

Newsletter 6 of MEDIATS project May-June 2020

Dear Partners!

We are very happy that this newsletter contains valuable information and links to media content from all our partners! It demonstrates that the project finally is getting up speed and we are moving to successful results and making impact on our countries. Thank you very much for your efforts and contribution!



In this issue:

Online conference on the Erasmus + MEDIATS project.....	3
News from UCAM	4
Article of UCAM. THE COVID-19 PANDEMIC IN SPAIN, AN OPPORTUNITY FOR MEDIATION.....	5-6
News from Turiba. VIDEO ABOUT MEDIATION IN 6 EU COUNTRIES	7
News from Khazar. Info Session on “MBA in Mediation”. MBA in MEDIATION.....	8
News from GSU. Videos about the program	9
News from ISU. ISU signed Memorandum with Georgian Association of Mediators. Presentation of Programs Online. Development of Mediation Module in the conditions of COVID-19.....	10-11
News from BSU. Staff Training at BSU. BSU is preparing to sign the memorandum of understanding with Mediation Center page Development of Mediation Clinic.....	12-13
News from KROK. The Course "Organization of research in the field of mediation". EANET reinforces MEDIATS. Feedback about Training on Mediation Program from Students of KROK.....	14-17
News from KGNU. Online consultations with EU experts. Scientific articles in Mediation	18-19
News from CHNU. Events of CHNU Project Team of MEDIATS Project.....	20-23
Article of CHNU. RHIZOMATICITY OF MEDIATION.....	24-27
Article of CHNU. THE FIRST HONEY OF MEDIATION.....	27-29

“The European Commission’s support for the production of this publication does not constitute an endorsement of the contents, which reflect the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein”.

Online conference on the Erasmus + MEDIATS project

On June 2, 2020, an online conference on the Erasmus + MEDIATS project was held. This conference was dedicated to the development of master's programs in mediation in the partner universities of the project.

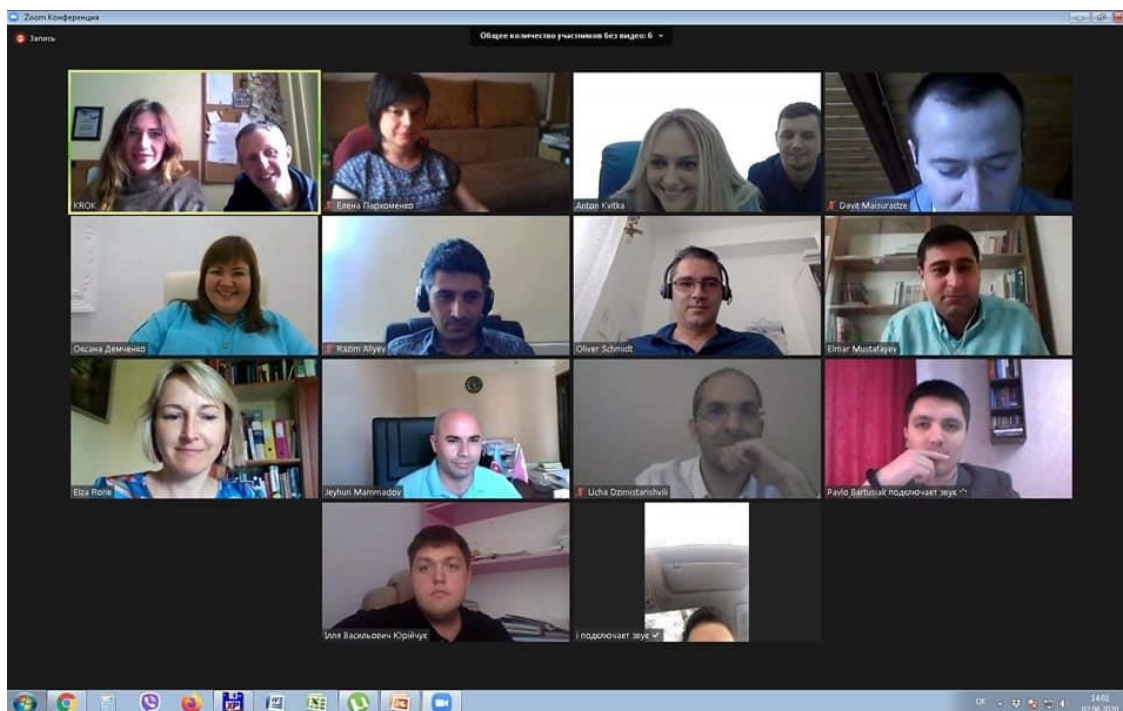
During the conference, project partners from Azerbaijan, Georgia and Ukraine presented the developed master's programs in mediation at their universities and identified prospects and features of the development of mediation in their countries. The participants also had a discussion of key points of implementation and dissemination of information about the project and training in European universities under quarantine, and had identified directions to reduce existing risks.

European partners from the Netherlands, Spain and Latvia spoke about the experience of mediation development in their countries, as well as provided comments and recommendations on the developed master's programs. Together with the project coordinators, the participants outlined the next steps for the development of the MEDIATS project.

The conference was organized by Karazin Business School of V.N. Karazin Kharkiv National University, on the basis of which the master's program will be implemented from September 2020. The conference was held on the ZOOM platform with a total number of participants was about 40 persons.

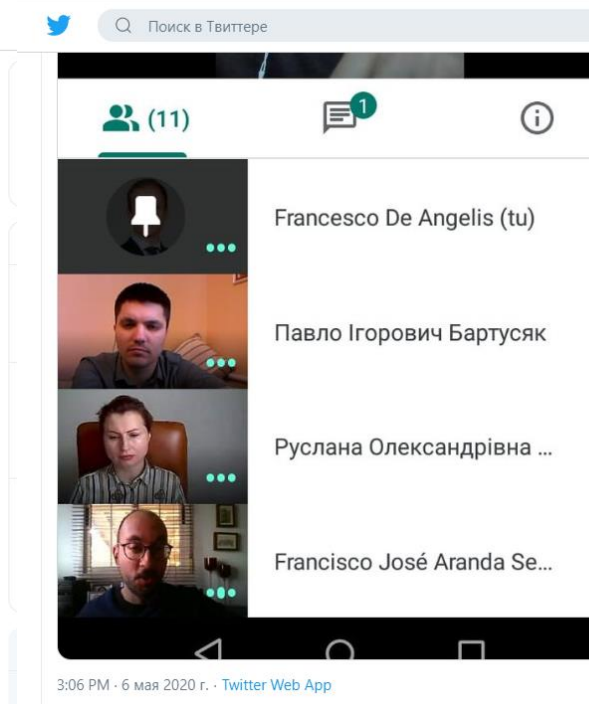
Proceedings of the conference can be viewed on the link <https://youtu.be/dXHT3pRFjaA>

We are grateful to all for participating and continue to develop mediation together!



Prepared by MEDIATS Team of KKNU

News from UCAM



THE COVID-19 PANDEMIC IN SPAIN, AN OPPORTUNITY FOR MEDIATION

It all began that day: March 14, 2020. The Royal Decree 463/2020 declared the state of alarm to "face the situation of health emergency caused by the coronavirus COVID-19". Our life was going to change forever, and with all probabilities, we were not fully aware of it.

The crisis of the coronavirus "Covid-19" is having a significant impact on the legal panorama, with a multitude of legal conflicts that arises every day. As we know, the virus has already destabilised global trading, affecting a multitude of business sectors, and has caused significant falls in the stock markets. But the most common kind is the family conflict, due to the restrictions and the indications to stay home. And we all know the negative consequences of such disputes if it is impossible to intervene and try to fix them.

In this very delicate situation, mediation (even more than other ADR) is a ray of light in a dark storm. For Spain, it is a unique opportunity to definitely spread the knowledge of this very efficient method of resolution of conflict: the opportunity must be taken, mainly because we know that generally speaking, Spanish population is still not very confident with this word.

Mediation is an ancient tool, but one that has gained relevance in recent years in all socio-economic areas and sectors, both public and private. Although, the increase in litigation and their excessive duration, as well as their cost, are factors that are part of the very structure of the legal system, and that on many occasions discourage citizens so that they finally decide not to go to the courts.

In the current circumstances of the global pandemic of Covid-19, specifically in the Spanish case, after several months of confinement and the opening of the Alarm State, mediation is a fundamental tool that can and should decongest the legal system. This should be positioned as a complementary system that collaborates effectively with the judicial system, without seeking to replace its institutions or the role of judges.

In this new scenario, and in the face of the looming socio-economic crisis, mediation is shaped as a factor that can help deal with conflicts differently than it was faced before the pandemic. Especially the figure of the mediator will stand out, who will have the possibility of interacting with the parties either electronically and by videoconference.

These extrajudicial mediations can take advantage of the tools of new technologies and communication to resolve future conflicts because although the use of technologies to resolve disputes may seem frivolous, it must be remembered that the agreements obtained in a mediation are equally effective than those of a judicial sentence.

The latest legislative reforms in Spain, reflect a spirit of streamlining judicial activity, in this context, mediation will be presented as an excellent complement, as agile and economical to settle conflicts. The Covid-19 can cause mediation exceptionality to become the rule. And this is an incredible opportunity for us.

Apart from this work of decongesting the courts and the fact that it is often necessary to gain higher speed in resolving the dispute, what these means of conflict resolution also allow is greater efficiency thanks to the use of technology, thus making them an attractive alternative for facing the challenges presented by this pandemic.

Indeed, new technologies help to implement mediation by making available to the parties solutions such as communication by e-mail between parties and institutions, the transmission of communications and written submissions between the parties and the mediator, notification to the parties by the same means, storage of information for access by the parties and the arbitral tribunal using portable or fixed storage media (for example, flash drives, DVDs, hard drives and cloud-based storage), courtroom technologies (e.g., video conferencing, multimedia presentations, "real-time" electronic translations and transcriptions), the use of electronic documents (including hyperlinks), the use of platforms that centralise data storage and retrieval, and increasingly, the use of artificial intelligence programs that assist in information processing.

A very positive example is the case of Asemed (Spanish Mediation Association). In their official website (very active in dissemination), we can find this announcement: As a consequence of the Decree creating the State of Alert in Spain, all citizens must remain in their homes until contagion is eliminated. But being at home for so long can generate conflicts between families and neighbours, which we often do not know how to reduce.

For this reason, from the SPANISH MEDIATION ASSOCIATION, we have created a FAMILY AND NEIGHBORHOOD MEDIATION PROGRAMME ONLINE to help citizens to be able to manage their conflicts.

How does it work? If you have a conflict in your home that you cannot or do not know how to manage, we can help you, to do so: Fill in the form below, including your telephone details.

2º You will be assigned a professional mediator free of charge who will contact you to inform you of the conflict you are suffering from and help you to overcome it.

This program is free of charge, so no one can charge you anything for their mediation assistance.

This is, of course, a very efficient way of promoting mediation in a challenging period, in which people have limited economic resources to spend in courtrooms and lawyers, and not much time to waste in never-ending proceedings. Investing now means to gain something more significant in the future.

This is just an example. We are confident of the possibility for mediation to become the rule in Spain, also with the support of Academic Institutions and constant research of the best way to implement it.



*Prepared by Francesco de Angelis,
expert in mediation, academic coordinator of MEDIATS project at UCAM.*

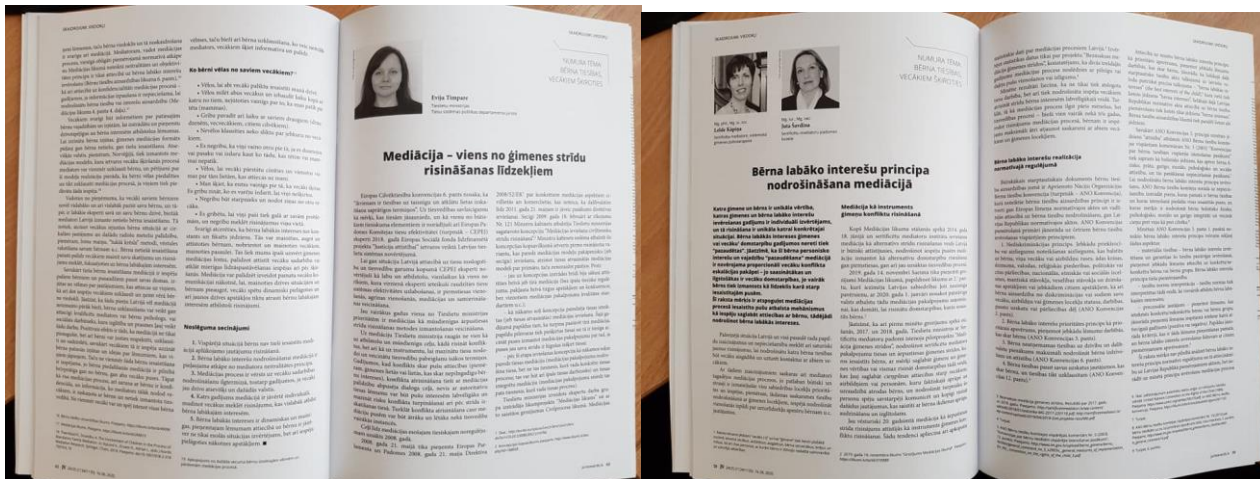
News from Turiba

VIDEO ABOUT MEDIATION IN 6 EU COUNTRIES

6 partners from different European Union countries have developed common video story about different mediation aspects and tendencies in Latvia, Lithuania, Austria, Italy, Bulgaria and Czech Republic. Experts tell what are requirements to become mediator in those countries, id the mediation obligatory or voluntary and tell about development tendencies. Video is developed in frame of Erasmus+ Strategic partnership which aimed to develop mediation platform <http://mediation.turiba.lv>

Video cab be found on YouTube: <https://www.youtube.com/watch?v=XS3tigpybxb&t=5s>
or in project Facebook page: www.facebook.com/mediationnetwork/

Turiba University issued two excellent publications about mediation in Latvian legal journal [Jurista Vārds](http://www.jurista.lv).



News from Khazar
Info Session on “MBA in Mediation”

On June 17, 2020, at 4:00 pm, Khazar University’s lecturer and Ph.D. student Ms. Nilufar Alizade organized an info session about the new “MBA in Mediation program” to be taught at the School of Economics and Management. During the session, which was held via the Zoom platform, Dr. Jeyhun Mammadov, Dean of the School, and Ms. Gea van Klompenburg, an international mediator of NLBA delivered talks. Ms. Gea van Klompenburg provided information on programs, mediation, and potential jobs for graduates and answered candidates' questions.

MBA in MEDIATION at KHAZAR UNIVERSITY

The MBA program developed in cooperation with the Netherlands Business Academy within the MEDIATS project, supported by the Erasmus+ Programme of the European Union is a degree program that qualifies graduates to take consultant positions within organizations, government agencies, private companies, and non-governmental organizations.

The MBA in Mediation is designed to provide students with the skills and expertise necessary to handle business-related disputes effectively. The program will equip students with solid communication, conceptual, and functional business skills.

Students will be exposed to an international environment to learn deeply

- conflict styles
- how attitudes and personal experiences influence conflict resolution
- how to adjust mediator intervention

Managers, union representatives, attorneys, advocates, administrators, teachers, government officials, and consultants who are willing to extend their knowledge and expertise in mediation are eligible for this degree program.

Students will also have an opportunity to participate in an internship in the Netherlands Business Academy.

Students admitted in 2020-2021 academic year will receive a 30 percent tuition waiver.

The video of the project and the program was prepared, you can watch it following this link:
<https://www.facebook.com/khazar.economics/videos/679608172860357>

News from GSU

GSU prepared a video about the online conference, that was held within the framework of MEDIATS project on June 2nd, 2020. Representatives of Azerbaijani, Georgian and Ukrainian universities did presentations about the master programs they developed on mediation. They talked about the content of the program, recruitment process and promotion of the master program. Then European experts talked about mediation in European countries. Experts answered questions and shared experience from the Netherlands, Spain and Latvia. You can watch the video following YouTube link: <https://youtu.be/VdBqaCuh8QQ>.

Facebook link: <https://www.facebook.com/razim.aliyev/videos/10220650023153381>.



Promotional Video

Ganja State University prepared the promotional video for promotion of the master degree program Mediation of Business Disputes. It is in Azerbaijani, but you will get the idea 😊

<https://www.facebook.com/751309275043793/videos/2618442124924525>

News from ISU

ISU signed Memorandum with Georgian Association of Mediators

On June 17, 2020, a memorandum of understanding was signed between the Georgian Association of Mediators and the Ilia State University. Irakli Porckhidze, Dean of the School of Law, represented Ilia State University and Irakli Kandashvili, Chairman of the Georgian Mediators' Association signed the memorandum.

The aim of the memorandum is to cooperate in current matters in the field of common interests of the parties, Implement joint activities, projects, and initiatives for the development and promotion of the Institute of Mediation.



Presentation of Programs Online.

In May 2020, Ilia State University School of Law held an online presentation of its programs. During the presentation, the dean of Law School informed those interested about a novelty related to the

introduction of the mediation module to the MA in Business Law. This novelty is planned for October 2020. The presentation also underscored the advantages of the mediation as a method of dispute resolution.

Detailed information about the mediation module will be provided to the public during the “Open Days” of the Master's program in the next few months. You can find the link for the presentation here: <https://www.facebook.com/watch/live/?v=895097257581189>

The news is shared on our University's website: <http://iliauni.edu.ge/ge/iliauni/AcademicDepartments/samartlis-skola-654/siaxleebi-655/ilias-saxelmwifo-universitetsa-da-sagartvelos-mediator-torta-asociacias-shoris-memorandum-i-gaformda.page>

Development of Mediation Module in the conditions of COVID-19.

In the face of the challenge of COVID - 19 pandemic, in order not to delay the creation of the mediation module and its timely launch, the working group of Ilia State University School of Law continues to work on the mediation module online through the program Zoom. The working group members are actively involved in the preparation of the concept and structure of the modified master's degree program in Private (business) law and the mediation module. Also, working on syllabi and program preparation for accreditation continues remotely.



News from BSU

Staff Training at BSU

On June 18th the faculty of Law and Social Sciences of BSU organized the staff training in the frames of the MEDIATS project for the academic staff involved in the Certified Programme in Mediation.

The meeting covered:

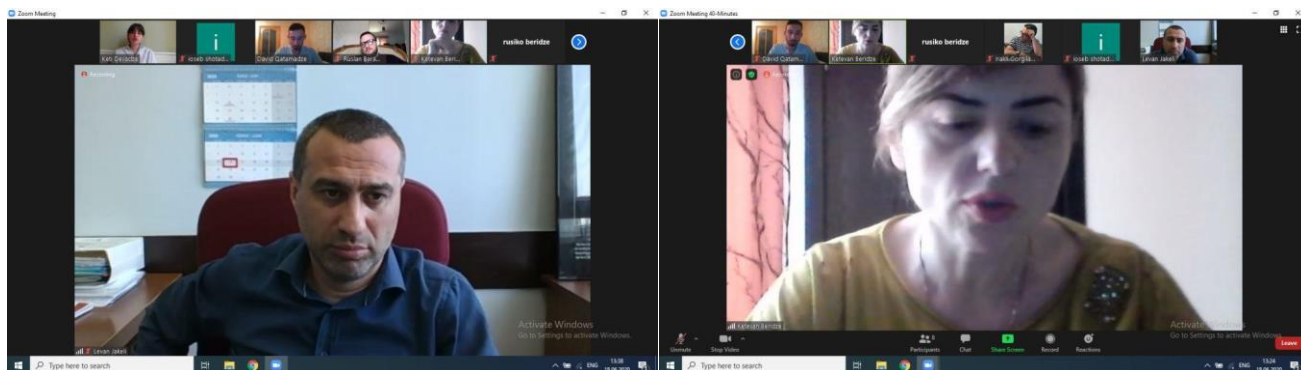
- Overview of Certified Programme in Mediation - Ketevan Beridze;
- Overview of the MEDIATS project, the project results and the future plans - Ketevan Devadze;
- Introduction in Mediation, sharing the experience of the training programmes in Riga and Murcia in the frames of MEDIATS Project-Levan Jakeli;
- Discussion.

The link of the staff meeting at BSU, in Georgian <https://www.bsu.edu.ge/sub-60/page/13949/index.html>

Development of Mediation Clinic

One more thing we are happy to share: the faculty is ready to organize the room for mediation simulation - Mediation Clinic, where students will have practice and offer free sessions for university students and staff.

We have the same experience running the Law Clinic, Psychology Clinic, Dental Clinic.. Which are the place for students' internship and offering the services for public as well. As for mediation clinic, we will start with organization of space for simulation and practice.



BSU is preparing to sign the memorandum of understanding with Mediation Center

On 23th of June the meeting was held with the representative from the regional mediation center Paata Kopaleishvili. Mr Kopaleishvili is involved in the mediation system of Georgia for more than 10 years. During the meeting with the dean of the faculty of Social Sciences and Law - Levan Jakeli and the manager of the MEDIATS project - Ketí Devadze he has shared his experience in the field of mediation in Adjara Region and discussed the future collaboration.

As a result BSU plans to prepare and sign the memorandum of understanding between BSU and the Mediation Center and involvement of Mr Kopaleishvili in the process of organization of Mediation Clinic at BSU.



News from KROK

The Course "Organization of research in the field of mediation"



We had two busy days of training of the module "Organization of research in the field of mediation" on June 20 and 21 in the framework of MEDIATS project at KROK Business School. The students immediately understood how different this course is from others: mediation and science? Really? And what do they have in common? In addition, the experience of the students is so different as they have different directions of their professional activities. And where is the place for science and scientific research?

But the students of master degree program in mediation, as it turned out, can do absolutely everything: while presenting the results of their own research in the field of mediation, students impressed me and each other by the diversity, originality, depth of their thoughts and approaches to various issues in this field. And the questions and comments of the students were relevant and created the atmosphere of a real scientific circle!

I am sincerely grateful to all my students for such activity and meaningful reports! I am sure that we are ready to write and present the results of the master degree thesis!

Prepared by Inna Dolianovska

EANET reinforces MEDIATS - KROK University Alumni Association promotes project results

Olena Kayumova, student of Master Degree Program "Mediation and Conflict Management" at KROK University, with the support of KROK University Alumni Association, will conduct the online seminar Mediation Coaching Facilitation Meditation simply about trends. Olena will share her knowledge and skills with other KROK UAA alumni and wider audience. By the way the development of KROK UAA was strengthened by another Tempus project – EANET – Entrepreneurs Alumni Network. The Head of KROK UAA Svitlana Zaripova was very active in promotion of the program and attracting the best applicants among KROK alumni. Now KROK UAA helps to share project results and mediation values, thus EANET reinforces MEDIATS.

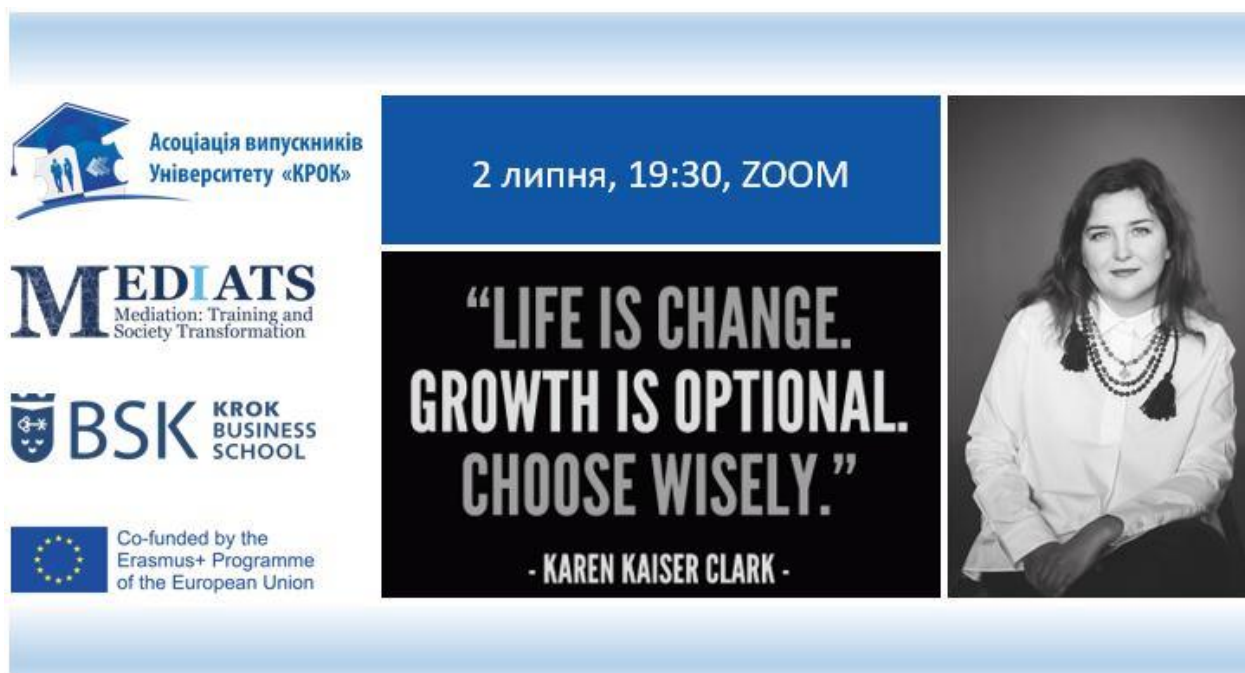


Olena Kayumova is a partner of the Family Biz Evolution agency, an entrepreneur (retail sector), a member of KROK University Alumni Association (FMV, 2005). She practices and combines the roles of coach, mediator, consultant, moderator.

What will the webinar be about?

How not to get lost among the words - mediation, coaching, moderation, facilitation, meditation... Recently, we constantly hear about new professions and terms, the emergence of which not only expands our opportunities, but also complicates the already difficult area of choice! We selected the latest trends

and together with you we would like to understand what is behind these words and what is common and different in the professions of mediator, coach, moderator, facilitator. As a result of a short webinar, you will learn: do you need it? where, when and to whom to run? where to study?



The banner features a light blue background. On the left, there is a vertical stack of logos: the KROK University logo (a blue house icon with the text 'Асоціація випускників Університету «КРОК»'), the MEDIATS logo, the BSK KROK BUSINESS SCHOOL logo, and the Erasmus+ logo. In the center, a dark blue rectangle contains the text '2 липня, 19:30, ZOOM'. Below this, a black rectangle contains the quote '“LIFE IS CHANGE. GROWTH IS OPTIONAL. CHOOSE WISELY.”' in white, followed by '- KAREN KAISER CLARK -'. On the right, there is a black and white portrait of a woman with long dark hair, wearing a white blouse and a necklace.

Feedback about Training on Mediation Program from Students of KROK



Students of Master Degree Program "Mediation and Conflict Management" write posts about their education. This is one of them, prepared by Sasha Romantsova, alumnus of KROK University, member of KROK UAA, Executive Director of Center for Civil Liberties.

"Logbook of "Not-Totally-Mediator" (From FB post)

Record №2 from 1 June 2020.

As I promised before, this Sunday I continue to tell you about my experience of training at the international program #MEDIATS ("Mediation and Conflict Management") at KROK University, KROK Business School – BSK.

🌐How does the training of very conscious adults look like and in general - who are these people?

We received a schedule for the next 7 training modules. Modules are organized 4 days a month (usually Friday-Sunday), when the whole group gathers at class of KROK University and from 10 a.m. till 5 p.m. communicate with lecturers-trainers, and the learning process is supported by the coordinator from the Business School. All the communication happens in the terms of adult partnership, where the responsibility and argumentation of the actions of the participants in the process simply goes over-the-top).

This is due to the fact, that these people, who have decided to add process of learning to their already busy and filled life, distracting from the family, moving the employment that brings money, cutting out time from sleep and leisure, if they had it. Of course, expectations from the level of teaching and the ability to pilot the topic and put everything on the shelves - well, are very high. Moreover that our group consists of mature professionals, including lawyers, psychologists, HRs, trainers, philosophers and human rights activists. This is a selection of examiners of the quality of teaching of the conflict management practical program. Not in the sense that they are constantly ready to "stir up the mess", no. In the sense that they already have a lot of practical experience to professionally rake up the consequences of the conflicting nature of human existence. Therefore, our teachers constantly face the fact that the group is ready to draw examples from life on any of their models and theories. This is by the way one of the most significant advantages of my training here, I see a lot of diversity, how all this training can be used in different areas. But with that experience, there are problems for mastering a new profession – but I'll tell you later about that.

⚠️And what are our courses about?

The first "daredevil who went into that cage with predators" (I'm kidding 😊) was - Oleg Triboy - Master in Law, Master in Economics, mediator, mediator in international commercial negotiations since the 90's, etc. In general, a person, who is also very skilled and trained. His course was called "Introduction to Mediation and the History of Mediation." The aim of the course was to understand the tools that people used for conflict management at different times and in different social contexts: peacekeeping, mediation, conflict solving, etc. "History of Peacekeeping in Ukrainian Culture". This is when you are accustomed to and already are aware of the history of your country and region - a little turn to the side, in a completely different perspective, and it fascinates you, because my own "really? I didn't know that" - or to put it in a nutshell - "WOW-effect" was, as I understood, that almost the entire history of our country is a heroic search for leaders capable of global peacekeeping and mediation, because our neighbors deserve each other. But at the same time, our culture has not engraved national dialogue and mediation practices, and only now we have to develop them very urgently, because there are already occupations, aggressions, and posttraumatic stress on a national scale. Just think about it.)

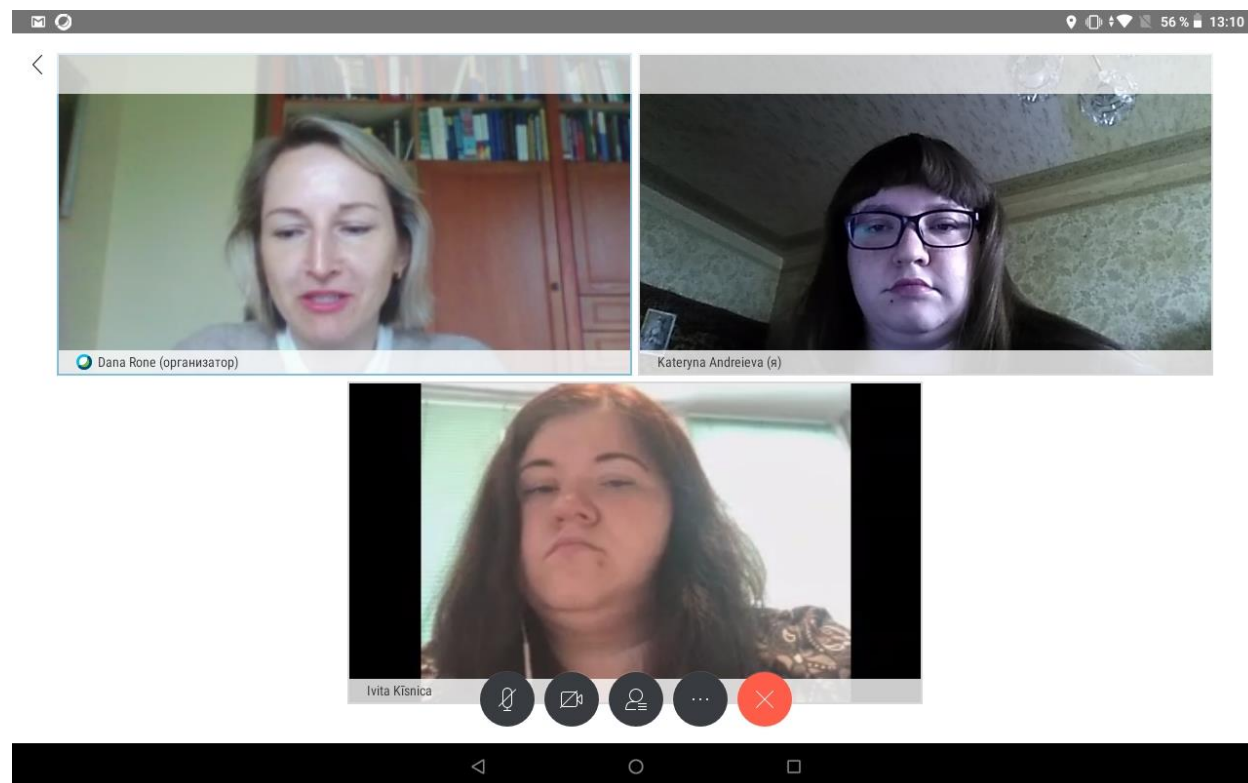
My record №3 will tell about other courses and the difficulties of performing case simulations, because "is it possible to pour more tea into a cup if it is already completely filled?" (C)

News from KGNU Online consultations with EU experts

May and June were very productive for the Erasmus + "MEDIATS" project team of V.N.Karazin Kharkiv National University. We announced the start of a master's program "Management: Mediation" and the preparation for publication of a articles' collection on mediation. As part of the preparation of scientific publications on mediation, an online meeting with experts from the Turiba University (Riga, Latvia), Dana Rone and Ivita Kisnica took place on Monday, May 11, 2020.

During the meeting, the current directions for research in mediation, the general structure of future publications, legal and organizational aspects of online and offline mediation in the context of the COVID-19 pandemic were identified.

We are grateful to our colleagues for their cooperation and continue working on the MEDIATS project.



Scientific articles in Mediation

Karazin Business School of V.N.Karazin Kharkiv National University prepared and published the article in the university newspaper about the Erasmus + project "MEDIATS" and also about the new Master program "Management: Mediation", which was developed in the framework of the project and will start in September 2020. More information:

http://gazeta.univer.kharkov.ua/index.php?option=com_content&view=article&id=2928&Itemid=2998

Video to promote the Program

Karazin Business School starts active promotional campaign of new Master program "Management: Mediation", which was developed in the framework of the Erasmus + project "MEDIATS". So we prepared promotional video, where our team inform about mediation, project, unique features of the Master program and so on. This video was disseminated through social media. More information:

<https://www.facebook.com/488864467952070/posts/1499344396904067/?vh=e&d=n>

News from CHNU

Events of CHNU Project Team of MEDIATS Project (May-June, 2020)

1. **May 9-11, May 24, 2020.** – Trainings of The Certification Program “Professional Mediator” has been launched and is being implemented within the framework of the task package №6 of the Erasmus + KA2 project No. 599010-EPP-1-2018-1-NL-EPPKA2-CBHE-JP “Mediation: training and society transformation/MEDIATS”. This program is a joint project of the Mediation, Negotiation and Arbitration Laboratory of the Department of Public Law and the Faculty of Law. The peculiarity was that these modules were conducted online.

Link: <https://www.facebook.com/134400660576232/posts/542751076407853/?d=n>
<https://www.facebook.com/134400660576232/posts/534978047185156/?d=n>

2. **May 25, 2020.** - *Why the master's program “Mediation”?* Students who are already studying at the Master degree program in Mediation at the Faculty of Law of the Yuriy Fedkovych Chernivtsi National University create and share the video about Program. In video they share about what motivated them to choose the direction of “Mediation” in order to promote the program for future entrants. After all, in the XXI century, such skills as soft skills, ability to negotiate, build effective communication, use alternative methods of dispute resolution are becoming increasingly valuable in the activities of a lawyer. More about EPP “Mediation”: <https://law.chnu.edu.ua/mp-mediatsiia>

Link to video: <https://www.facebook.com/%D0%9A%D0%B0%D1%84%D0%B5%D0%B4%D1%80%D0%B0-%D0%9F%D1%83%D0%B1%D0%BB%D1%96%D1%87%D0%BD%D0%BE%D0%B3%D0%BE-%D0%9F%D1%80%D0%B0%D0%B2%D0%B0-1200317439985864>

3. **May 28, 2020.** - *Petro Patsurkivskyy*, professor, Dean of the Faculty of Law of CHNU, member of the Project team from CHNU “Mediation: Training and Society Transformation/MEDIATS” wrote about the experience of CHNU in resolving the issue of free education for students in the master’s EPP “MEDIATION”. In accordance with the requirements of the Education, Audiovisual and Culture Executive Agency (EACEA), which operates on the basis of the authority granted to it by the European Commission, all educational services to persons studying in pilot educational programs implemented under the grant agreement of the EU ERASMUS + KA 2 Program: CBHE should be provided free of charge for these individuals. The Master’s EPP “Mediation” is not an exception here, which is implemented under the grant agreement “Mediation: Training and Society Transformation / MEDIATS” № 599010-EPP-1-2018-1-NL-EPPKA2-CBHE-JP of EU Programs ERASMUS + KA 2: CBHE.

Since CHNU in 2020 announced the recruitment of applicants on the specialty 081 “Law” for two EPPs – the EPP “Law” and the EPP “Mediation”, the university divided equally between them the maximum possible 28

state-funded places for this specialty in 2020 at CHNU and received 14 state-funded places for each of the above-mentioned EPPs.

Thus, for applicants of the Master's program "Mediation", which is implemented under the Grant Agreement "Mediation: Training and Society Transformation" of the EU Program ERASMUS KA2: CBHE, the university submitted a fixed offer for 14 state-funded places in 2020.

Link: <https://mediats-chnu.com/experience-of-chnu-in-resolving-the-issue-of-free-education-for-students-in-mp-mediation/>

4. **May 29, 2020** - *Ruslana Havrylyuk*, manager of the grant Project "Mediation: Training and Society Transformation/MEDIATS" from CHNU took part in the first meeting of members of the working group – representatives of partner institutions and organizations involved in the implementation of the rehabilitation program for juveniles suspected of committing a crime in the Bukovyna. This meeting was hosted by the Regional Center for Free Secondary Legal Aid Provision in the Chernivtsi Region. The purpose of this Project is to give a chance to a juvenile who has committed a minor or moderate crime, not to be convicted, but to resocialize him and to prevent the commission of repeated offenses through mediation. The Project combines the efforts of the Juvenile Justice Department of the Chernivtsi Region Prosecutor's Office, a branch of the Probation Center in Chernivtsi Region, the Regional Center for Free Secondary Legal Aid Provision in the Chernivtsi Region, the Chernivtsi Regional State Administration's Children's Service, and the Law School of the Yuriy Fedkovych Chernivtsi National University on support in the training of lawyers-mediators, as well as in the development of information brochures for future participants in mediation, as well as for all involved institutions of public authority, which will help to successfully implement mediation in criminal cases in Bukovyna.

Link: <https://mediats-chnu.com/first-steps-of-mediation-in-criminal-cases-in-bukovina/>

5. **June 2, 2020.** – Online seminar "Presentation of the Master Program development" in the framework of grant Project "Mediation: Training and Society Transformation/MEDIATS" of the EU Program ERASMUS + KA2: CBHE. There was presented Master degree educational and professional program in Mediation from Yuriy Fedkovych Chernivtsi National University, that was developed by Project team of the grant Project "Mediation: Training and Society Transformation"/MEDIATS. *Ruslana Havrylyuk*, manager of the grant Project "Mediation: Training and Society Transformation/MEDIATS" from CHNU gave a presentation about Master degree EPP in Mediation.

Link: <https://law.chnu.edu.ua/prezentatsiia-opp-mediatsiia/>

6. **June 5, 2020.** - Google Search Console has published interesting information about the site of the Faculty of Law of Yuriy Fedkovych National University of Chernivtsi. Among the many hundreds of pages of the faculty's website, the most popular in May 2020 were 66 pages, a significant part of which relates to the

Project “Mediation: Learning and Transformation of Societ” of the EU ERASMUS+ KA2: CBHE. According to Google, during the period from the beginning of 2019 to the end of May 2020, more than 21,000 page views of the faculty's website were made, which are directly related to the master's educational and professional program “Mediation” of the Yuriy Fedkovych Chernivtsi National University. The social network Facebook recorded 36,712 views of information about the above program, and Instagram - 24,776 views.

Link: <https://law.chnu.edu.ua/analiz-google-analityky/>

7. **June 15, 2020.** - *Maryna Fedorchuk*, member of the Project team “Mediation: Training and Society Transformation/MEDIATS” from CHNU prepared blog post on the topic “Mediation: the experience of Latvia”. This post about the experience before the quarantine, when the working group of Yuriy Fedkovych Chernivtsi National University on the implementation of the Project “Mediation: Training and Society Transformation”/MEDIATS, a partner of which is the University, took part in internship trips: in Riga (Latvia), which took place in December 2019 and internship in Murcia (Spain), which took place in January 2020. One of the tasks of the MEDIATS Project is to study the experience of the European Union in the field of mediation and its implementation in Ukraine. Therefore, during an internship at TURIBA University, one of the trainers - certified Latvian mediator Dana Rone made a presentation on mediation in Latvia, dividing it into several stages: the period before the adoption of the law on mediation, the adoption of the law on mediation, the period after the adoption of the law on mediation. Latvia's experience in the field of mediation is interesting because mediation is gaining more popularity and recognition in Latvia, so these lessons can be applied in Ukraine. Thus, the study of the experience of EU countries, in particular, Latvia in the framework of the project “Mediation: Training and Society Transformation”/MEDIATS helps in the development and dissemination of mediation in Ukraine. In particular, the Faculty of Law of the Yuriy Fedkovych Chernivtsi National University has developed the Master degree educational and professional program in Mediation, which is implemented under the grant Project “Mediation: Training and Society Transformation”/MEDIATS, which aims to expand the range of professional mediators and to promote the development of mediation in Ukraine.

Link: <https://law.chnu.edu.ua/mediatsiia-dosvid-latvii/>
<https://mediats-chnu.com/mediation-the-experience-of-latvia/>

8. **June 17, 2020.** - *Petro Patsurkivskyy*, professor, Dean of the Faculty of Law of CHNU, member of the Project team from CHNU “Mediation: Training and Society Transformation/MEDIATS” published information on the topic “Rhizomaticity of mediation”.

Mediation has become a typical phenomenon for developed European countries. In these societies it has become, as a social practice, for each and everyone at the same time a universally recognized norm of social being, has acquired the status of a qualitatively separated social culture. Perhaps, mediation in

developed European countries the most effectively among all other instruments of this type allows to reconcile societies, to increase the synergy of their individuals.

In Ukraine, on the contrary, mediation has not yet become a common, typical phenomenon. Here it only declares itself, exists in a state of prenatal development, is invisible to the naked eye, and therefore for the vast majority of the Ukrainian community, which does not belong to a narrow circle of mediation specialists, mediation is perceived at the level of everyday consciousness as a UFO-type phenomenon, or, in the terminology of the classics of Ukrainian literature, as *fata morgana*.

It is also perceived and described by most national mediation specialists in terms of modern (classical) scientific worldview, which are inadequate for mediation. This happens, because this worldview and its categorical-conceptual apparatus for most theoretically thinking individuals of national society is a common tool of cognition. But let's try, for example, to clearly explore, record and explain in the generally accepted in the scientific world forms of scientific information geometric parameters of the flame or its mass by means of the above categorical-conceptual apparatus. You will not be able to do this because the type of object of cognition and the type of cognition tools mentioned above are different and moreover they are incompatible with each other.

Paradigm matrices of rhizome and mediation are of the same type. Like rhizome, mediation is also a way of life for the whole biological species of nature, namely humans. Like rhizome, mediation is conditioned by the own nature of appropriate species and by the properties of its environment. With regard to the latter (mediation), it is the attributively contradictory nature of the individual, which constantly requires from him both self-affirmation, autonomy, and at the same time coexistence with the Other, as well as the attributively contradictory nature of the beingness construction of the human world. As in the rhizome, the quintessence of its existence is the spontaneity, so in the mediation matrix the spontaneity plays a key role.

The rhizome is a symbol of heterogeneity, actually heterogeneity by itself, it is always in the process of formation, it has no orientation on the culmination point or a certain vital finish. Mediation is also a symbol and an instrument for reconciliation of society by its creators – individuals directly through the coordination of their needs with each other.

Link: <https://law.chnu.edu.ua/rizomatychnist-mediatsii/>
<https://mediats-chnu.com/rhizomaticity-of-mediation/>

Articles of CHNU

RHIZOMATICITY OF MEDIATION



Society is an extremely complex processual phenomenon. The phenomena, that have already exhausted or even exhaust themselves, go into the past, phenomena, that form the basis of society and are in a state of prosperity or maturity, and phenomena, that are just emerging or have just appeared and have not yet acquired classical content and forms, interact between themselves inside the society. Naturally, the most common in society are the phenomena of the second variant, which determine the type of society. Usually in different cognitive traditions, these phenomena are called *typical* for the respective societies.

Mediation has become a typical phenomenon for developed European countries. In these societies it has become, as a social practice, for each and everyone at the same time a *universally recognized norm* of social being, has acquired the status of a qualitatively separated social culture. Perhaps, mediation in developed European countries the most effectively among all other instruments of this type allows to reconcile societies, to increase the synergy of their individuals.

In Ukraine, on the contrary, mediation has not yet become a common, typical phenomenon. Here it only declares itself, exists in a state of prenatal development, is invisible to the naked eye, and therefore for the vast majority of the Ukrainian community, which does not belong to a narrow circle of mediation specialists, mediation is perceived at the level of everyday consciousness as a UFO-type phenomenon, or, in the terminology of the classics of Ukrainian literature, as *fata morgana*.

It is also perceived and described by most national mediation specialists in terms of modern (classical) scientific worldview, which are inadequate for mediation. This happens, because this worldview and its categorical-conceptual apparatus for most theoretically thinking individuals of national society is a common tool of cognition. But let's try, for example, to clearly explore, record and explain in the generally accepted in the scientific world forms of scientific information geometric parameters of the flame or its mass by means of the above categorical-conceptual apparatus. You will not be able to do this because the type of object of cognition and the type of cognition tools mentioned above are different and moreover they are incompatible with each other.

The true nature of mediation can be adequately described and explained only through the use of the corresponding categorical-conceptual apparatus of non-classical standards of scholarship, from the worldview of postmodernism. The latter owing to the French postmodernists Gilles Deleuze and Felix Guattari is called the **rhizomatic worldview**. They were the first, who systematically set out the concept of a rhizomatic worldview in a joint work "Rhizome", published in 1976. The term *rhizome* they borrowed from botany. In the latter, it specifies the way of life of perennial herbaceous plants such as iris. Rhizome is a crop that spreads on the ground, sprouting through certain branches of the stem into the ground and in the same places with new stems up. According to the observations of scientist-botanists, there is such a stable correlation between the branching of stems, their germination in the ground and in the same places the leaves on top, that their graphical topology can be considered interdependent. As the rhizome plant spreads forward, its previous groundings and stems gradually die off, but the rhizome plant itself continues its life in the new rooted stems. The postmodernism contraposes *rhizome* with *tree* as a fundamentally different – modern (classical) – way of being and thinking. These are two total opposites. The worldview discourse of the "tree" is captivated by the mythological consciousness of the predetermined world as a whole and each of its segments. According to this discourse, the attribute of the tree is its root, which embodies the substance, the basis of the determinant of the world. The tree symbolizes the vertically authoritative organization of life, imposes on us the patterns of the center (tree trunk) and periphery (its branches). The matrix of the center is strengthened in this worldview paradigm by the rings of the trunk, which annually, as long as the tree exists, multiply in it. The vector of tree development and sap movement in it from root to crown embodies a genetically core-type, straightforward worldview. Particularly the majority of ordinary members of the national society and the mass of its theoretically thinking representatives, including a cohort of mediation specialists, continue to be enthralled by this worldview. Otherwise, they would not try, with their inherent persistence and without interruption, to incorporate mediation into the judicial system, the prosecutor's office, or other public institutions, that are, hierarchically ("tree-like") constructed social institutions.

According to postmodernism, any order in the world inevitably acquires a tree-like configuration. As Gilles Deleuze and Felix Guattari, already mentioned by us, were convinced, “the whole Western culture is permeated by the tree”. This fundamentally limits, as claimed by the above philosophers, the spontaneity of its development, freedom and creativity of individuals. They also said to their generation, that “in many of its members the tree sprouted in the brains” and that their thoughts, decisions, and actions are “numbed”.

The rhizome, in contrast with the tree, develops horizontally, without any predetermined order, and slowly in space and time, it does not have a single grounding place for all its stems. Botanists call rhizome a non-classical evolution of self-sufficient formations. This evolution occurs not due to differentiation, division of any unit of the plant world, but contrary to them, due to the amazing ability of the rhizome to move from one line of development to another such lines.

Like grass, growing between rocks or through asphalt, rhizome is always surrounded by obstacles. You can learn from it to move through the endless “territory with obstacles”, which is our existence. Rhizome is a philosophy of coordination, coexistence, apology for avoiding extremes, not opposing oneself to the Other.

Paradigm matrices of rhizome and mediation are of the same type. Like rhizome, mediation is also a way of life for the whole biological species of nature, namely humans. Like rhizome, mediation is conditioned by the own nature of appropriate species and by the properties of its environment. With regard to the latter (mediation), it is the attributively contradictory nature of the individual, which constantly requires from him both self-affirmation, autonomy, and at the same time coexistence with the Other, as well as the attributively contradictory nature of the beingness construction of the human world. As in the rhizome, the quintessence of its existence is the spontaneity, so in the mediation matrix the spontaneity plays a key role.

The rhizome is a symbol of heterogeneity, actually heterogeneity by itself, it is always in the process of formation, it has no orientation on the culmination point or a certain vital finish. Mediation is also a symbol and an instrument for reconciliation of society by its creators – individuals directly through the coordination of their needs with each other.

In order to understand and master mediation as a way of life of individuals in society, it is necessary above all to understand the quintessence of the rhizomatic way of life of perennial herbaceous plants such as iris. After all, mediation by its nature and way of being is also rhizomatic. Nature cannot be defeated. Has a species like homo sapiens not yet understood this?



Prepared by Petro Patsurkivskyi

LLD, professor, dean of the Faculty of Law, manager of the working group “MEDIATS” of the EU Program ERASMUS+KA2 from CHNU

THE FIRST HONEY OF MEDIATION

For most of Europe’s civilized societies, the concept of mediation has long had only its inherent model structures verified by life, worldview meanings, value canons. We cannot say the same about Ukraine, in which mediation has just begun to work its way out, to take root in everyday life. To a large extent, these processes are facilitated by the international Grant Project “**Mediation: Training and Society Transformation**” of the EU Program ERASMUS + KA2: CBHE, one of whose partners is Yuriy Fedkovych Chernivtsi National University (ChNU).

The concept of mediation has so far entered into the consciousness of the project team on mediation from the university, in memory of the entire academic community of the Faculty of Law of the ChNU as a synonym for innovation, intellectual asceticism, as a tense, inspired work on the implementation of the European mediation experience in Ukrainian realities...

Draft grant applications for grants were created. The most diverse plans for the implementation of the European grant project won jointly with partners were developed. An educational and professional program “Mediation” was created in the throes of creative searches. Work programs for more than twenty specialized educational disciplines were developed. Particularly carefully, with a trip to the relevant universities, the experience of training professional mediators of the Netherlands Business Academy (Breda, the Netherlands), TURIBA University (Riga, Latvia), and the Catholic University of Murcia (Spain) were studied. Certification mediation programs were conducted for law practitioners, and many other efforts by the MEDIATS project team from ChNU were constantly applied.

Often the fatigue from truly titanic work raised, so to speak, philosophical questions – was it worth taking the burden on yourself? When will the invested efforts return concrete results? Although much of the above is an excellent result ...



And somehow, especially unexpectedly, similar results began to appear. The most important of them so far is that the master's program in mediation appealed to students. For the second year in a row, many graduate bachelors of the law specialty are showing their desire to study this program. The MEDIATS project has significantly added to the positive image of the university, especially the Faculty of law. In the structure of the Department of Public Law, an educational and scientific laboratory for mediation, negotiation and arbitration has been formed and is dynamically developing. By the joint efforts of the university, the Faculty of law and the department, this laboratory was transformed into one of the best institutes of this type.

Evidence of the latter is at least that, with the active assistance of this laboratory, two more international grant projects were won at the faculty: **“Legal clinics – agents for popularizing mediation as a way to resolve a dispute”**, which was carried out in 2019 under the project “Development of regional leadership and strengthening the model Coordination of the Association of Legal Clinics of Ukraine” and was funded by the International Renaissance Foundation and **“Legal Clinics – Providers of Free Legal Aid to Consumers of Financial Services”** (2020-2021), implemented as part of the USAID grant project “Transformation of the financial sector” and provides the involvement of mediators in resolving of real financial cases.



And now the next harvest, the real honey collection of the MEDIATS project team of the University: through the grant project “**Mediation: Training and Society Transformation**”, for the quality implementation of the same project for the educational laboratory of mediation, negotiation and arbitration, it was acquired as international technical assistance of the **EU Program ERASMUS + KA2: CBHE**:

1. One multi-function device A3 laser.
2. Two Laptops 15.6 “(CPU 4 cores, 4 GB RAM).
3. PC (CPU 4 cores, 8 GB RAM, HDD 500 GB, a monitor).
4. Projector (3600 lm).

One success creates another success.

*Prepared by
Project Team of MEDIATS Project from CHNU*