







## 2. TO MEDIATE OR NOT TO MEDIATE?

 <b>Target group:</b> Young people aged 16-30 Youth workers aged 18+	 <b>Group size:</b> 6 minimum 12-24 optimum
 <b>Duration:</b> 90 - 120 minutes	 <b>Type of activities:</b> Drama exercises Personal sharing Active involvement
 <b>Resources:</b> Standard	 <b>Atmosphere needed:</b> Safe space for sharing

### Aim



Introducing participants to the topic of mediation: principles and skills needed to mediate a conflict.

### Learning Outcomes

- Understanding that mediation is one of the conflict resolution methods (ADR).
- Learning the principles of mediation.
- Discovering that mediation is useful and practical in everyday conflicts.
- Experiencing some mediation-related skills.

### Facilitators

Three facilitators or workshop leaders are recommended for this workshop. This is mainly because of the “fishbowl” exercise. However, some of the roles in this exercise can be substituted by one or two participants. They should be briefed and prepared in advance.

## Intro to the workshop (5 min)

Welcome the participants. Invite them to engage in a small energiser of their or your choosing. Explain the title of the workshop and main learning outcomes to be achieved.

## EXERCISE 1. YES/NO STATEMENTS (20 -25 MIN)

This task allows participants to reflect on their understanding of mediation and learn its main features.

Make a line across the workshop room (with a paper tape). On one side of the room put a YES sign, on the other NO. Stand on the line and explain to the group that you will give them different statements. Those who agree with the statement should go to the YES side, those who do not agree will go to NO. Those who do not know should stay in the middle, however it is better to choose YES or NO.

Read to the participants each statement below and wait for them to take up their positions. Then ask them about their opinion and reasoning. Once everyone who wants to has spoken, give the proper answer to the statement and explain it to the group.

### Statements:

1. Mediation = negotiation with a facilitator's support.
2. A mediator decides about the solution to the conflict.
3. A mediator can have a private relationship with one of the parties.
4. Mediation can be compulsory.
5. Mediation is confidential.
6. A mediator can be engaged in the conflict.

At the end of the exercise explain the following five mediation principles to participants:

- **NEUTRALITY** - mediator should be neutral toward the subject matter of the mediation.

- **VOLUNTARY** - taking part in mediation is a matter of free choice and all sides must intend to resolve the conflict.
- **CONFIDENTIALITY** - agreement between both sides and the mediator that the process will not be divulged, also the mediator should not disclose information gathered from one side to the other.
- **OBJECTIVITY** - the mediator cannot take sides and must be objective.
- **ACCEPTABILITY** - the process and the solution must be acceptable to both sides.

## EXERCISE 2. MEDIATION CHARADES (25 - 30 MIN)

This task will allow participants to get familiar with diverse mediation techniques.

### Preparation

Create some cards or paper strips with words or phrases on them connected with mediation techniques, as in the list in the left hand column:



Mediation word/ phrase	Explanation/definition
active listening	showing that you are listening, summarising, clarifying, etc.
creating	creating solutions, creating opportunities
open questions	questions that need longer answers than simply yes, or no – for example: What? Where? Why? How?
emotions	recognising emotions, dealing with emotions
different words	using different words, paraphrasing
structure	planning structure of mediation, keeping order

Mediation word/ phrase	Explanation/definition
needs	finding out needs of the parties
brainstorming	making a list of all ideas from everyone without judgments about the answers
rules	establishing rules at the start of mediation, and reinforcing them
process	explaining the process, managing the process



### Instruction

Divide participants into two competitive groups (or four if the group is too big for just two groups).

The task for participants will be to guess a word or phrase related to a specific mediation technique. Each group selects a person who will act out the word or phrase to his or her own group without making any sound, and without showing letters. They can indicate on their fingers the number of words in a phrase and which word they are now showing.

The maximum time to show the word or phrase is two minutes. If the team guesses correctly then it receives a point. Then, the group must give examples of mediation techniques that are related to this word or phrase or explain what it means, as in the table above. After each round, a specific mediation technique is discussed with help of the facilitator. The winner is the team which obtains the most points.

## EXERCISE 3. FISHBOWL MEDIATION (35 -45 MIN)



### Preparation

Put three chairs facing each other in the middle of the room; two of them will be occupied by the two sides of a conflict and the third one will be left for participants who will act as mediators. The two sides could be

played by two facilitators or workshop leaders or by some participants who have been briefed before the activity starts. There must be at least one facilitator left to run the activity.

The conflict can be designed on the spot, can include a conflict that the group describes, or you can use our example below.

### Instruction



In this exercise participants can try some of the different meditation techniques mentioned earlier in the workshop. They will have a chance to act as a mediator and try to help the parties solve the conflict. The task is to try to mediate between the two sides in a conflict using the “fishbowl” method, where everyone watches the conflict happening in the middle (the “fishbowl”) and those who want to engage enter the “fishbowl” and take part in the exercise.

The facilitator presents the rules and purpose of mediation and outlines the structure to the process. He or she then leads the first moments of the mediation process, where the conflicted parties sit in the middle of the room and start arguing with each other. Then the facilitator shouts “freeze” and gives the floor to the participants.

Participants have to figure out a strategy for helping the two sides to resolve the conflict: which questions to ask, which facts to establish, how to stop the negative emotions etc. When a participant has an idea, he or she takes the third chair and continues the process of mediation until another participant wants to try. When this happens, the new mediator should call “freeze” or can touch the shoulder of the old mediator to show they would like to change. The exercise continues by replacing mediators with new participants willing to try out this role and it finishes when parties reach a settlement or time runs out.

The facilitator should encourage participants to replace mediators, use different techniques and discover the needs of the sides. He also makes sure that all participants who are willing to take an active part are engaged in the process.

The facilitator can “freeze” the scene to give feedback or to ask the participants to take interventions. Each side of the conflict should not be overly aggressive and should give a space for participants to try different techniques.



## Debriefing

Ask participants how they feel after their first mediation. Are they happy, satisfied or tired? Was it difficult? What was the most difficult? Which methods they used to facilitate the conflict? Ask participants one by one to give a comment about what or how they now associate with the term mediation.

Divide participants into groups of 3-4 people and ask them to build a common group definition of “mediation” that includes associations given by group members and write it on a flipchart. Hang created definitions on the wall and congratulate the participants for their engagement.

## Possible roles to use in the “Fishbowl” conflict exercise

- Youth worker 1

This is the last day before an international training course abroad and nothing is prepared. The materials for participants are not ready, you still need to write an educational game and perform it tomorrow outdoors. You will go hiking for three days and play outside, but you already see that the weather is getting bad and you may need a plan B. However, with logistics to arrange and methods to design, it is just simply too much for you. Everything needs to be planned 100% or it will be a catastrophe. You feel that your co-trainer has not prepared much so far. You asked him for help, but he only spent a few hours with you and left, saying that he needs to rest and he already did his part. You are angry at him because he does not support you. You are left alone and feel like no one will do the work. At the same time you are frustrated and sad as you feel a lack of respect of your work from his side. You approach him and a fight starts.

- Youth worker 2

This is the last day before an international training course abroad and you have to prepare yourself. You have been traveling a lot recently and are really tired. You need to regain your strength and be ready for the upcoming days. You are a very experienced trainer and you feel confident in your ability to improvise. You are planning to organise an exercise outdoors with the group, while hiking, for which you are very excited because you like designing outdoor games on the spot. You have divided your responsibilities with your co-trainer before and you are pretty sure that you already did everything she asked you to do. You were planning to prepare everything in advance, because you are a very busy person, but unfortunately your colleague did not find time for it and she has left everything to the last minute. You see that she is very nervous and spreads negative energy, which is the last thing you need at this point. That is why you do not understand why she picks a fight with you all of a sudden and offends you.