek tagjai. 39 <http://www.uplink.com.au/lawlibrary/Documents/Docs/doc118.html>

2 Dr. Barinkai – Dr. Herczog – Lovas: Nemzetközi közvetítói gyakorlat, Dr. Barinkai – Dr. Bártfai – Dr. Dósa – Dr. Gulyás – Dr. Herczog – Dr. Horváth – Dr. Kutacs – Lovas – Dr. Molnár: Mediation. The Mediating Activity, HVG-Orac Lap-és Könyvkiadó Kft. Budapest 2006, p. 64

MEDIATION LEGISLATION AND PRACTICE IN SPAIN

History of Mediation in Spain:

The development of the mediation in Spain is of recent date and started with Family Mediation. Its history is brief if we compare it with countries like USA, Canada or Great Britain. The origin of mediation lies in America in the 70s that just the proliferation of marital separations made Mediation important. This most successful method quickly spread to Canada country where family mediation was introduced with free character.

In the Latin American countries, Argentina was the first to implement it, within the judicial framework and as a mandatory requirement prior to the actual judicial instance.

In Europe the support to mediation is found in Recommendation No. R (98) 1 of the Committee of Ministers of the Council of Europe, which recommends to the Member State to implement this alternative method of conflict resolution in a collaborative and friendly way so as to ensure future interpersonal relationships with a view to the personal relationships between parents and children.

The different laws that have been issued in Spain in the different autonomous communities, collect the idea that family life does not end, does not dissolve with separation or divorce, but evolves or changes to new forms of inter -relation between all members of the family and not just the spouses.

It is worth remembering here the words of John M Hayner, expert in family mediation who says that "Mediation is a process whereby a third party, the mediator, helps the participants in a conflict situation to their resolution, which is expressed in a consistent agreement mutually acceptable to the parties and carried out in a manner that allows, if necessary, the continuity of relations between the persons involved in the conflict. "

Below we briefly report on the evolution of mediation in Spain, without implying to encourage or discourage personal decisions that should be reserved to that personal sphere, being essential to be able to decide to be informed.

Next we list the different autonomic laws on Family Mediation existing in Spain

Law of Mediation of Catalonia, Law 1/2001, of March 15

- Mediation Law of Valencia: Law 7/2001, of November 26
- Law of Mediation of Galicia: Law 4/2001, of May 31
- Law of Mediation of the Canary Islands: Law 15/2003, of April 8
- Mediation Law of Castilla La Mancha: Law 4/2005, of May 24
- Mediation Law of Castilla y León: Law 1/2006, of April 6
- Law of Mediation of Balearic Islands: Law 18/2006, of 22 November
- Mediation Act of Madrid: Law 1/2007, of February 21
- Mediation Act of Asturias: Law 3/2007, of 23 March
- Mediation Law of Euskadi: Law 1/2008, of 8 February
- Law of Mediation of Andalusia: Law 1/2009, of 1 of February

Studying the first law of Family Mediation in Spain, we go to the pertinent one to Catalonia that has the following characteristics:

- Legal Framework in Catalonia: it was sanctioned on March 15, 2001 - Law 1/2001.

This law establishes the initial framework of Family Mediation, meaning that the other branches of Mediation are not included within it.

Scope Objective: It establishes a criterion of total or partial mediation, as it affects all or some of the subjects that are usually ventilated in Family Mediation.

Profile of the Mediator and Professional Training: The mediator must be a professional who acts as a lawyer, psychologist, social worker, social educator or pedagogue and is a member of the respective college.

Organization: The Family Mediation Center of Catalonia has been created, an entity attached to the Department of Justice.

Registration: Both the Family Mediation Center and the Professional Colleges manage registration of mediators, with the registration of the Center bringing together all Professional Associations.

Nature of the Agreements: The agreements must refer to matters of Private Law, susceptible of being incorporated into judicial processes for their ratification or approval, as the case may be, to the competent judicial authority.

Profile of the Mediator and Professional Training: The professional of family mediation, unless legal regulations establish the specific qualification that qualifies to perform such activity, must have a university education in the disciplines of Law, Psychology or Social Work, Social Education or Social Graduation, notwithstanding that they must accredit, in order to be able to register in the Register of Family Mediators, the use of a specific postgraduate university training at different levels of expert, specialist or master .

The offer of Postgraduate Training Courses is not very broad in Spain contrary to what it initially seems.

To practice as a Family Mediator, the Law establishes two possibilities, annual courses of expert and / or specialist can be taken (they are relatively inexpensive courses, with a workload close to 60 hours) or a two-year Master's degree in a University (Of course they increase and much the costs, and the hourly load usually exceeds 150 hours).

The training courses are degrees specific to each center and / or University, which in turn has the recognition and endorsement of the Ministry of Education and Sports of Spain, this means that they are in turn valid throughout Europe, according to the new System of study of the European Union.

Concerning Youth Mediation

As for the Youth Mediation and its development is still in its principles. It exists but is not developed, nor officially recognized. We have seen a real demand between training centers and public education authorities for content that develops a specific mediation for this group of the population.

Actually Youth Mediation in Spain is the following:

There are associations, NGOs and other institutions which have training programmes or seminars developed and in use of some 8 to 16 hours . We are speaking about one day courses or two days courses, no more.

There is just one official qualification existing: “Youth Mediators Drug Addiction Prevention” . This on-line course of 280 hours leads to the officially recognized title by the Spanish Ministry of Justice.

Only students with a university degree (grade or master), can study on-line the course. It finishes with an official diploma certifying the training acquired.

It includes official access to register to the Ministry of Justice.

Furthermore there are no more official certificates of Mediation or Youth Mediation.

The State, the regions and city councils support and finance different initiatives like training courses for monitors over several days, seminars for vulnerable Young or mediation hours without requiring further permission or degree to teachers.

Legal background:

Mediation is an institution on the rise, with some issues already resolved and others to be tackled or consolidated, some of a normative nature and others, the most important, the cultural ones.

From the normative point of view and in the civil and commercial sphere, the adoption of Law 5/2012, of July 6, on mediation in civil and commercial matters, has been an important step forward in establishing in Spanish law a general regime for mediation and its linkage with the Law of Civil Procedure.

However, some issues remain to be resolved and were referred to its regulatory development. The first and perhaps main is the closure of the specific training that is required of the mediator, which establishes minimums that give coherence to what has already been done and allow the professionals who join this activity to do so with due guarantees, That is, with an appropriate balance of qualifications, experience and training.

The Register of Mediators and Mediation Institutions shall have the mission of ensuring the transparency of all of them and access by the citizen to the mediator who may need them. Civil liability insurance or equivalent guarantee will also gain legal certainty by setting minimums for the coverage that mediators must necessarily have.

On the other hand, Law 5/2012 also provided for the regulatory development of mediation through electronic means, which will establish the obligations that correspond to electronic mediation service providers. And along with this, a series of rules on accreditation of the identity of the parties, proof of the actions, deadlines, consequences of technical problems that may arise and a simplified procedure for claims of less than € 600 should be approved.

The approval of these two royal decrees will mean closing the rules of civil and commercial mediation, while at the same time opening the way for the regulation of this means of resolving conflicts in other areas, among which the criminal court stands out. Its progress appears to be slower.

But the above, being important, is not enough for mediation to take the step we all want, and that is cultural.

Without knowing a certain and complete statistics on mediation, the impression is that the number of mediators is still very low and continues to occur mostly in the family, but outside it is almost non-existent.

It is therefore urgent to propose several actions that are addressed to legal operators, mainly lawyers and attorneys. And this is not because they are the only mediators, they are not, but they are the first to channel the conflicts that arise.

Legal operators should therefore be encouraged to include mediation clauses in the contracts they develop and negotiate. In addition, it is necessary to promote the establishment of modern mediation institutions, active in promoting mediation, demanding in the choice of their mediators and with the capacity to organize an accessible system in the different areas in which it is appropriate. Nor can we forget the work of mediators who, in the end, must give confidence and convince of the success of the path that opens to those who come to inform themselves.

From the point of view of the State, one also cannot believe that the elaboration of the before mentioned legislation has been completed. On the contrary, the role of judges is also essential. It is up to them to propose mediation as a solution to those conflicts in which they consider that it is in the negotiation and in the agreement of the parties where the appropriate solution to the dispute has to be found.

It is up to the Administrations to develop this idea of the "multi-door" courts; Citizens should find information about mediation at court seats.

In conclusion, mediation is not a novelty between us and we have experts who already have more than 20 years experience, but the extension of this alternative is still a task under construction. Bibliographic references:

Franco Conforti, Bachelor's Degree in Law, Master's Degree in Mediation and specialist in Organizational Conflicts by the Florida International University of Miami, USA, E-mediation Forum

Uría Méndez, 32-2012, Mediation Forum, Legal News

MEDIATION LEGISLATION AND PRACTICE IN ITALY

In 1987, in conjunction with the first French experiences, the association GeA (parents still) was established in Milan, to spread the knowledge and practice of family mediation: from the late 1980s to the indifference of the legislator and Of the legal practitioners who feared to have much to lose and nothing to gain from this new way of managing family conflicts, the first mediation centers

were born and developed by impulse and private initiative, albeit with public support, by Local authorities.

The model practiced by GeA, such as that of integrated mediation, which highlights not so much the limit imposed on the object of family mediation, rather than the greeting of autonomous collaboration, which has to preside over the relations between the mediators and the defenders of the parties, and which constitutes one of the Safer antibodies to any improper mixing of roles, is basically shared by all the centers belonging to SIMeF, the first family mediator association created in Italy.

In centers adhering to the systemic-relational mediation model proposed by AIMS, it is preferred to follow a global mediation model in which discussion of emotional and relational aspects of relationship with children, but not only, is not separated from the comparison Economic and wealth aspects, as it is often believed that these are the strongest obstacles to peaceful communication between spouses: mediation is believed to be distinguished from other forms of intervention precisely because of its ability to focus on concrete and to reach common decisions on specific issues.

A more eclectic attitude is instead the one of the third national association AIMeF, which brings together several mediation centers existing in Italy and which according to art. 4 of its rules of procedure includes members of various training schools for family mediators, so operational models may be different, not homogeneous, although in compliance with the rules contained in the statute.

Mediation History - Aimef

Today in Italy it is right to remember L. n. 54 of 2006 on the shared trust, the first act in which we begin to speak concretely about mediation: we hope it is just the first step!

The situation of justice in Italy

The number of mediations initiated in 2015 grew by 9% compared to 2014, rising to 19,625, and the success rate of the procedure where the parties continue beyond the first encounter came in at 43%.

Data shows first of all that from March 21, 2011 March 31, 2016 there has been a significant increase in registrations of mediations with national projection: from about 60,000 to almost 200 thousand.

Regulatory Developments (notes)

Conciliation Service at the Chamber of Commerce

Legislative Decree no. 5/2003 Artt. 38-40 (out of court settlement)

European Directive 2008/52 / EC of 21/05/2008 (mediation in civil and commercial matters)

Legge Delega n. 69 of 18/06/2009 of 18/06/2009 (art. 60: mediation aimed at conciliation)

Legislative Decree no. 28/2010 (in force since March 20, 2010)

Ministerial Decree 180/2010 (Undertakings Register, trainers list organizations, indemnity)

D.L. N.225/2010 Art. 2 comma 16-decies (extension of 12 months provided admissibility concerning condominium and compensation for damage resulting movement in vehicles and boats)

LEGISLATIVE DECREE No. 28 3/4/2010

(accomplishment delegates: art. 60 it reads 6/18/2009 No. 69 in point of mediation aimed at the settlement of the civil and commercial controversies)

MEDIATOR:

- Is not a judge nor an arbitrator
- Does not decide right and wrong
- Has no power to make acts binding on the parties
- Is neutral, independent and impartial
- Has control of the procedure
- Facilitates creative solutions
- Makes a proposal

EUROPEAN CODE OF CONDUCT FOR MEDIATORS

- Identifies the conduct
- Competence

- Appointment
- Advertising / promotion services
- Independence and neutrality
- Impartiality
- Fairness of procedure and expenses
- Confidentiality

LEGISLATIVE DECREE No. 28 3/4/2010

DUTY OF CONFIDENTIALITY (Art. 9)

External and internal privacy confidentiality

USELESSNESS AND PROFESSIONAL SECRECY (Art. 10)

- Statements and information can not be used in court
- Witness evidence is not admissible
- The Mediator shall not be required to give evidence

MEDIATOR	TRAINING	REGISTER	LAW	h.
CIVIL COMMERCIAL	Post University Degree	REGISTER	D.M. 180/2010	180 h.
INTERCULTURAL	University Degree	REGISTER	Regulations Local/Regional	3 years
SOCIAL O PEACEMAKER (or social and penal)	Post University Degree	ASSOCIATION	Regulations Local/Regional	70 -240 h.
FAMILIAR	Post University Degree	ASSOCIATION	Regulations Local/Regional	160 h.

EXAMPLES OF PROJECTS ON MEDIATION IN ITALY

OPERATORE AMICO (The Friendly Operator)

What? It's a project of Peer Education

Where? Middle school, high school (13/14 years old)

How? After a period of training in the classroom, a boy (according to the agreed shifts) becomes a mediator of conflicts for classmates.

Everyone can learn to be operator friend, do just the ability to listen, help, feel as well as is required in this role.

Objective: To develop the culture of recourse to the Mediator

Venue: Cppp Psycho-pedagogical center for peace and conflict management of Piacenza (Italy)

MEDIATION DOOR

European project : "THE SCHOOL THAT CHANGE"

Where in Italy?

Turin (Northern Italy: Piedmont) and Trapani (South Italy: Sicily)

Schools, educational community (teachers, students, parents)

A total of 225 young people were trained mediators and 40 adults referents.

Aims:

awareness and education to the culture of non-violence and respect for a real recovery of values of solidarity and social security within the school community to stem pathological phenomena of group dynamics such as physical assault, racketeering, vandalism and bullying.

Instruments:

Workshops, seminars, conferences and debates to raise awareness on violence, domestic abuse, about the dynamics of bullying in schools and conflict pacific mediation.

Outcomes: opening mediation door in schools managed directly from the boys.

EUROPEAN UNION LEGISLATION ABOUT MEDIATION

This document contains parts of the documentations and regulations, as well as descriptions from the official website (<https://ec.europa.eu>) of the youth field of the European Union that the project partners of the Youth Mediator Project found most relevant for the project and the participants of the Youth Mediator Training.

“The elements taken from the official EU website marked like this”

Youth work in the European Union

“While respecting Member States’ overall responsibility for youth policy, the EU Youth Strategy, agreed by EU Ministers, sets out a framework for cooperation covering the years 2010-2018. It has two main objectives:

- To provide more and equal opportunities for young people in education and the job market
- To encourage young people to actively participate in society”

The Youth Mediator Project prepares youth workers, teachers and other professionals working with young people to support them while dealing with conflicts and solving arguments by providing a safe framework for discussion and problem solving. Through this activity not only conflicts can be solved in a mature and positive way, but it also trains young people how to deal with their emotions and how to solve conflicts with other members of society.

“The European Union has two approach to reach the goals mentioned above:

- Specific youth initiatives, targeted at young people to encourage non-formal learning, participation, voluntary activities, youth work, mobility and information
- 'Mainstreaming' cross-sector initiatives that ensure youth issues are taken into account when formulating, implementing and evaluating policies and actions in other fields with a significant impact on young people, such as education, employment or health and well-being”

To understand the realities of the youth field and youth work in the European Union the 2015 EU Youth Report needs to be consulted.

“The 2015 EU Youth Report was published on 15 September 2015. It presents a full picture of the situation of young people in Europe and how policymakers have addressed it in the period 2013-2015.

The 2012 EU Youth Report summarises the results of the first work cycle of the EU Youth Strategy (2010-12) and proposes priorities for the next 3 years. It presents statistics on how the financial crisis has affected the situation of young people in the EU.

What are the aims?

The EU Youth Report:

- evaluates overall progress towards the objectives of the EU Youth Strategy, as well as progress on the priorities defined for the latest work cycle
- identifies good practices
- serves as a basis for establishing priorities for the next work cycle

Who is involved?

The Joint EU Youth Report is prepared by the Commission and adopted by the Council, following discussion among the relevant national authorities.

How does it happen?

The EU Youth Report consists of:

- A Commission communication (prepared in collaboration with the Council) presenting the main results of the latest 3-year cycle of the EU Youth Strategy, and proposing priorities for the next cycle
- A staff working document giving an overview of the situation of young people in the EU
- A staff working document giving a comprehensive summary of actions taken at the national and EU levels to implement the EU Youth Strategy

The report is based on responses from the EU countries to a Commission questionnaire covering all the 8 strategic fields of action. Young people are also consulted in their own countries, and different national ministries contribute to the process. National Youth Reports also provide information on how the EU Youth Strategy has been implemented at the national level during the current cycle.

In addition to the EU countries, all candidate countries and EFTA member countries are invited to participate in the reporting exercise on a voluntary basis.“

The Youth Mediator Project partner organisations find it extremely important to provide solutions based on the needs of the national youth field of the countries where the training is provided. At the moment of the finalization of this documents Hungary, Spain and Italy are the countries that are involved in the training program, so we have analysed the situation of youth work, needs of young people and possibilities of youth mediation in these countries.

The following charts (published the EU Youth Report) and the experience of the project partners' representatives help us to understand the needs of young people for mediation as well.

Mediation in the youth field in the European Union

In order to understand the importance of mediation in the youth field in Europe we need to understand one of the biggest concern of the European Union when it comes to the realities of young people. Still in the 21th century dropping out of school for several reasons (personal difficulties, financial status, disadvantages and disabilities) is a huge problem.

Helping would people to understand their own needs and their own possibilities in the first place and teaching them how to deal with their emotions and the conflicts they face is a definite step to prevent dropping out.

“Like formal education, youth work aims to support young people’s personal development, even though the methods and specific aims of youth work are different to those of formal education.

Another area where the potential contribution of youth work to education is strong concerns strategies to prevent dropping out. There is a great variety of types of measures in this field and their effectiveness varies greatly depending on their quality. A study for the European Parliament reviewed a range of effective measures to address early school leaving and found that the role of counsellors (other than teachers) and also peer-influence are important in both preventive and curative measures¹⁶⁵. The same principles that one can find at the core of youth work, as described earlier in this study, are also at the core of successful approaches to addressing early school leaving: young people need to feel in control of their pathway, learning and career development; individualisation of programmes to their skills is needed; and encouraging, positive and supporting environments support motivation and engagement. For example in Germany¹⁶⁶, there is specific funding for youth work carried out in schools (school social work). Through this funding schools can employ youth workers who provide counselling, through socio-pedagogical

support to young people, but they can also be involved in working with teachers and parents and act as mediators.

Some types of preventive measures in this field focus on providing additional learning support to young people who are falling behind. This can be provided by schools, but also by youth work organisations. Such approaches are mentioned for example, in the report for the French Speaking Community of Belgium or the French report.”

Nowadays mediation sessions have the following conflicts in focus:

(List based on <http://mediatewnc.org/youth-mediation-2/>)

- physical fights/violence
- verbal disagreements
- interpersonal conflicts
- property damage
- parent/teen conflict
- Teen/teacher conflict
- Theft
- Friendship problems

All these conflicts can potentially lead to the constant discomfort of young people, dropping out of school, leaving their family and safety net, difficulties at education and in finding a job, risking their health and so much more.

Youth Mediation is a key method to prevent the escalation of such conflicts and support young people and adults around them to focus on solutions and peaceful ways to solve their disagreements.

Resources:

https://ec.europa.eu/youth/policy/youth-strategy_en

https://ec.europa.eu/youth/policy/implementation/report_en

http://ec.europa.eu/assets/eac/youth/library/study/youth-work-report_en.pdf

MEDIATION PROCESS

MEASURES, PHASES AND MAIN CHARACTERISTICS OF THE CLASSICAL MEDIATION PROCEDURE

Classical mediation – the mediator works with both parties or in case of a large group they name representatives to talk to the mediator. The mediator helps the parties with structured conversations until the signing of an agreement.

Classical, transformative mediation– emotions and offenses are involved in the process (it differs from the Harvard concept which is an objective/factual deal. Its two fundamental principles are empowerment of the parties (their personalities and intent) and recognition (of their role in the conflict).

The classical mediation procedure practice– disagreement or open conflict between two or more parties which cannot be solved by the people involved in a fair way or in a reasonable timeframe while the continuation of further mutual cooperation would be necessary. The parties often feel isolated, ignored or offended; their prejudices and negative experience make them distrustful. They play games, create a fight and a scapegoat while the mutual goals and interests disappear, the winner-loser position constantly changes.

Advantages – it results change in a long-term perspective, attitude towards the conflict often changes which can lead to a change of approach and behaviour.

Disadvantages – the solution does not include everything, it cannot be applied universally(for example: in case of harassment or violence).

Most favorable circumstances – relations, time, trust and the need for reducing tensions are important factors; communication is blocked, there are no resources (skills or willingness to negotiate, lack of trust), visible pressure of need, the personal security of the parties is guaranteed, the parties are able to solve their particular issues, they participate in the process voluntarily, they are competent regarding the outcome.

Least favorable circumstances – visible imbalance of power, a higher authority is needed, there is a legal procedure in progress, fundamental rights are in danger, the parties don't feel safe, they aren't able or don't want to be present at the hearing, the parties represent an extreme and stark standpoint.

Phases of the mediation procedure

1. **phase – first contact with the first party**: introduction, exploration of the situation, recognition of feelings, creation of contact, explanation of mediation and the role of the mediator, gaining trust, impartiality, creation of reliability.
2. **phase – first contact with the second party** (same as in phase 1)
3. **phase – preparation for the conflict resolution**: decision on the type of mediation according to a competent and professional opinion (whether the mediation will take place face to face with the parties or separately), preparation of the parties, preparation, choosing a location.
4. **phase – preparation, presentation of the issue**: greeting, introduction, basic rules, approval of the procedure and agenda.
5. **phase – exploration of the problem**: understanding the problem, clarification of differences, verification, starting the dialogue (communication), creation of a safe atmosphere, change of the viewpoints (past – future), summary
6. **phase – formulation of an agreement**: highlighting, evaluating and stimulating the possible solutions from the parties' suggestions; notes, verification, creation of the agreement; if it doesn't work: finding a new solution.
7. **phase – settling, follow-up**: closing the session, decision on the methods of follow-up.

Functions of mediation: procedural (preparations of meetings, recesses, influence on the atmosphere, leading sessions, maintenance of order, postponing issues etc.), **conjunctive** (interpretation of information, transmission inflexible viewpoints and possible solutions) **and substantive** which are not interdependent but are each other's combinations. During the hearing it is important to see what is needed to dissolve the conflict considering the needs and interest of the parties.

GENERAL CHARACTERISTICS OF MEDIATION CASES

- mediation is a more available service than a judicial procedure (it is quicker and cheaper)
- ability to solve conflicts in a more humane and personal way than a judicial procedure; meanwhile it is possible to call witnesses or involve a professional consultant in the process
- the participation of the parties in the procedure is voluntary
- almost all conflicts can be solved, only conflicts offending human dignity and self-esteem or cases with violence seem irresolvable
- the mediator is impartial (neutral), they represent both parties
- during the mediation process current issues are to be addressed, it is not intended to find the guilty party or to review events from the past
- cooperation, time and confidentiality are important to both parties
- the mediational atmosphere is confidential
- none of the parties wants a judicial procedure
- the parties are emotionally involved in the case
- there is no relevant inequality of power, no difference of positions, fortune, influence and educational background
- the parties don't want to let the control get taken out of their hands, they want to have an influence on the outcome of the debate, reaching a win-win situation
- since the parties decide to make an agreement by themselves, they tend to be true to it because it is theirs; the chances that they will respect the pact increase (the rate of broken agreements is minimal, much less than the usual compliance with the arbitration after judicial procedures)
- it is still available for the parties to choose to go to court or use other methods of dispute resolution
- an arbitration can never be as good as the decision the parties make themselves
- it is a relief for the justice system, it enables the court to focus on cases with more relevance and gravity
- it has an important role in preventing recidivism
- mediation= restorative justice
- taking responsibility face to face (educational purpose, following common standards)

SHUTTLE MEDIATION AND DIRECT MEDIATION

Shuttle mediation – this version of mediation is to be used in case of an extreme conflict when the parties' constant arguing would make the mediation impossible. In this case the parties are not allowed to see each other, they are in two separate rooms at the same time and the mediator walks from one party to another to forward each other's messages and suggestions. The mediator clarifies the parties' needs and interests during individual conversations in which they transmit the previously gathered information.

Example for shuttle mediation:

Divorce mediation – issues with child custody, child support, contact and visitation. The mediator talks to one party at a time. The mediator starts to see clearly which are the common grounds and subjects that are identical for the two parties and can be useful for the agreement. In this case there could be two mediators if needed. It is important to help the parties to overcome emotional crisis. The mediator tries to create an agreement that can also be used in court; although it can offer much more because it can be extended to such details that are not possible to include in court (for example: personal responsibilities, tasks for the future). During the procedure the parties can realize that the actions of the other party are not necessarily intended to go against theirs but they are fighting for their own interests. When it is clear for both of them they tend to moderate their temper and start to clearly name the cause of their conflict, alongside with their mutual and individual interests and they become willing to reach an agreement.

Direct mediation – The closely involved parties or even a wider community is able to participate in the search for a solution. The mediation is flexible and creative. There are direct and immediate introductions, the presentation of the standpoints and approaches are uninterrupted (debate, questions, answers, expression of feelings), then agreement on restoration.

Example for direct mediation:

Criminal mediation – regulations of the mediation procedure: the case meets the legal requirements, the mediator visits the delinquent; if the delinquent doesn't deny their actions the mediator visits the victim. The case is examined if it is suitable for mediation and both the delinquent and the victim give their consent; then it is decided who can be present during the

procedure. The process of direct mediation = mediation session, introduction, presentation of the situation, goal of the mediation, agreement on basic rules, presentation of the standpoints – uninterrupted -, debate, questions and answers, expression of feelings, apology (asking for forgiveness), agreement on restoration. The goal of the jury committee is to consider all sanctions without imprisonment, the rehabilitation needs of the delinquent, the aspect of protecting society and the interests of the victim when reaching a verdict according to the UN's minimum requirements.

Restorative justice –The problem-solving approach of crime - to involve the people most affected by the crime in the solution seeking process (delinquent, victim, their families or the local community). Crime as a problem can be examined in a social context, it is an important aspect for future reference. Establishing a flexible and creative daily routine. The main characteristics of restorative justice are the promotion of the correlations between systems and the conception of criminal justice where it does not appear as a closed and isolated system. **The goal of restorative justice** – to strengthen the sense of responsibility – actions have consequences, restoration – redemption for the victim and the community, reintegration – the opportunity for conciliation and reintegration among the delinquent, the victim and the community.

ROLE OF THE MEDIATOR

The role of the mediator - peacemaker, facilitator, investigator, interpreter, coach, justice examiner. They create a positive atmosphere, establish behavioral standards, explain the procedure, present the procedure to the parties, lead the process and the dialogue between the parties and consider the arguments and facts of both parties. They help the parties mutually understand each other and enable the conversation. They stimulate the parties to come up with ideas and suggestions and examine the relevance of their initiative solutions. They reduce tensions and moderate the disagreement between the parties. They help decision making and maintain their clients' prestige. They control and moderate emotional outbursts. They take notes, evaluate, summarize contents and help to move forward in the formulation of a written settlement. They elaborate the agreement and follow up. In case there is no settlement they are open for new opportunities and solutions.

2001/29/EC, guideline of the European Parliament and the Council of the European Union - (Bruxelles, 22/05/2001 + according to civil law: - It is important for the mediator to be a well-trained professional (lawyer, psychologist, social worker), to be an expert in conflict management. The mediator stands in the middle during the procedure, they are neutral and impartial which can be obviously proven. The mediator is a future-focused person (which is needed in order to show results), keeps focusing on the goal (the solution) and tries to avoid that the parties get lost in the small details of the conflict.

Mediation procedures can occur in:

- economy and politics,
- public social life (for example: delinquent, victim),
- disputes within institutions,
- labor law cases,
- neighbor law cases (institution – neighbor, neighbor – neighbor),
- situations of family disputes (issues at school, educating children, inheritance),
- marital problems, cases of separation and divorce.

The mediator should consider the following aspects regarding both parties when elaborating a conflict situation:

- - personal interests and needs,
- - emotions/ feelings,
- - relationship problems,
- - intrapersonal problems,
- - personal values,
- - communication issues (misunderstandings),
- - information,
- - approaches/aspects,
- - structural terms,
- - legal terms.

Goals and proceedings of mediation in comparison with other methods:

Method	Focus	Goal/Outcome
Judicial procedure with a representative attorney	Visible conflict, legal claims, formal-legal procedure	To win the legal battle, representation of interests against the other party
Conflict management	Visible conflicts and the exploration of their background, negotiation	Compromises (trade-offs), reconciliation, agreements
Mediation	Visible conflicts and the exploration of their background, elaboration of the conditions of a successful future considering the personalities, interests and needs of the parties	Understanding one another, mutually elaborated, obligatory agreement (decided by the parties themselves, effective, acceptable for everyone)
Therapy	The visible conflict and the annoying behavior is the expression of an intrapersonal problem; exploration of an known or unconscious background conflict	Recovery, change of behavior

BOOKS

1. DR. BARINKAI ZSUZSANNA, DR. BÁRTFAI JUDIT, DR. DÓSA ÁGNES, DR. GULYÁS KÁLMÁN, DR. HERCZOG MÁRIA, DR. HORVÁTH ÉVA, DR. KUTACS MÁRIA, LOVAS ZSUZSANNA, DR. MOLNÁR GÁBOR: A mediáció(A közvetítői tevékenység), *HVG-ORAC Lap és KönyvkiadóKft., Budapest, 2006*
2. EÖRSI MÁTYÁS-ÁBRAHÁM ZITA: Pereskedni rossz!, *Minerva Kiadó, Budapest, 2003.*
3. FREDDIE STRASSER - PAUL RANDOLPH: Mediáció, *Nyitott könyvműhely Kiadó, Budapest, 2005*
4. KERTÉSZ TIBOR: Mediáció a gyakorlatban 1., *Partners füzetek, 2009*

INTERNET:

http://ec.europa.eu/civiljustice/adr/adr_ec_hu.htm, 2009.12.10.

http://www.eandh.hu/mediacio/alternativ_vitarendezes.html, 2009.12.10.

http://www.menszt.hu/tudnivalok_az_egyesult_nemzetek_szervezeterol/az_egyesult_nemzetek_alapokmanya/az_egyesult_nemzetek_alapokmanya, 2009.12.10.
http://www.khem.gov.hu/data/cms1057554/szakanyag_medialas.pdf, 2009.12.10.
www.mediacioskozpont.hu, 2009.12.10.
http://www.khem.gov.hu/data/cms1057554/szakanyag_medialas.pdf, 2009.12.10.

LAWS:

1994: LXXI. law about selected jurisdiction
2000: CXVI. law about medical mediation procedures
2002: LV. law about mediator activities
1992: XXII. law about the Labor Code
1997: CLV. law about consumer protection

COMMUNICATION DURING MEDIATION

WHAT DOES INFLUENCE/MANIPULATION AND PUTTING PRESSURE ON THE PARTIES MEAN DURING MEDIATION? ARE THERE ANY EXISTING ETHICAL REGULATIONS ?

INFLUENCE AND PRESSURE

Opening statement– the goal is to maintain openness and credibility, to establish the control for the procedure; explanation of the mediation procedure and the requirements towards the parties, clarification of the role of the mediator. For example an authorization or a declaration of submission from the parties. Every kind of favoritism or partiality is excluded, there must not be any acquaintance or relationships between the mediator and the parties; any circumstances leading to partiality are eliminated; the mediator has no knowledge of the dispute out of the case (only the reports and statements). It is necessary to know the parties' names, addresses, to identify their role and function in the case. The goal is to create an acceptable and durable settlement, not to make it come into effect or inflict punishment. The order of communication, the collective and separate meetings, the authorization of silent sessions must be established; the content of the private sessions does not come to the other party's knowledge. Third parties, observers and witnesses can participate

when the mediator decides so. Duration times of the preliminary hearings and silent consultations vary, but time is no relevant factor when these help finding a solution. Initiation of a face to face negotiation between the parties, clarification of the goals and rules of the meeting. The session is led by the mediator. It is necessary to let emotions ventilate because it can help moderate tensions; to be attentive; not to ask directly and to insist on appropriate behavior.

Questions and the standpoint of the parties must be identified during the collective hearing, it is important to take notes (gather as much information as possible), clarify, review and confirm the statements. It is necessary to pay attention to the tone and the emphasis of the parties, how often they mention a fact, how detailed their statement is in order to define their needs and priorities.

One must stimulate progression and avoid the subject from getting too extensive (lost in details); look for possible alternatives, detect negotiation points considering the primary and secondary priorities of the parties. Express suggestions as theoretical questions. Make both parties understand what the other one is saying. The settlement must be elaborated while maintaining dignity and trust between the parties. In case there is no settlement the door is open for new possibilities and solutions.

DEFINITIONS ACCORDING TO EU GUIDELINES, ETHICAL STANDARDS

- **Mediation** – structured procedure, two or more parties try voluntarily to reach an agreement with the help of a third party (mediator). The procedure can be initiated by the parties themselves, it can be suggested or ordered by court according to laws and regulations of the member state. In case of an economic mediator their title, profession, how they got called to mediate are not important; the only requirements towards them is to be efficient, impartial and competent to be able to lead hearings. The member states stimulate the training of mediators in order to ensure the high quality of mediation processes and to have effective, impartial and professional procedures.
- **The European Code of Conduct for Mediators 21/ 2004** – European Commission (Board of Legal and Internal Matters), conference 02/07/2004, subjects: mediator trainings, permission for their operation, monitored training, registration, assurance of qualitative requirements in the field of self-regulation, intervention of the state between family mediation and self-regulation cases.
- **European Union** – Green Papers about an easier and quicker procedure of dispute resolution in the field of civil and trade law.

- **Conflict Management Design** – conflict management system for the analysis of an ongoing conflict situation within a company, creation of an ideal conflict resolution strategy for the future, creation of conflict predicting system. Measures, strategies, flow of information towards the employees. It is useful to train or employ a mediator within the company in the field of human resources or in customer-contractor relationships.
- **The common standards of the European Commission (Internal Matters) 2003 and the Youth Justice Board's 2001** – voluntariness, equal emphasis on the needs of victims, delinquents the community, direct participation of the parties affected by the conflict (discussion, antecedents of the delinquency, method of restoration, prevention of recidivism), taking responsibility – the delinquent voluntarily offers to help in the recompensation; involving parties of support.
- **Common goals** – an impartial, neutral, competent mediator, facilitator, privacy and confidentiality, comprehensive information for all parties, possible options, risk assessment, responsibility of the delinquent, avoiding persuasion of victims, proper preparation and follow-up, consideration of the opinions of the parties, involving of the victim, agreement adequate for everyone, collaboration with other services and institutions of the system.

THE PROCESS OF CLOSURE, FORMULATION OF A WRITTEN AGREEMENT OF A MEDIATION PROCEDURE AND ITS FORMAL ASPECTS

Approaching the settling – to explore the alternatives and look for results. Ranking of the needs of the parties, suggestions for possible outcomes. Stimulation of the parties in order to explore new alternatives, formulation of suggestions (as theoretical questions) and solutions. Clarification of the relevance of the standpoints and views of the parties, facilitation of the reconsideration of their demands, priorities and reasoning. Both of the parties have to understand what the other one means. They must develop a habit of reaching an agreement highlighting the possible improvement of former practices. It is important to close the topics and facilitate a quick progression. If needed the parties must be warned about the consequences of the decision, they should be pushed. As a matter of principle it can be necessary to make an offer or a suggestion and look for possible overlapping between the parties' standpoints.

Achieve the closure of the case – it is important to focus on the agreement since it is already close, avoid new reasons of fighting and setbacks. Try to reach a resolution or closure; make a final offer/suggestion or use your influence if necessary. For the sake of the settlement close the discussion and say goodbye to the parties in peace.

Settlement – verify and repeat the details of the agreement, prepare a written version of the settlement. Make sure all the points are understandable, well-detailed and clear. The parties read the agreements first then all the parties including the mediator sign the document. In case there is no settlement the door is open for new possibilities and solutions.

Responsibility of the mediator – peacemaker, facilitator, investigator, interpreter, coach, justice examiner. Competence is a group of features described with attitude and behavior, it means abilities and skills which can lead to outstanding accomplishments in the labor market. Some behavioral aspects can be analyzed (meaning a group of knowledge, abilities, skills and attitudes) that are obtained while learning and socializing in order to comply with the requirements of tasks. The main features of a mediator are the following: objective and supporting, does not judge, communicates and summarizes well, has great interpersonal skills, determined, helpful, creative, good at conflict management, good presenter, leader of negotiations, credible and genuine, open-minded, impartial, conscious, flexible, balanced, analytical, professional and committed to the principles of equal conditions. The mediator's prestige and expertise can be a key role in the compliance of the agreement however they do not have a responsibility for it (however follow-up is possible).

YOUTH FIELD IN HUNGARY

THE YOUTH AND CONFLICTS

In our life, we develop multiple relationships with the people. We greet each other when we meet, we show interest for our acquaintances, schoolmates, friends and their lives. During talking with them we tell each other about our thoughts and opinion. We enjoy most of the relationships, they give both parties good feelings and in this way, it makes us feel belonging together and the power of community. All this usually change temporarily in the youth, especially at the teen-age.

REASONS OF CONFLICTS

The earlier peaceful coexistence is disturbed by more and more troubles and clashes, so-called conflicts, the reason for which is that the claim and demand for separation increase. Teenagers do not judge the world around them and the human relationships in the common way. They form their opinion according to their mood at the actual moment. Their skill for critical thinking and the urge for arguing grow more and more. At the same time, they find it hard to tolerate criticism because they are too sensitive.

There can be conflicts during almost all the teen-age between individuals, e.g. between siblings, classmates, friends, between a parent and a child, a teacher and a student. Conflicts between smaller or bigger groups are also common, e.g. between classes, young people of blocks of flats, between girls and boys. Both kinds of conflicts can mean an argument, a quarrel, or even a long-lasting anger.

It can lead to a special conflict when the individuals or the groups cannot tolerate each other because they were brought up under different customs and traditions. It can be present between families or groups of different religions, nationalities, cultural backgrounds or financial situations. It is important to try to get to know each other and to tolerate differences not to handle others as rivals.

According to statistics of the family and child welfare services there are more and more problems every year which arise from the conflicts of the youth. Mates argue more often and it mostly originates from unspoken problems, the differences from home and the not-caring for others. The number of conflicts between the youth and their parents has had a huge increase, the reason for which may be that more and more people deal with their problems, and more and more ask for external help. Another reason for the increase may be that the youth are affected by a lot of information, they get a continuous and intense community experience, or, on the contrary, they are not part of a community or expectations in any part of life lie heavy on them. Parents spend less and less time with their children, they do not control them or they often have too high expectations for the young.

TYPES OF CONFLICTS BETWEEN STUDENTS

Smaller conflicts belong to everyday life of the students and they are most often verbal arguments (annoying each other) which calm down soon. Students do not think these cases are conflicts but the natural part of the everyday school life. Conflicts which they consider serious are quite rare, but here we must not ignore what they mean by serious conflicts and how the participant or the victim feels about them. Typically, students and teachers mentioned sensational and loud cases which turned into struggles, although long-lasting verbal abuse or psychic terror may mean a much heavier weight for the victims than a smack in the face or a struggle. The reason of this kind of feeling may be that psychic terror, degradation etc. often remain hidden and are difficult to explore. Teachers say they cannot recognize it in most cases and the students cannot feel its seriousness and cannot imagine the victim's situation until they are victims themselves. As for the conflict sensitivity of students and teachers we must remember that the students' action is always realized in the sociocultural context of the school and that certain student community, therefore the judgement of an action may differ according to school, community or even the individual. (Review Sáska, 2008)

Five conflict situations between students (stealing, mockery, physical aggression, exclusion, bullying) were examined in a survey from three points of view: according to the perception of the conflict situation, the frequency of action and bearing. Verbal conflicts are the most common cases of conflicts between students. They are regular elements in the students' everyday communication. They may include moderate or quite serious bullying, ranging from simple teasing to hurtful and degrading verbal aggression. In the background of these conflicts we can quite often find fighting for or keeping a position inside the school or the class, easing internal tension or bore: teasing others is a usual way of having fun. Verbal aggression is the most common means to exclude a person. Usually the weaker students who cannot protect themselves or often have social or physical drawbacks become victims. According to the reports there are rarely serious conflicts of physical abuse, but this does not mean that physical aggression may be rare, too. There are quite often smaller struggles mainly among boys. Some of them should be considered as a natural part of everyday life, too. One of the reasons for physical aggression inside schools is that the house rules and regulations include sanctions for hurting each other, therefore it usually happens outside school.

Stealing, when we consider it as a conflict between students, builds a special category. The damage of the hurt person can be defined exactly in money value, from this point the fact of becoming a victim may not be questioned. Accomplishing stealing cases require other ways of solution

regarding the institute. There is more claim for including the police and for legislative accountability of the delinquent. In this way, alternative solutions do not or cannot be applied. One of the frequent consequences of stealing cases is to suspect someone, then to exclude him, condemn and degrade him, which may often lead to other conflicts.

THE FREQUENCY OF ACTION AND BECOMING A VICTIM

The rate of boys as offenders is higher than that of girls. The biggest difference is to be seen in case of physical aggression: 40 % of boys say they hit a student often or occasionally, whereas 18 % of the girls say the same. There is a difference of about 11 % in case of mocking (61%/50%), there is a slight difference only in case of bullying and stealing: 3 % and 2 %. The rate of actively involved is always bigger in the circle of vocational students. However, there are no big differences. There is only a difference over 10 % in case of a single conflict type (the physical aggression). Whereas physical aggression characterizes about a quarter of secondary grammar and secondary technical students, the same rate exceeds a third of vocational students. The family's economic background is proved to be a stronger factor of explanation. The students in a seriously deprived situation become starters of conflicts twice as often as students in a better financial situation.

Source:

KálmánErcsei– PéterNikitscherTypes of conflicts between students. Reactions for conflict situations and their judgement

YOUTH FIELD IN SPAIN

Introduction to the youth field:

Concerning young people under 24, actually there can be observed several important and more general and several more specific problems and conflicts in today's Spanish society.

1. Conflict of family coexistence

40% of parents do not know how to handle conflicts, and many choose to look the other way. Young offenders often consider the ideas of adults as overshadowed.

Many households face the problem of how to deal with poor relationships between parents who do not match their educational criteria and children who consider their parents' ideas overturned and actively reject them. The access of children to drugs and alcohol exacerbates coexistence and can lead even to crime.

Deputy X expelled his 18-year-old son from his home for being vague and irresponsible, but he could not bear the consequences of such a radical decision: he broke emotionally. I cried imagining him in the street, with no money, trapped by drugs and crime. The kid incubated a terrible grudge against his father. "He did not forgive him," recalls a friend of the family. The trance is not exceptional. Spanish parents with impossible children are distressed when they have to choose between punishment or inhibition after having failed the way of understanding and negotiation of patterns of behavior. The interrelation in a society of heterogeneous and complex family formats, without a basic consensus on educational values and criteria, has to do with the dilemma. 40% of the parents recognize that they do not know how to handle conflicts of family coexistence, according to a survey of the Foundation for Aid against Drug Addiction (FAD).

The new juvenile delinquents and abusers come from the middle and upper middle classes.

25% of the children impose their opinion on the parents, and 8% of the parents have received insults from their child.

The social and technological changes, and the greater availability of money among the children, are other factors that influenced the new youth culture and they caught against the generation of the democracy.

The philosopher Jose Antonio Marina wondered in a conference if that generation communicated with his parents. "The idea of respect is an ambiguous concept, because sometimes it will be good and sometimes it will be bad." The society was once a gigantic wave on which parents and teachers were surfing, as Marina observed, and although it seemed they were directing navigation, it was the wave. "Now parents and teachers have the absolute certainty that they are not educating in the name of society, they are educating against society, and they feel overwhelmed."

Then many parents leave to do, they decide to ignore the serious conflicts with their children to avoid the shock. They are limited to domestic and manageable. They grumble at the kid because he does not study, because he comes home when he wants to, because he does not make the bed, or because he does not help set the table. They escape the essential doubts: with whom will they walk? What are the risks? What values do you have? They do not do so by fearing confirmation of their worst suspicions.

When it happens they are prone to blame the school, the media, the laws, society. Certainly, the social messages closest to the majority discourse of youth, almost all of them related to leisure and transgression, are wreaking havoc through society: advertising, the market or television.

"But the family does influence the behaviors of troubled adolescents, but not in 100% of cases. We had to explain to a mother that it is not right for her son to call a 60-year-old teacher "idiot", he says. María Iñesta, psychologist, head of studies at the institute Luis Buñuel, Móstoles. "There is a Copernican revolution. Teachers have to deal with things that traditionally belonged to the family: to teach children to be good citizens, good companions and to respect." The director of the center, Francisco Javier Lapuente, 40, with a child of twelve, also notes that problems appear earlier. "There are cases of harassment at age seven and 8. It is clear that parents should know how to set limits."

A good part has tried, but he has not been able to do it. The incapacity is not alien to the proliferation of juvenile crisis-generating behaviors in the family and in the school, which often must be solved in the consultations of psychologists and psychiatrists, as well as in the police stations and the courts.

The new generations teenagers have in common the little sweat of the shirt to get something, the law of the minimum effort, the low resistance to the frustration, and the demand of rights, but without assuming obligations, according to sociologists.

1.2 Needs conflict



The "ninis" epidemic threatens all households.

- The term "nini" refers to young people between the ages of 14 and 29 who, through frustration or paternal consent, have decided neither to study nor to work. This causes a series of problems that are affecting the family level, and the economic and social environments of various countries.
- The origin of the epidemic. Over the past 30 years globally, the consequences of economic crises, unemployment and the inability of many governments to respond to the needs of the population from the basics to education and the job. The social phenomenon of the appearance of the "ninis" occurs, mostly, in the middle and upper classes, because curiously the boys of these social strata are assured food, roof, dress and even amusements; That is, their parents support this lifestyle and the effort on the part of the young person, therefore, makes no sense. This new epidemic of "ninis" threatens all households, including yours of course; Put it in quarantine.

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Why this phenomenon? There are many factors, but only two are constant in all cases: The frustration of the young man and the lack of demand and tolerance on the part of his parents.

Author: Emma E. Sanchez, www.Familias.com

1.3 Drug dependence

El social impact of drugs



Drugs not only harm the person who takes them. Around him many other people suffer their consequences. Drugs interfere with the environment, family and work, and can seriously

compromise the learning process, especially in the case of young people and adolescents. In addition, drugs increase the risk of suffering all kinds of accidents.

For all this, in addition to the individual consequences, it is the whole society (to a greater or lesser extent) that suffers the problems of drugs. And these problems are of all kinds: sanitary, economic, cultural, insecurity, etc.

2.1. Bulling

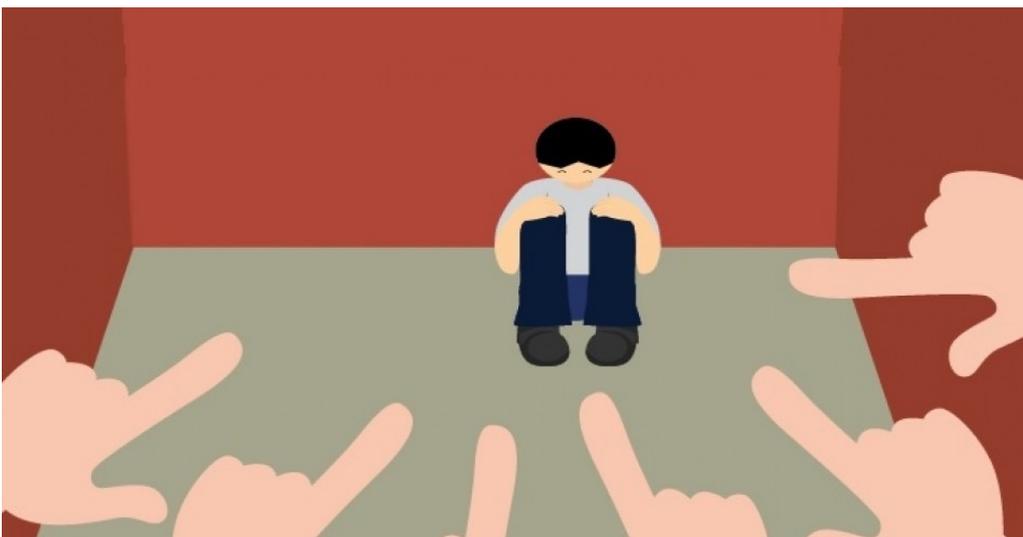
Types of bullying

But what types of bullying exist? According to the National Center Against Bullying (NCAB), bullying can be categorized according to different criteria.

1. Verbal bullying

Verbal bullying or verbal bullying is characterized in that the bully expresses cruel words, insults, threats, intimidation, jokes and excludable phrases about the victim's appearance, sexual status, ethnicity, race or disability. Children are more sensitive to such comments.

Example: When a child tells another child: "You are very, very fat, and your mother is too."



2. Physical Bullying

Physical bullying is characterized by aggressive and intimidating behavior on the part of the harasser, which includes kicks, blows, tripping, blocking or pushing. It is the most well-known form of Bullying.

Example: A child is bullied by another child who lowers his pants at recess

How to detect it?

Unfortunately, many children do not tell their parents what has happened. But parents can detect if their child is suffering from physical bullying because this type of bullying often leaves marks on the victim's body, which sends a warning signal. Some of these body marks are: cuts, bruises, broken clothes, etc. In addition, the victim may frequently complain of headaches or stomachaches.

3. Social or relational bullying

This type of bullying is more complicated to detect and usually happens behind the victim's back. The goal is usually that the person does not join or join a group. Whether in the dining room, in the recreational football matches, or in any social or educational activity of the center, the victim is either denied or disowned by his or her peers.

Example: A group of girls in a gym class take their pictures on a party in which one of the girls in the class was not invited, and when she is present, they treat her as if she were invisible.

How to detect it?

Often the victim shows mood swings, avoid peer groups and is only more than normal. Girls are more likely to suffer from this type of bullying. The emotional pain produced by social bullying can be as intense as that suffered by physical bullying and the sequelae can last even longer.

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5. Cyberbullying

Cyberbullying is a phenomenon that has been born due to the rise of social networks. It is characterized by harassment or intimidation produced through social networks, text messages and emails. Through the digital medium, the stalker disseminates false rumors, lies, threats, sexist or racist comments, causing enormous discomfort and psychological and emotional problems in the victim.

Example: When a guy tweets or publicly signs a facebook status, "Ramon is a loser. How can I have a girlfriend? Surely his girlfriend only wants him for the money. "

How to detect it?

It is possible that the cyberbullying victim spends a lot of time online and is sad and anxious afterwards. In addition, the person who suffers from this type of harassment (and any form of bullying) may have trouble sleeping, and may beg not to go to school, absent from activities that previously enjoyed.

Bibliographic references:

- De Acevedo, A. (2010). *Alguien me esta molestando: el bullying*. Ediciones B.
- Barri, F. (2006). *S.O.S. Bullying: Prevenir el Acoso Escolar y Mejorar la Convivencia*. Praxis, S.A

YOUTH FIELD IN ITALY



TYPICAL PROBLEMS AND CONFLICTS OF YOUNG PEOPLE UNDER 24

120,000 Italian teenagers live in the house. We are the first place in Europe for use in psychopharmaceuticals. Many guys do not even care about sexuality, and others in couples live the oldest stereotypes of gender. Adolescents today are more than ever "fragile superheroes". Part of the problem lies in the teenage family that is today in the world.

Today's teenagers, especially males, are almost no longer interested in girls, the discovery of sexuality, the first love ... They are all taken by the drug or the other side isolated on their smartphones, or completely withdrawn.

The phenomenon of social retirement is becoming more and more worrying, so teenagers, mostly boys between the third and the early grades, retire from school and from all social contexts and volunteer themselves at home.

The smartphone becomes a way of protection for the difficulties from the point of view of sociality.

Social retribution: The blame is not on the Internet, but it is the difficulty of dealing with the evolutionary tasks typical of this age, the collapse of the ideals and the psychological sufferings that push these guys to feel inadequate, not in line with expectations.

Drug Dependence: Over the last five years, there has been a steady increase in the last twelve months by Italian students between 15 and 19 years of use of cannabis (22% to 27%) and stimulants (from 2 , 3% to 2.7%) while, with regard to the consumption of psycho-pharmaceuticals without a prescription, young Italians are at the top of the European ranking.

Consumption is because they fill a gap, if there is a lot of sports, school, politics, love, friends in the teenager's life - there is little room for substances as well as the temptation of 'isolation.

"Fragile Superheroes," these are the adolescents: because they "coexist two strong traits: omnipotence, invincibility, conquest, and on the other the fragility of the not yet. A coexistence experienced with great difficulty both by the teenager and by the family, the school, the services.

It's a characteristic adaptability of adolescence that has always been, it is true, "but these features are now emphasized by the greater possibilities: new technologies, transport, economic size, and adolescents today have more economic availability than before.

In the family today there is a mixing, a fusion that is not good. If I am melted with my parents, I can not differentiate. Thinking about teenage sexuality, looked so kindly and often hosted at home, is an impoverishment, because it becomes less "yours", there is less processing. Or, more trivially, the fact that parents dress like a teenage son, and at some point the child shouts and shouts at the parent "you have to be different from me, in the future we will see how to meet us but not now." All of this has a very strong edge in the school, as we know, with the parent who no longer plays the role of strong figure who joins the school but who otherwise colludes with his son, weakening the role of the teachers.

A strong appeal to adults to face conflict with adolescents: "They must have the courage to face conflicts and not avoid them. We do not want to be authoritarian, far away, we try to be different from our parents, but healthy conflict is a driving force for growth. You can be close to your children and your students without being friends or not being screaming. We often avoid conflict because we are afraid, we adults, to be judged badly, that children and students tell of us "this is a

grunt that always disturbs." Patience, we must put it to our head: if this is the parent's job, the adult, it's important to do it! "

YOUTH MEDIATION

Solutions through Mediation:

1. Mediation profiles

There are several approaches to deal with the existing situations of difficulties among Young people:

- Mediation in conflict situation between young people
- Mediation in conflict situation in family
- Mediation with vulnerable young
- Mediation and integration for foreigners
- Mediator in drug dependence
- Intercultural mediator
- Social mediator
- Mediator in communication

There are training for monitors to deal with the difficulties in the form of seminars, work groups, coaching seminars, etc.

They all have a non-formal approach and basically consist of transmission of work experience from senior to junior teachers.

2. Mediation for teachers and social workers

There are two teaching profiles which come close to some kind of professional figures however they are not officially recognized:

- Educational mediation
- Community Mediation Program

3. Official qualifications existing:

There is just one official qualification existing: “Youth Mediators Drug Addiction Prevention”

This on-line course of 300 hours leads to the officially recognized title for youth mediators for Young drug dependents.

Students with a university degree (grade or master), can study on-line the course. It finishes with an official DIPLOMA certifying the training acquired.

It is recognized by the Spanish Ministry of Justice, which register candidates and give them official access to register to the Ministry of Justice.

SUMMARY OF THE TRAINING METHODS

1. Training day

Name of exercise: PRESENTATION OF THE GROUP MEMBERS WITH DIXIT CARD

Time allocation: 45 mins

Description of the exercise: every participants should choose 3 cards based on

1. what is typical of you
2. how do you feel now
3. how are you now with mediation

and make a self introduction to the group members using the 3 cards

Goal of the exercise:

Self introduction

Getting to know each other in the group

Lear and experience that during the mediation people should talk about themselves

Training equipment:

Dixit card

Name of exercise: FINISHING SENTENCES

Time allocation: 15 min

Description of the exercise: everybody should finish the same 5 sentences with their own thoughts

When I'm in a conflict...

I usually solve my conflicts....

My communication style is....

Youth field is...

Mediation for me...

Goal of the exercise:

Getting to know each other more

To understand that we are different and it's good!

Training equipment:

sentences

Name of exercise: VALUE TEST BY SCHWARTZ



The scale you completed was the "Schwartz Value Survey," created by Shalom Schwartz at Hebrew University, Israel.

The scale measures the degree to which you value each of ten domains that Schwartz has found across many cultures. Values are defined as "desirable, trans-situational goals, varying in importance, that serve as guiding principles in people's lives."

The idea behind the scale is that there is an internal order and structure to values. Using various statistical techniques, Schwartz has found that the ten basic human values show a pattern of relationships that can be graphed as a circle (see below). Values that are next to each other are closely related; values that are across from each other tend to be opposed, or tend not to be strongly endorsed by the same person. Political liberals have been found to endorse the "openness to change" values, while conservatives are more likely to endorse the "conservation" values. We have put this

scale up on Yourmorals.org because we are interested in learning how Schwartz's ten values (which include moral and non-moral values) relate to the "five foundations of morality" theory from Haidt and Graham, as measured by the "Moral Foundations Questionnaire."

The values are described by Schwartz as follows:

POWER: Social status and prestige, control or dominance over people and resources

ACHIEVEMENT: Personal success through demonstrating competence according to social standards

HEDONISM: Pleasure or sensuous gratification for oneself

STIMULATION: Excitement, novelty, and challenge in life

SELF-DIRECTION: Independent thought and action - choosing, creating, exploring

UNIVERSALISM: Understanding, appreciation, tolerance, and protection for the welfare of all people and for nature

BENEVOLENCE: Preservation and enhancement of the welfare of people with whom one is in frequent personal contact

TRADITION: Respect, commitment, and acceptance of the customs and ideas that traditional culture or religion provide

CONFORMITY: Restraint of actions, inclinations, and impulses likely to upset or harm others and violate social expectations or norms

SECURITY: Safety, harmony, and stability of society, of relationships, and of self

source: https://www.yourmorals.org/schwartz_process.php

Name of exercise: DISC TEST

Instructions: You can find 4 words in every row. Choose 1 word in each row which you think describes you the most. Complete all 40 rows the same way and please mind to mark 1 word/row.

Strengths

1.	<input type="radio"/> Adventurous	<input type="radio"/> Conformist	<input type="radio"/> Vital/ animated	<input type="radio"/> Analytical
2.	<input type="radio"/> Persistent	<input type="radio"/> Team player	<input type="radio"/> Persuasive	<input type="radio"/> Peaceful
3.	<input type="radio"/> Submissive	<input type="radio"/> Self-sacrificing	<input type="radio"/> Sociable	<input type="radio"/> Has a strong will
4.	<input type="radio"/> Considerate	<input type="radio"/> Earnest	<input type="radio"/> Competitive	<input type="radio"/> Engaging
5.	<input type="radio"/> Refreshing	<input type="radio"/> Respectful	<input type="radio"/> Reserved	<input type="radio"/> Adroit
6.	<input type="radio"/> Conformist	<input type="radio"/> Sensitive	<input type="radio"/> Straight forward	<input type="radio"/> Temperamental
7.	<input type="radio"/> Planner	<input type="radio"/> Patient	<input type="radio"/> Determined	<input type="radio"/> Innovative
8.	<input type="radio"/> Confident	<input type="radio"/> Informal	<input type="radio"/> Prefers routine	<input type="radio"/> Reserved
9.	<input type="radio"/> Tidy	<input type="radio"/> Helpful	<input type="radio"/> Explicit	<input type="radio"/> Optimistic
10.	<input type="radio"/> Friendly	<input type="radio"/> Faithful	<input type="radio"/> Funny	<input type="radio"/> Virtuous
11.	<input type="radio"/> Brave	<input type="radio"/> Charming	<input type="radio"/> Diplomatic	<input type="radio"/> Precise
12.	<input type="radio"/> Cheerful	<input type="radio"/> Consistent	<input type="radio"/> Sophisticated	<input type="radio"/> Self-conscious
13.	<input type="radio"/> Idealist	<input type="radio"/> Independent	<input type="radio"/> Neutral	<input type="radio"/> Inspiring
14.	<input type="radio"/> Communicative	<input type="radio"/> Decisive	<input type="radio"/> Acerbic	<input type="radio"/> Deep
15.	<input type="radio"/> Peacemaker	<input type="radio"/> Punctual	<input type="radio"/> Active	<input type="radio"/> Sociable
16.	<input type="radio"/> Attentive	<input type="radio"/> Tireless	<input type="radio"/> Talkative	<input type="radio"/> Understanding
17.	<input type="radio"/> Good listener	<input type="radio"/> Loyal	<input type="radio"/> Leader	<input type="radio"/> Fresh
18.	<input type="radio"/> Content	<input type="radio"/> Bossy	<input type="radio"/> Writes lists	<input type="radio"/> Neat
19.	<input type="radio"/> Perfectionist	<input type="radio"/> Pleasant	<input type="radio"/> Successful	<input type="radio"/> Popular
20.	<input type="radio"/> Happy	<input type="radio"/> Fearless	<input type="radio"/> Polite	<input type="radio"/> Balanced

Weaknesses

21.	○ Pokerface	○ Timid	○ Exhibitionist	○ Bossy
22.	○ Undisciplined	○ Insensitive	○ Reluctant	○ Resentful
23.	○ Closed	○ Easily offended	○ Resistant	○ Repetitive
24.	○ Fault-finder	○ Afraid	○ Forgetful	○ Too honest
25.	○ Impatient	○ Insecure	○ Hesitant	○ Interrupter
26.	○ Unpopular	○ Disinterested	○ Unpredictable	○ Unloved
27.	○ Pigheaded	○ Random	○ Insatiable	○ Waverer
28.	○ Plain	○ Pessimist	○ Arrogant	○ Permissive
29.	○ Hot-headed	○ Aimless	○ Argumentative	○ Distant
30.	○ Naive	○ Repulsive	○ Frampler	○ Careless
31.	○ Worrying	○ Reserved	○ Workaholic	○ Wants to be popular
32.	○ Over-sensitive	○ Indiscreet	○ Shy	○ Blabber
33.	○ Doubter	○ Disorganized	○ Domineering	○ Lethargic
34.	○ Inconsistent	○ Introvert	○ Intolerant	○ Apathetic
35.	○ Messy	○ Whimsical	○ Mumbler	○ Manipulative
36.	○ Slow	○ Stubborn	○ Too exhibitionist	○ Unbeliever
37.	○ Self-absorbed	○ Supercilious	○ Lazy	○ Loud
38.	○ Slothful	○ Suspicious	○ Aggressive	○ Lightheaded
39.	○ Vindictive	○ Restless	○ Unwilling	○ Precipitant
40.	○ Opportunist	○ Critical	○ Devious	○ Volatile

Instructions: Now pair all your answers with the ones in the corresponding columns of the evaluation sheet and summarize the quantity of characteristics below each of them. (Please note the following: The order of the personal features are changed!)

Strengths

	Networker (yellow)	Leader (red)	Analyzer (blue)	Supporter (green)
1.	<input type="radio"/> Vital/animated	<input type="radio"/> Adventurous	<input type="radio"/> Analytical	<input type="radio"/> Conformist
2.	<input type="radio"/> Team player	<input type="radio"/> Persuasive	<input type="radio"/> Persistent	<input type="radio"/> Peaceful
3.	<input type="radio"/> Sociable	<input type="radio"/> Has a strong will	<input type="radio"/> Self-sacrificing	<input type="radio"/> Submissive
4.	<input type="radio"/> Engaging	<input type="radio"/> Competitive	<input type="radio"/> Earnest	<input type="radio"/> Considerate
5.	<input type="radio"/> Refreshing	<input type="radio"/> Adroit	<input type="radio"/> Respectful	<input type="radio"/> Reserved
6.	<input type="radio"/> Temperamental	<input type="radio"/> Straight forward	<input type="radio"/> Sensitive	<input type="radio"/> Conformist
7.	<input type="radio"/> Innovative	<input type="radio"/> Determined	<input type="radio"/> Planner	<input type="radio"/> Patient
8.	<input type="radio"/> Informal	<input type="radio"/> Confident	<input type="radio"/> Prefers routine	<input type="radio"/> Reserved
9.	<input type="radio"/> Optimistic	<input type="radio"/> Explicit	<input type="radio"/> Tidy	<input type="radio"/> Helpful
10	<input type="radio"/> Funny	<input type="radio"/> Virtuous	<input type="radio"/> Faithful	<input type="radio"/> Friendly
11	<input type="radio"/> Charming	<input type="radio"/> Brave	<input type="radio"/> Precise	<input type="radio"/> Diplomatic
12	<input type="radio"/> Cheerful	<input type="radio"/> Self-conscious	<input type="radio"/> Sophisticated	<input type="radio"/> Consistent
13	<input type="radio"/> Inspiring	<input type="radio"/> Independent	<input type="radio"/> Idealist	<input type="radio"/> Neutral
14	<input type="radio"/> Communicative	<input type="radio"/> Decisive	<input type="radio"/> Deep	<input type="radio"/> Acerbic
15	<input type="radio"/> Sociable	<input type="radio"/> Active	<input type="radio"/> Punctual	<input type="radio"/> Peacemaker
16	<input type="radio"/> Talkative	<input type="radio"/> Tireless	<input type="radio"/> Attentive	<input type="radio"/> Understanding
17	<input type="radio"/> Fresh	<input type="radio"/> Leader	<input type="radio"/> Loyal	<input type="radio"/> Good listener
18	<input type="radio"/> Neat	<input type="radio"/> Bossy	<input type="radio"/> Writes lists	<input type="radio"/> Content
19	<input type="radio"/> Popular	<input type="radio"/> Successful	<input type="radio"/> Perfectionist	<input type="radio"/> Pleasant
20	<input type="radio"/> Happy	<input type="radio"/> Fearless	<input type="radio"/> Polite	<input type="radio"/> Balanced
Strengths Total				

Weakness

	Networker (yellow)	Leader (red)	Analyzer (blue)	Supporter (green)
21	○ Exhibitionist	○ Bossy	○ Timid	○ Pokerface
22	○ Undisciplined	○ Insensitive	○ Resentful	○ Reluctant
23	○ Repetitive	○ Resistant	○ Easily offended	○ Closed
24	○ Forgetful	○ Too honest	○ Fault-finder	○ Afraid
25	○ Interrupter	○ Impatient	○ Insecure	○ Hesitant
26	○ Unpredictable	○ Unloved	○ Disinterested	○ Unpopular
27	○ Random	○ Pigheaded	○ Insatiable	○ Waverer
28	○ Permissive	○ Arrogant	○ Pessimist	○ Plain
29	○ Hot-headed	○ Argumentative	○ Distant	○ Aimless
30	○ Naive	○ Frampler	○ Repulsive	○ Careless
31	○ Wants to be popular	○ Workaholic	○ Reserved	○ Worrying
32	○ Blabber	○ Indiscreet	○ Over-sensitive	○ Shy
33	○ Disorganized	○ Domineering	○ Lethargic	○ Doubter
34	○ Inconsistent	○ Intolerant	○ Introvert	○ Apathetic
35	○ Messy	○ Manipulative	○ Whimsical	○ Mumbler
36	○ Too	○ Stubborn	○ Unbeliever	○ Slow
37	○ Loud	○ Supercilious	○ Self-absorbed	○ Lazy
38	○ Lightheaded	○ Aggressive	○ Suspicious	○ Slothful
39	○ Restless	○ Precipitant	○ Vindictive	○ Unwilling
40	○ Volatile	○ Devious	○ Critical	○ Opportunist
Weaknesses Total				
Strengths and Weaknesses Total				

2. Training day

Name of exercise: HANDLING DIFFICULT SITUATIONS

When you are in conflict with another person, his actions may resemble the behavior of one of these animals.

Eagle

Benefits: Suggest for yourself, express your ideas.

Disadvantages: Ignore the other, often see only yourself.

Turtle

Advantages: Suffer little, do not suffer.

Disadvantages: Looks weak, there is no relationship, you are afraid of the conflict.

Fox

Benefits: Satisfy some of your needs

Disadvantages: Looks like an opportunist, prevails on the payoff.

Chameleon

Advantages: Make the other satisfied, you are able to listen and understand other people.

Disadvantages: To renounce your needs, feel passive, you do not know how well you are and really what you want.

Dolphin

Benefits: Seek collaboration, both are satisfied.

Disadvantages: You need a lot of time and energy, you can not always work.

We are not always a single animal: we are a mixture, or we are different depending on the situation.

Conflicts are as complex as day-to-day experiences and conflicts can be learned a lot

If we are a mixture of these animals, try to ask what kind of strategy we use to deal with conflicts:

Fill your chart with a cake with
 "The mix of beasts you are!"

Name of exercise: INTEGRITY TEST

INTEGRITY is the tendency to be yourself in relation to the choices to be made, as well as in relationships with others.

Read the following phrases and assign a value to match your personal values:

PHRASES	VERY MATCHING	CORRESPONDING	NOT RELEVANT	NOT MATCHING
It is more important to be myself than to be popular				
My life is guided by my values				
It is important for me to be open and honest about my feelings				
I do not like people who pretend to be what they are not				
I feel free to choose my way of being				
When people say the truth things work				
TOTAL ASSIGNMENT				
	VERY HIGH INTEGRITY	AVERAGE INTEGRITY	LOW INTEGRITY	VERY LOW INTEGRITY

Name of exercise: TEST ON IMPARTIBILITY

IMPARTIBILITY, like fairness, is the philosophical and emotional process through which people determine what is right and what is wrong and is the basis for developing game rules that are useful for the development of relationships.

Read the following phrases and assign a value to match your personal values:

PHRASES	VERY MATCHING	CORRESPONDING	NOT RELEVANT	NOT MATCHING
It is wrong to "use" people				
I do not want to be deceived or deceived				
Each relationship needs game rules				
We are responsible for our behavior				
If what society says goes against my ethics, I openly open it				
My relationships always have clear and negotiated rules				
TOTAL ASSIGNMENT				
	VERY HIGH INTEGRITY	AVERAGE INTEGRITY	LOW INTEGRITY	VERY LOW INTEGRITY

3. Training day

Name of exercise: COMMUNICATION STYLES TEST

Please rate the following statements on a scale from 0 to 5 depending on how true you consider them. 0 = not at all true 5= completely true

- | | |
|--|-------------|
| 1.I am often afraid of what other people think about me. | 0 1 2 3 4 5 |
| 2.I tend to recline upon (lean on) other people. | 0 1 2 3 4 5 |
| 3.If I want to know something, I ask questions. | 0 1 2 3 4 5 |
| 4.I usually feel good about myself. | 0 1 2 3 4 5 |
| 5.I like to avoid eye contact. | 0 1 2 3 4 5 |
| 6.I reject other people's ideas soon. | 0 1 2 3 4 5 |
| 7.I am often impatient with other people. | 0 1 2 3 4 5 |
| 8.I tend to feel lonely. | 0 1 2 3 4 5 |

- 9.I often think that people will not like me. 0 1 2 3 4 5
- 10.I essentially like my job. 0 1 2 3 4 5
- 11.I often feel offended. 0 1 2 3 4 5
- 12.People are annoying. 0 1 2 3 4 5
- 13.I often feel that I cannot trust people. 0 1 2 3 4 5
- 14.I tend to blame others when thing do not work out well. 0 1 2 3 4 5
- 15.I easily feel criticized. 0 1 2 3 4 5
- 16.I am often the only person who is able to solve a task. 0 1 2 3 4 5
- 17.I often think about how I could take revenge on others. 0 1 2 3 4 5
18. I usually feel that I am equal to others. 0 1 2 3 4 5
19. I usually let other people decide instead of me. 0 1 2 3 4 5
20. I rarely compliment other people. 0 1 2 3 4 5
21. I tend to think that others are better than me. 0 1 2 3 4 5
22. I always suspect a secret agenda when someone asks me something. 0 1 2 3 4 5
23. I usually like sharing ideas with others. 0 1 2 3 4 5
24. I often get appreciation for what I do. 0 1 2 3 4 5

Evaluation

Please write down to each field the number of points you have given to every statement (the numbers in the fields indicate the statement's number).

Passiveness	Manipulativeness	Aggressiveness	Assertiveness
1.	8.	6.	3.
2.	11.	7.	4.
5.	13.	12.	10.
9.	15.	14.	18.
19.	17.	16.	23.
21.	22.	20.	24.
Total:	Total:	Total:	Total:

Name of exercise: PROUST QUESTIONNAIRE

The Proust Questionnaire has its origins in a parlor game popularized (though not devised) by Marcel Proust, the French essayist and novelist, who believed that, in answering these questions, an individual reveals his or her true nature. Here is the basic Proust Questionnaire.

- __1.__ What is your idea of perfect happiness?
- __2.__ What is your greatest fear?
- __3.__ What is the trait you most deplore in yourself?
- __4.__ What is the trait you most deplore in others?
- __5.__ Which living person do you most admire?
- __6.__ What is your greatest extravagance?
- __7.__ What is your current state of mind?
- __8.__ What do you consider the most overrated virtue?
- __9.__ On what occasion do you lie?
- __10.__ What do you most dislike about your appearance?
- __11.__ Which living person do you most despise?
- __12.__ What is the quality you most like in a man?
- __13.__ What is the quality you most like in a woman?
- __14.__ Which words or phrases do you most overuse?
- __15.__ What or who is the greatest love of your life?
- __16.__ When and where were you happiest?
- __17.__ Which talent would you most like to have?
- __18.__ If you could change one thing about yourself, what would it be?
- __19.__ What do you consider your greatest achievement?
- __20.__ If you were to die and come back as a person or a thing, what would it be?
- __21.__ Where would you most like to live?
- __22.__ What is your most treasured possession?
- __23.__ What do you regard as the lowest depth of misery?
- __24.__ What is your favorite occupation?
- __25.__ What is your most marked characteristic?
- __26.__ What do you most value in your friends?
- __27.__ Who are your favorite writers?

- __28.__ Who is your hero of fiction?
- __29.__ Which historical figure do you most identify with?
- __30.__ Who are your heroes in real life?
- __31.__ What are your favorite names?
- __32.__ What is it that you most dislike?
- __33.__ What is your greatest regret?
- __34.__ How would you like to die?
- __35.__ What is your motto?

4. Training day

Name of exercise: 4 STEPS OF NON-VIOLENT COMMUNICATION

Clearly expressing how I am without blaming or criticizing	Empathically receiving how you are without hearing blame or criticism
OBSERVATIONS	
1. What I observe (<i>see, hear, remember, imagine, free from my evaluations</i>) that does or does not contribute to my well-being: "When I (see, hear) . . . "	1. What you observe (<i>see, hear, remember, imagine, free from your evaluations</i>) that does or does not contribute to your well-being: "When you see/hear . . . " <small>(Sometimes unspoken when offering empathy)</small>
FEELINGS	
2. How I feel (<i>emotion or sensation rather than thought</i>) in relation to what I observe: "I feel . . . "	2. How you feel (<i>emotion or sensation rather than thought</i>) in relation to what you observe: "You feel . . . "
NEEDS	
3. What I need or value (<i>rather than a preference, or a specific action</i>) that causes my feelings: ". . . because I need/value . . . "	3. What you need or value (<i>rather than a preference, or a specific action</i>) that causes your feelings: ". . . because you need/value . . . "
Clearly requesting that which would enrich my life without demanding	Empathically receiving that which would enrich your life without hearing any demand
REQUESTS	
4. The concrete actions I would like taken: "Would you be willing to . . . ?"	4. The concrete actions you would like taken: "Would you like . . . ?" <small>(Sometimes unspoken when offering empathy)</small>

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5. Training day

Name of exercise: LET'S GO TO MEDIATION!

Time allocation: 150 mins

Description of the exercise:

Participants get roles and a mediation situation. The mediator also gets sentences(positive, negative and neutral) he/she needs to use while leading the mediation process. The audience needs to take notes on how the two parties in mediation react to or right after the sentences. Debriefing of activity: Asking the role play participants to share their feelings and thought. Sharing and discussing the audience's notes.

Goal of the exercise:

Experience and focus on positive communication in mediation

Getting to know more about the role of the mediator at the creation of the final agreement

Training equipment:

Mediation situation description

Sentences (positive, negative and neutral)

"You should say more!"

"How do you feel about this?"

"Thank you for sharing your feelings"

"What kind of solution can you imagine?"

"This is not a good solution"

Name of exercise: FORMAL MEDIATION SESSION AGREEMENT

Time allocation: 180 mins

Description of the exercise:

1. Theoretical teaching: Presentation about the formal agreement template. Analysis of the necessary elements in a big group and discussing the additional possibilities.
2. Group work on creating a formal agreement on imaginary cases. Presentation of group work outcome to fellow participants. Big group discussion: The suggested look of the formal agreement. Number of copies, archive, etc.

Goal of the exercise:

Getting to know the necessary elements of the final agreement

Practice in creation of final agreement

Training equipment:

Presentation about the formal agreement template (prepared by the trainer)

Paper, pens

Name of exercise: WHAT HAPPENS AFTER MEDIATION?

Time allocation: 60 mins

Description of the exercise:

Designing the possible "future life" of a mediation session. Discussing ways and timeness of follow up in mediation. Writing ideas on post-its and putting them on the wall. Creating a timeline of the "future life" of the mediation session.

Goal of the exercise:

Getting to know how to close and follow up the mediation process

Training equipment:

Pens

Post-its

6. Training day

Name of exercise: JUST YOUNG, NOT STUPID!

Time allocation: 150 mins

Description of the exercise:

Personal SWOT analysis - "how am I while working with young people?" - Outcome: competences, skills, attitude, mindset shared. Participants needs to understand how they stand with these competences and what they need to develop.

Sharing outcomes in small groups, then creating a chart of youth specific competences in the big group.

Goal of the exercise:

Establishing the mindset needed to approach young people and conflicts that involve youth.

Improving field competence

Training equipment:

SWOT analysis flipchart (prepared by trainer)

Paper, pens

Name of exercise: REALITY CHECK OF YOUNG PEOPLE

Time allocation: 90 mins

Description of the exercise:

Small group work by creating a mindmap on what is effecting young people and where they stand in society. Sharing of outcomes

Goal of the exercise:

Understanding the reality of young people

Training equipment:

Colorful pens and markers

Big paper

Name of exercise: TELL ME IN A WAY I UNDERSTAND!

Time allocation: 90 mins

Description of the exercise:

Youth workers' communication with young people is getting analysed. An external speaker (live or video) shares best practices on how to communicate with young people. Prior the speaker's presence participants need to come up with 3 questions about the topic and ask them from the speaker after the speech/lecture.

Summary of Dale Carnegie's "How to win friends and influence people" - Discussion on how we can use the messages of this book to work with young people - Being liked, but also respected and trusted by them.

Goal of the exercise:

Understanding the way of communication with youth

Training equipment:

Summary of Dale Carnegie's "How to win friends and influence people" (<https://www.youtube.com/watch?v=EXov-K47bj8>)

Invitation of external speaker (online or offline)

Name of exercise: GUIDELINES FOR WORKING WITH YOUNG PEOPLE

Time allocation: 60 mins

Description of the exercise:

Getting back to the reality check of young people the participants prepared earlier. Discussing the challenges and possibilities these give us while mediating on a case where youth is involved.

Method: Individual thought created by participants, these being grouped on the wall and creating guidelines from them.

Goal of the exercise:

Creating a guideline that helps participants understand youth

Training equipment:

Post-its

pens/markers

7. Training day

Name of exercise: SAYING GOODBYE, GIVING FEEDBACK TO ONE ANOTHER

Time allocation: 30 mins

Description of the exercise:

Writing personal message to everybody in the training group about: what did I learned from you..., what did I received from you..., what I wish to you

Giving it to each other

Goal of the exercise:

Express feelings about the training and each other

Self-reflexion

Giving a nice memory to each other

Training equipment:

Colorful pens

Colorful cards

Name of exercise: PREPARING COMMON COLLAGE

Time allocation: 30 mins

Description of the exercise:

Creating a collage of text and photos about mediation, their experience, feelings and the personal impressions of the participants, as well as about the project

Goal of the exercise:

Creating something together

Group experience

Training equipment:

Colorful pens

Newspapers

Glue

Sissor

Big paper