

## **Final Narrative Report**

Project title:

**RO-Mediere**  
Sub grant agreement  
no. 186-A-00-00-00113 (28-RO)

**ROMANIAN – American Sustainable Partnership (RASP) Umbrella Grant  
Program  
World Learning / USAID**

Prepared by:

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## **1. Progress toward meeting the expected results contained in the sub-grant agreement**

The overall purpose of the activities under this Sub-grant Agreement is development of the Romanian mediation capacity through introduction of new services, increased public awareness, and introduction of more modern legislation relative to mediation of disputes. The Sub-recipient will work closely with its U.S. partner, the Victim Offender Mediation Association (VOMA), as implementers. Activities under this Sub-grant Agreement have two general purposes:

- (a) Establish a network of three conflict resolution centres in the north-eastern Moldavian region of Romania with teams of mediators working under professional conditions to resolve family and community conflicts, and
- (b) Strengthen conflict mediation services in Romania through building local NGO capacity, create public awareness on the need for mediation services, and complete the documentary work on the new mediation law.

### **Specific expected results include the following:**

- 1. Three new, functional mediation centers capable of providing family, community, commercial and labor mediation services. The Subrecipient will replicate its mediation model in three locations: (1) the village of Movileni in Iasi County; (2) the city of Botosani through the Asociatia Activ; and (3) a third location to be identified in the updated workplan as per Section 1.12(e) of this Subgrant Agreement;
- 2. Thirty new cases resolved in the three new centers; of these, 60% will involve family and community conflicts, 20% minor victim offender cases, 10% labor conflicts, and 10% commercial conflicts;
- 3. Eight CMSC mediators trained as trainers of mediators able to deliver training sessions and supervisory services for development of new mediators;
- 4. Nine new mediators fully-trained in the three new mediation centers, each having at least two mediators per center; these mediators will have the capacity to address minor conflicts through agreements between the conflicting parties;
- 5. Ten experienced CMSC mediators with previous experience in family and community conflicts trained in commercial and labor mediation;
- 6. National media and awareness campaign conducted through a video to be produced and presented on five national and local television channels; at least two million people will see the video;
- 7. Establish working groups on drafting the new law on using alternative conflict resolution methods.

## **2. Summary of the grant's activities**

Specific activities to be implemented under this Sub-grant Agreement are as follows:

**Strengthened Capacity of CMSC Mediators:** Currently, CMSC mediators are professionals only in community and family mediation. VOMA will conduct thirty hours of training for ten CMSC mediators in labor and commercial mediation and victim offender cases. These ten CMSC mediators will assume at least three mediation cases in these areas on a pro bono basis from businesses, trade unions, or other sources as part of the training. In addition, five local stakeholders will participate in the training, to include court personnel, business owners and union representatives to encourage case referrals to the NGOs. It is expected that at least twelve cases in these three areas will be solved. Press releases will be issued on the activity of these mediators, and on success stories. Newly-trained CMSC mediators will receive cases involving victim offenders, commercial and labour conflicts, and continue to deliver family and community mediation services. At least four cases per mediator will be assumed, or a total of forty such cases in the seven month project timeframe.

**Training in Mediation Skills:** The Sub-recipient and VOMA will also conduct training for new mediators in the three new sites. This will also involve at least thirty hours of training, professionally conducted by VOMA in the lead role and co-facilitated by the Sub-recipient. At least two representatives from each NGO will participate, as well as two public servants from the respective town council. These will be selected from the mayor, deputy mayor, probation officers, and police officers. The training will include theory as well as practical application, to include pro bono test cases. Training will be conducted on two levels: (1) basic mediation skills, which will involve resolution of simple community and family disputes; and (2) more advanced mediation and negotiation skills to resolve more complex community and family conflicts. Standards for operation of mediation centres will be developed by CMSC and VOMA.

**Resolution of Mediation Cases:** During the seven-month life of this Sub-grant Agreement, the fifteen newly-trained mediators in the three new centres will assume simple family and community disputes. This is considered realistic for the short timeframe of this activity, although CMSC will continue to work with the three new sites to develop capacity for addressing more complex cases in the period beyond the scope of this Agreement. A total of thirty cases will be taken on by the new mediators, or at least two cases per mediator. The new mediators will be regularly supervised by CMSC and VOMA mediators.

**Public Awareness Campaign:** Production of the public awareness video will be ready by the end of May, with presentation on five national and regional television stations during June and July. It is projected that two million people will view the video at least once, and at least 500,000 viewers will see the video at least three times. The video will present messages on raising awareness of mediation and alternative methods of conflict resolution, and seek to increase case referrals to CMSC and the three new sites. In particular, it will be oriented to increase referrals of labor and commercial cases to CMSC in Iasi. The target audience will be adults between 18 and 60 years of age who are considered to have higher education backgrounds. Radio spots will also be produced and aired locally, as will posters and other printed materials.

**Drafting of New Mediation Law:** There is currently no law addressing mediation in Romania, only pieces included in Ministry of Labor regulations and the new law governing protection for victims of domestic violence. Activities under this Sub-grant Agreement will include establishing working groups on drafting a new law on mediation using alternative conflict resolution methods. This will involve doing comparative research between U.S. and Romanian mediation law. A first draft will be completed by the end of the Sub-grant Agreement period for submission to the Romanian parliament in November. The working groups will be comprised of business and labor leaders for commercial and labour conflicts, law enforcement officials, local authorities and NGO representatives for community and family disputes.

### 3. Activities implemented against work plan

As part of the Sub-grant agreement, it was agreed to perform a number of activities, as presented below.

**Purpose A.** Establish a network of conflict resolution centres in the north-eastern Moldavian region of Romania through the end of October. This will involve professional teams of mediators working in conflict resolution areas and dealing with family and community conflicts (new centres), and expanding the area of services to victim offender mediation, commercial and labour mediation within CMSC in Iasi city.

<b>Activities: Purpose A</b>	<b>Target group</b>	<b>Results</b>	<b>Timetable</b>
<i>The 3 new centers</i>			
a.1 Training: Level 1 - basic mediation skills	15 participants (3 new centers x 5 mediators/ each)	Establish 3 new mediation centers	April –May (4 days, by VOMA trainers)
a.2 Resolve simple community and family conflicts	New mediators and the clients from the 3 communities	-One pro bono case per new mediator (15 cases) -supervision of all 15 cases by CMSC and VOMA	June-July
a.3 Training: Level 2 - advanced mediation and negotiation	Same participants as point a.1	Reduction of centers and number of participants	June-July (4 days, by VOMA trainers)
a.4 Solve complex community and family conflicts	New mediators and the clients from the 3 communities	- 2 cases per new mediators during July-October period (a total of 30 cases) -supervision of all 30 cases by CMSC and VOMA	July-October 2003

<i>For CMSC mediators</i>			
a.5 Training in victim offender mediation techniques	Experienced mediators from CMSC with previous experience in family and community conflicts	10 CMSC mediators trained	April –May (4 days, by VOMA trainers)
a.6 Training in commercial and labor mediation	Experienced mediators from CMSC with previous experience in family and community conflicts	10 CMSC mediators trained	June-July (4 days accordingly to the VOMA trainers)
a.7 Solve victim offender, commercial, labor conflicts, and continue to deliver family and community mediation services	-community and family members -private companies -victims and offenders (minor crimes) -managers and union representatives -employees and employers involved in workplace conflicts	- at least 4 cases per mediator (a total of 40 cases) in 7 months, as follows: -60% family and community conflicts -20% victim offender cases -10% labor conflicts -10% commercial conflicts -supervision of all cases by CMSC and VOMA	April-October 2003

**Purpose B.** Enhance quality of conflict resolution services in Romania through building local capacity, national awareness on the need and advantages of mediation and prepare preliminary work for the new Romanian mediation law.

<b>Activities: Purpose B</b>	<b>Target group</b>	<b>Results</b>	<b>Timetable</b>
B.1 TOT and supervision techniques	- CMSC mediators with special skills in curriculum development, supervision abilities and	8 CMSC mediators	April –May -3 days

	case experience		
B.2 Permanent supervision of cases following U.S. model	-trained CMSC supervisors	-all the mediation cases supervised in order to assure high standards and proper feed back to all new mediators and also for the new fields of activity.	May-October 2003
B.3 Testing the local capacity of CMSC trainers	- CMSC TOT mediators	-8 co-trainers delivering short modules for new mediators with VOMA trainers; level 1 and 2	-First module April-May -4 days -Second module June-July -4 days
B.4 National media awareness campaign on the need and advantages of alternative conflict resolution methods	- 5 TV channels audience- adult persons, medium or high education background  - Radio ads, printed materials distributed in three target communities	- 2 million people seeing the video at least once;  -500000 seeing at least 3 times;  -awareness campaign on 5 national and regional TV channels  -awareness and knowledge on the alternative methods of conflict resolution  -increase referral of labor and commercial mediation cases in Iasi	- Video completed end of May  -June-July campaign on 5 TV channels  -August –October follow up
B.5 Establish working groups to draft new law: alternative conflict resolution methods	Companies/unions involved in commercial/lab or conflicts - Local authorities, NGOs	-family and community mediation chapters -develop victim offender chapter -comparative law	April-October; 1 <sup>st</sup> draft ready end of October; submission to parliament in November

**Inside the project's period of effectiveness, the activities performed are those as presented bellow.**

**First quarter**

**Purpose A.** Establish a network of three conflict resolution centres in the northeastern Moldavian region of Romania with teams of mediators working under professional conditions to resolve family and community conflicts

<b>Activities: Purpose A</b>	<b>Target group</b>	<b>Results</b>	<b>Timetable</b>
<i>Preparing the 3 new centres establishment</i>			
Equipment purchasing	Training participants, other direct / indirect program activity	Enhancing the quality and lowering the costs implied by editing the training support and dissemination printed materials	April
	Training participants, other direct / indirect program activity	Enhancing the quality and lowering the costs implied by editing the training support and dissemination printed materials	April
a.1 Training: Level 1 in Basic Mediation	15 participants (3 new centres x 5 mediators/ each)	Starting the work for the establishment of 3 new mediation centres	April –May (4 days, by VOMA trainers)

	27 participants from 6 NGOs, 4 Probation services, 1 special school (for children with special needs), company and 1 county hall <sup>1</sup>	Starting the work for the establishment of 3 new mediation centres, by training the NGOs staff and their present / future collaborators and by training Probation officers and other professionals in order to build potential Case Referral systems <sup>2</sup>	The training session was delivered by VOMA trainers backed up by CMSC co-trainers, from 13.05 to 16.05.2003. The training sessions were held on CMSC premises, using multimedia support <sup>3</sup> .
a.2 Solve simple community and family conflicts	New trainees- mediators and clients from the 3 communities	-One pro bono case per new trainee- mediator (15 cases) -supervision of all 15 cases by CMSC - case consultation design process in partnership with VOMA staff - case supervision guidelines included in Training of Trainers, session II	June-July
	No of cases; -16 community and family –referred and being in different stages in the mediation process	No of cases: -16 under mediation process -under supervision – will be supervised in the week July 7 <sup>th</sup> -14 <sup>th</sup> at the regional meeting (under VOMA coordination)	The activity started on 20.05.2003
<i>For CMSC mediators</i>			
a.5 Training in Victim Offender mediation techniques	Experienced mediators from CMSC with previous experience in family and community conflicts	10 CMSC mediators trained	April –May (4 days, by VOMA trainers)

<sup>1</sup> See Appendix 1 – Participants at the Training Session Alternative Methods in Conflict Resolution Mediation Basic Level 1<sup>st</sup> module;

<sup>2</sup> The chosen strategy is to skill trainees, using the pattern “pairs” so to develop future service providers (potential mediators) and officials working for entities able to act as referees for cases, so the early activity to be done in a controlled environment.

<sup>3</sup> More info can be provided on request (curriculum, content, actual duration, etc.)



	Experienced mediators from CMSC with previous experience in family and community conflicts and officers working in Iasi SRSS Probation office <sup>4</sup>	10 CMSC mediators and 4 Probation officers trained in Victim Offender Mediation under Restorative Justice system <sup>5</sup>	The training session was delivered by VOMA trainers backed up by CMSC co-trainers, from 06.05 to 09.05.2003. The training sessions were held on CMSC premises, using multimedia support <sup>6</sup>
a.7 Solve community, family and victim offender and continue to deliver family and community mediation services	-community and family members -private companies -victims and offenders (minor crimes)	- at least 4 cases per mediator (a total of 40 cases) in 7 months, as follows: -60% family and community conflicts -20% victim offender cases - case consultation design process in partnership with VOMA staff - case supervision guidelines included in Training of Trainers, session II	April-October 2003
	No of cases: -12 community and family -6 victim offender (SRSS prepared a number of 25 cases, from which only 6 qualified for the mediation process criteria. These cases will be assigned starting with second quarter of July)	No of cases: -12 under mediation process -12 under supervision	The activity started on 20.05.2003

**Purpose B.** Enhance quality of conflict resolution services in Romania through building local capacity, national awareness on the need and advantages of mediation and prepare preliminary work for the new Romanian mediation law.

<sup>4</sup> The same as on Footnote no.2

<sup>5</sup> See Appendix 2 – Participants at the Training Session in Alternative Methods in Conflict Resolution – Victim Offender Mediation;

<sup>6</sup> More info can be provided on request (curriculum, content, actual duration, etc.)

<b>Activities: Purpose B</b>	<b>Target group</b>	<b>Results</b>	<b>Timetable</b>
<p>B.1 TOT and supervision techniques</p> <p>On sight evaluation of the VOMA trainers determined to enhance the module, by adding more topics, so, the training up-graded to 4 days, delivered in two sessions, one on 10-11.05.2003, the other part, of two more days, on the second training session, in July</p>	- CMSC mediators with special skills in curriculum development, supervision abilities and case experience	8 CMSC mediators	April –May –3 days
	- CMSC mediators with special skills in curriculum development, supervision abilities and case experience	10 CMSC mediators <sup>7</sup>	The training session was delivered by VOMA trainers backed up by CMSC co-trainers, from 10.05 to 11.05.2003. The training sessions were held on CMSC premises, using multimedia support
<p>B.2 Permanent supervision of cases following U.S. model</p>	-trained CMSC supervisors	-all the mediation cases supervised in order to assure high standards and proper feed back to all new mediators and also for the new fields of activity.	May-October 2003
	-trained CMSC supervisors	-a core of special trained CMSC supervisors is evaluating the service delivery activity on continuous basis (the evaluation is made on demand and in predetermined, different stages of each case).	On permanent basis
<p>B.3 Testing the local capacity of CMSC trainers</p>	- CMSC mediators trained under TOT program	-8 co-trainers delivering short modules for new mediators with VOMA trainers; level 1	-First module April-May -4 days

<sup>7</sup> See Appendix 3 – Alternative Methods in Conflict Resolution – Train of Trainers

	- CMSC mediators trained under TOT program	-8 co-trainers <sup>8</sup> managing on role-playing modules and delivering VOMA trainers back-up during the up-mentioned training sessions	- The co-trainers delivered VOMA trainers support on every training theme and managed role-playing during the Basic Mediation Level 1 Training.
B.4 National media awareness campaign on the need and advantages of alternative conflict resolution methods	- 5 TV channels audience- adult persons, medium or high education background  -Radio ads, printed materials distributed in three target communities	Designing and preparing an: -awareness campaign on 5 national and regional TV channels  -awareness campaign on 5 national and regional TV channels  -awareness and knowledge on the alternative methods of conflict resolution  -increase referral of labour and commercial mediation cases in Iasi	- Video clip completed on the end of May  -materials and logo-s prepared for the official launching of the campaign on July 16 <sup>th</sup>

<sup>8</sup> See Appendix 4 – CMSC co-trainers participating to Alternative Methods in Conflict Resolution – Basic Mediation Level 1, Victim Offender Mediation and TOT training sessions.

	<ul style="list-style-type: none"> <li>- 5 TV channels audience- adult persons, medium or high education background</li> <li>- Radio ads, printed materials distributed in three target communities</li> </ul>	<p>Designing and preparing an:</p> <ul style="list-style-type: none"> <li>- marketing research and producers quotation evaluation;</li> <li>- producer contracting;</li> <li>- target audience design and evaluation;</li> <li>- joined on-going activity on: message design, testing and optimising according to obtained results, clip message rational building and optimising, storyboard evaluation and optimisation, pre-production, production and post-production design and budgeting evaluation;</li> <li>- final script designing;</li> <li>- applied for and obtained (CNA) - Audiovisual National Council's national broadcast approval</li> </ul>	<ul style="list-style-type: none"> <li>- Video clip ready to broadcast on 09.07.2003</li> </ul>
B.5 Establishment of working groups to draft new law on alternative conflict resolution methods	<ul style="list-style-type: none"> <li>- Companies/unions involved in commercial/workplace conflicts;</li> <li>- Local authorities;</li> <li>- NGOs</li> </ul>	<ul style="list-style-type: none"> <li>-family and community mediation chapters</li> <li>-develop victim offender chapter</li> <li>-comparative law</li> </ul>	<p>April-October; 1<sup>st</sup> frame draft ready end of October; submission to parliament in November</p>

	Establishment of the crew, consisting in: - Professionals working in Standard and Alternative Dispute Resolution; - NGOs; - Companies/unions involved in commercial/workplace conflicts;	Performed: - activity design and management; - data gathering and base establishment, containing info on ADR legal frame, system, provisions and organization system from English speaking countries, European Union and Romania; - comparative law activities;	The activity started on May, 2003
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## Second quarter

**Purpose A.** Establish a network of three conflict resolution centres in the north-eastern Moldavian region of Romania with teams of mediators working under professional conditions to resolve family and community conflicts

<b>Activities: Purpose A</b>	<b>Target group</b>	<b>Results</b>	<b>Timetable</b>
<i>The 3 new centres establishment</i>			
a.3 Training: Level 2 – Basic Mediation	18 participants (territory NGOs and CMSC people – social workers, psychologists, teachers, students, legal counsellors, NGO personnel ) <sup>9</sup>	Enhancing participant’s level of knowledge and skills	The training session was delivered by VOMA trainers backed up by 8 CMSC co-trainers <sup>10</sup> , from 09.07-11.07.2003. The training sessions was organized on CMSC premises, using multimedia support
a.4 Solve more complex community and family conflicts	New trainees - mediators and the clients from the 3 communities	- during July-October period had a total of 28 cases -different stage supervision of 28 cases by CMSC and case consultation by VOMA	July-October 2003

<sup>9</sup> See Appendix 1-1

<sup>10</sup> See Appendix 1-2

<i>For CMSC mediators</i>			
a.6 Training in commercial and labour mediation	Experienced mediators from CMSC with previous experience in family and community conflicts	11 CMSC mediators trained <sup>11</sup>	The training session was delivered by VOMA trainers backed up by CMSC co-trainers <sup>12</sup> , from 03.07-05.07.2003. The training sessions was organized on CMSC premises, using multimedia support
a.7 Solve victim offender, commercial, labour conflicts, and continue to deliver family and community mediation services	-community and family members -private companies -victims and offenders (minor crimes) -managers and union representatives -employees and employers involved in workplace conflicts	- a total of 28 cases, as follows: - 17 family and community conflict cases; - 3 victim offender cases; - 3 labour conflict - 3 commercial conflicts -different stages of supervision process of all cases by CMSC and VOMA	July -October 2003

**Purpose B.** Enhance quality of conflict resolution services in Romania through building local capacity, national awareness on the need and advantages of mediation and prepare preliminary work for the new Romanian mediation law.

<b>Activities: Purpose B</b>	<b>Target group</b>	<b>Results</b>	<b>Timetable</b>
B.1 TOT and supervision techniques - Level 2	- CMSC mediators with special skills in curriculum development, supervision abilities and case experience	11 CMSC mediators <sup>13</sup>	The training session was delivered by VOMA trainers backed up by CMSC co-trainers <sup>14</sup> , from 07.07-08.07.2003. The training sessions was organized on CMSC premises, using multimedia support
B.2 Permanent supervision of cases	-trained CMSC supervisors	-all the mediation cases supervised in	July-October 2003

<sup>11</sup> see Appendix 2-1

<sup>12</sup> see Appendix 2-2

<sup>13</sup> see Appendix 3-1

<sup>14</sup> see Appendix 3-2

following U.S. model		order to assure high standards and proper feed back to all new mediators and also for the new fields of activity.	
B.3 Testing the local capacity of CMSC trainers	- CMSC TOT mediators	-8 co-trainers delivering short modules for new mediators with VOMA trainers; Basic Mediation level 2, TOT II and Labor and Commercial Mediation	- The co-trainers backed up the VOMA trainers and delivered support activities on every training theme and managed role-playing during the training sessions.
B.4 National media awareness campaign on the need and advantages of alternative conflict resolution methods	- 5 TV channels audience <sup>15</sup> - young and adult persons, medium or high education background  - Radio ads, printed materials distributed in three target communities	- 2 million people seeing the video at least once;  -500000 people seeing the video, at least 3 times;  -awareness campaign on 5 national and regional TV channels  -public and professional awareness and knowledge on the alternative methods of conflict resolution  -increase referral of labour and commercial mediation cases in Iasi	- Preview screening of video made on July 16 <sup>th</sup> during an awareness event <sup>16</sup> . - Starting with July 18 <sup>th</sup> the campaign on 5 TV channels, a significant part of them in prime time - TV and Radio coverage on the awareness event – news flashes and interviews with the CMSC program coordinator, VOMA partners and main event guests; - 5 regional and 1 national newspapers covered the awareness event, publishing -August –October follow up
B.5 Working groups to draft new law: on alternative dispute resolution	Companies/unions involved in commercial/labour conflicts - Local authorities, NGOs - professional cores	- general context and legal frame; - family and community mediation chapters -develop victim offender chapter	1 <sup>st</sup> frame draft ready up to the end of the project time; submission to relevant entities in December

<sup>15</sup> 4 national and regional channels: Pro Tv, Prima TV, Antenna 1, TVR 1 and TVR 2

<sup>16</sup> see Appendix

	and associations	-comparative law	
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### Third quarter

**Purpose A.** Establish a network of three conflict resolution centres in the northeastern Moldavian region of Romania with teams of mediators working under professional conditions to resolve family and community conflicts

Activities: Purpose A	Target group	Results	Timetable
<i>The 3 new centres establishment</i>			
a.4 Solve more complex conflict cases	New trainees - mediators and the clients from the 3 communities	- a total of 12 cases -supervision of all cases by CMSC and case consultation by VOMA	October - December 2003
<i>For CMSC mediators</i>			
a.7 Solve victim offender, commercial, labour, conflicts, and continue to deliver family and community mediation services	-community and family members -private companies -victims and offenders (minor crimes) -managers and union representatives -employees and employers involved in workplace conflicts	- a total of 12 cases, as follows: -60% family and community conflicts -20% victim offender cases -10% labour conflicts -10% commercial conflicts -supervision of all cases by CMSC and VOMA	October - December 2003

**Purpose B.** Enhance quality of conflict resolution services in Romania through building local capacity, national awareness on the need and advantages of mediation and prepare preliminary work for the new Romanian mediation law.

Activities: Purpose B	Target group	Results	Timetable
B.2 Permanent supervision of cases following U.S. model	-trained CMSC supervisors	-all the mediation cases supervised in order to assure high standards and proper feed back to all new mediators and also for the new fields of activity.	October –December 2003



B.5 Working groups to draft new law: on alternative dispute resolution	Entities – organizations / companies / unions / professionals involved in commercial / labour / community conflicts - Local authorities, NGOs	-family and community mediation chapters -develop victim offender chapter -comparative law	- 1 <sup>st</sup> frame draft ready end of October; submission to the Parliament (Parliamentary Groups and experts) in November; - establishing a group of interested and relevant entities to promote, support the proposals and to advocate and to lobby in the favour of the proposals;
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#### 4. Progress toward achieving expected outcomes

##### The first quarter

Specific expected results include the following:

- Three new, functional mediation centres capable of providing family, community, commercial and labour mediation services. The Sub-recipient will replicate its mediation model in three locations: (1) the village of Movileni in Iasi County; (2) the city of Botosani through the Asociatia Activ; and (3) the city of Roman through Asociatia Femina 2000;

The establishment of the ADR services is going to be done on the structure of partner NGOs from the territory, which expressed their interest in opening a new line of activity on specialized ADR service delivery. In order to support this effort, CMSC is providing consistent assistance under different formes:

- Training in ADR techniques for the potential providers (NGOs and Service Managers and future to be technicians). Up to the present moment, under the (a.1) Basic Mediation, Level 1 Training, 27 participants (from 6 NGOs, 4 Probation services, 1 special school for children with special needs, 1 company and 1 county hall<sup>17</sup>) were trained. Basically the project specified that only a number of 15 people to be trained – we made supplementary efforts in order to train more people in order to enhance the chances to obtain the foreseen results. To become a professional in ADR, a series of specific knowledge and skills are needed, and the training session delivered is seen as the first of a series to come.

- Technical support delivered by CMSC under the form of applicable ADR models, know-how on running an ADR service, direct service support provided by specialized people, working with the CMSC.

<sup>17</sup> See Appendix 1 – Participants at the Training Session Alternative Methods in Conflict Resolution Mediation Basic Level 1<sup>st</sup> module;

- Thirty new cases resolved in the three new centres; of these, 60% will involve family and community conflicts, 20% minor victim offender cases, 10% labour conflicts, and 10% commercial conflicts;

-All the qualified work the peoples trained as mediators from the 3 new centers will be able to undertake will start only after each mediator will solve at least one case *pro bono* after the first mediation training and after the second level of mediation (which will be completed in the period July 10<sup>th</sup> -14<sup>th</sup> in Iasi under VOMA coordination)

- Eight CMSC mediators trained as trainers of mediators able to deliver training sessions and supervisory services for development of new mediators;

In order to enhance the specific knowledge and skills level so that CMSC to be able to organize ADR training sessions ongoing support, 10 mediators working with CMSC were invited and joined a training session on Train of Trainers and Case Supervision topics. Even if in the project it seemed that a single session on that topic it would be enough, on sight evaluation of the VOMA trainers determined to enhance the module, by adding more topics, so, the training upgraded to 4 days, delivered in two sessions, one on 10-11.05.2003, the other part, of two more days, on the second training session, in mid July. The CMSC mediators with special skills in curriculum development, supervision abilities and case experience are meant to deliver direct support to the NGOs and their staff working in ADR.

- Nine new trained mediators, in three new mediation centres, each having at least two mediators per centre; these mediators will have the capacity to address minor conflicts through agreements between the conflicting parties;

- In order to build a team of people interested in working in ADR (both as service providers- mediators and referral officers), 27 participants from 6 NGOs, 4 Probation services, 1 special school (for children with special needs), company and 1 county hall<sup>18</sup>. The training organizers seek to enhance the success percentage by inviting more people as previewed.

- Ten experienced CMSC mediators with previous experience in family and community conflicts trained in commercial and labour mediation;

The activity is going to take place in the first half of July.

- National media and awareness campaign conducted through a video clip to be produced and presented on five national and local television channels; at least two million people will see the video;

Action (B.4) National media awareness campaign on the need and advantages of alternative conflict resolution methods, have as main pillar a video clip to be broadcasted on 5 TV channels, having an audience target formed by adult persons, with medium or high education background.

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<sup>18</sup> See Appendix 1 – Participants at the Training Session Alternative Methods in Conflict Resolution Mediation Basic Level 1<sup>st</sup> module;

Other foreseen activities are media events<sup>19</sup>, Radio ads, printed materials distributed in three target communities. The campaign is meant to enhance the awareness and general knowledge on the alternative methods of conflict resolution on national scale, for both officials and private persons.

To present date the clip was produced and copies were prepared in order to be sent to the broadcasting studios. CMSC applied for and obtained (CNA) -Audiovisual National Council's national scale broadcast approval, the material being recognized as having an significant social interest.

- Establish working groups on drafting the new law on using alternative conflict resolution methods.

In order to introduce, promote and sustain ADR in Romanian Dispute Resolution environment, it is of the highest importance to propose the setting of a legal frame referring and addressing Mediation. The first steps in achieving that goal, we established a crew, formed by professionals working in Standard and Alternative Dispute Resolution, NGO specialists, and a core of consultants working with companies/unions, and other types of organizations.

The performed actions involved activity design and management setting, data gathering and base establishment, containing info on ADR legal frame, system, provisions and organization system from English speaking countries, European Union and Romania, comparative law activities.

There is an ongoing activity, to be done on the whole length of the project.

Considering the objectives proposed by the project and the actual status of accomplishment we evaluate that we are on schedule on every activity, on some having enhanced the level of quality and quantity indicators.

The only underachievement is linked to less favourable parameters of performance of one of the meant ADR providers from Movileni – the loss is almost compensate by the enhancement of other parameters.

## **The second quarter**

Specific expected results include the following:

- Three new, functional mediation centres capable of providing family, community, commercial and labour mediation services under CMSC continuous support and monitoring. The Sub-recipient will replicate its mediation model in three locations.

The establishment of the up mentioned ADR services is done on the structure of partner NGOs from the territory, which expressed their interest in opening a new line of activity on specialized ADR service delivery. In order to support this effort, CMSC is providing consistent assistance and monitoring under different formes:

- Training in ADR techniques for the potential providers (NGOs and Service Managers and future to be technicians). Up to the present moment, under the (a.3) Basic Mediation, Level 2 Training, 18 participants (from 5 NGOs, 1 Probation services, 1 special school for children with

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<sup>19</sup> A media event (not foreseen when the project was design) is meant to be organized in order to officially launch the Awareness Media Campaign and the Mediation video clip – see the enclosed Appendix 5;

special needs, 1 company<sup>20</sup>) were trained. Basically the project specified that only a number of 15 people to be trained – we made supplementary efforts in order to train more people in order to enhance the chances to obtain the foreseen results. To become a professional in ADR, a series of specific knowledge and skills are needed, and the training session delivered is seen as the first of a series to come.

- Technical support delivered by CMSC under the form of applicable ADR models, know-how on running an ADR service, direct service support provided by specialized people, working with the CMSC.

- 17 cases taken by the three new centres;
- 11 CMSC mediators trained as trainers of mediators able to deliver training sessions and supervisory services for development of new mediators;

In order to enhance the specific knowledge and skills level so that CMSC to be able to organize ADR training sessions ongoing support, 11 mediators working with CMSC were invited and joined a training session on Train of Trainers and Case Supervision topics. The CMSC mediators with special skills in curriculum development, supervision abilities and case experience are meant to deliver direct support to the NGOs and their staff working in ADR.

- Nine new trainee mediators, in three new mediation centres, each having at least two mediators per centre; these mediators will have the capacity to address minor conflicts through agreements between the conflicting parties;

- In order to build a team of people interested in working in ADR (both as service providers-mediators and referral officers), 18 participants from 5 NGOs, 1 Probation services, 1 special school (for children with special needs)<sup>21</sup>. The training organizers seek to enhance the success percentage by inviting more people as previewed.

- 11 experienced CMSC mediators with previous experience in family and community conflicts trained in commercial and labour mediation;

The activity took place in the first half of July.

- National media and awareness campaign conducted through a video clip produced and presented on five national and local television channels; at least two million people saw the video;

Action (B.4) National media awareness campaign on the need and advantages of alternative conflict resolution methods, had as main pillar a video clip broadcasted on 5 TV channels, having an audience target formed by young and adult persons, with medium or high education background.

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<sup>20</sup> See Appendix 1 – Participants at the Training Session Alternative Methods in Conflict Resolution Mediation Basic Level 2 module;

<sup>21</sup> See Appendix 1 – Participants at the Training Session Alternative Methods in Conflict Resolution Mediation Basic Level 2 module;

Other activities were media events<sup>22</sup>, Radio ads, printed materials distributed in the three target communities. The campaign was meant to enhance the awareness and general knowledge on the alternative methods of conflict resolution on national scale, for both officials and private persons.

- Establish working groups on drafting the new law on using alternative conflict resolution methods.

In order to introduce, promote and sustain ADR in Romanian Dispute Resolution environment, it is of the highest importance to propose the setting of a legal frame referring and addressing Mediation. The first steps in achieving that goal, we established a crew, formed by professionals working in Standard and Alternative Dispute Resolution, NGO specialists, and a core of consultants working with companies/unions, and other types of organizations.

The performed actions involved activity design and management setting, data gathering and base establishment, containing info on ADR legal frame, system, provisions and organization system from English speaking countries, European Union and Romania, comparative law activities, developing the legal context and frame, methodologies, evaluation of existing legal frame, legal data base of existing legal texts, ADR legal proposal text structure, comparative studies, designing the law proposal frame.

There is an ongoing activity, to be done on the whole length of the project.

Considering the objectives proposed by the project and the actual status of accomplishment we evaluate that we are on schedule on overall activity, on some having enhanced the level of quality and quantity indicators (including some un-foreseen activities, un-financed in the original shape of the present project, but by own resources of CMSC; these activities responded to specific needs identified when working on proposed objectives).

The only underachievement is linked to less favourable parameters of performance of one of the meant ADR providers from Movileni – the loss is almost compensate by the enhancement of other parameters, even if their efforts on needed resources were high.

### **The third quarter**

Specific expected results include the following:

- Three new, functional mediation centres capable of providing family, community, commercial and labour mediation services under CMSC continuous support and monitoring. The Sub-recipient will replicate its mediation model in three locations.

The establishment of the up mentioned ADR services is done on the structure of partner NGOs from the territory, which expressed their interest in opening a new line of activity on specialized ADR service delivery. In order to support this effort, CMSC is providing consistent assistance and monitoring under different formes:

- Training in ADR techniques for the potential providers (NGOs and Service Managers and future to be technicians). Up to the present moment, under the (a.3) Basic Mediation, Level 2 Training, 18 participants (from 5 NGOs, 1 Probation services, 1 special school for children with special needs, 1 company<sup>23</sup>) were trained. Basically the project specified that only a number of

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<sup>22</sup> A media event (not foreseen when the project was design) was meant to be organized in order to officially launch the Awareness Media Campaign and the Mediation video clip – see the enclosed Appendix 4;

15 people to be trained – we made supplementary efforts in order to train more people in order to enhance the chances to obtain the foreseen results. To become a professional in ADR, a series of specific knowledge and skills are needed, and the training session delivered is seen as the first of a series to come.

- Technical support delivered by CMSC under the form of applicable ADR models, know-how on running an ADR service, direct service support provided by specialized people, working with the CMSC.

- 15 cases taken by the three new centres;
- 11 CMSC mediators trained as trainers of mediators able to deliver basic training sessions and supervisory services for development of new mediators;

The CMSC mediators with skills in curriculum development, supervision abilities and case experience delivered direct support to the NGOs and their staff working in ADR.

- Establish working groups on drafting the new law on using alternative conflict resolution methods.

In order to introduce, promote and sustain ADR in Romanian Dispute Resolution environment, it is of the highest importance to propose the setting of a legal frame referring and addressing Mediation. As first step in achieving that goal, we established a crew, formed by professionals working in Standard and Alternative Dispute Resolution, NGO specialists, and a core of consultants working with companies/unions, and other types of organizations.

In our whole activity we had the benefit of the high level of professionalism and experience of our VOMA partners who constantly supported our activities. We were in permanent contact via e-mail, mail and phone, working together to the best of the available resources and terms.

The performed actions involved activity design and management setting, data gathering and base establishment, containing info on ADR legal frame, system, provisions and organization system from English speaking countries, European Union and Romania, comparative law activities, developing the legal context and frame, methodologies, evaluation of existing legal frame, legal data base of existing legal texts, ADR legal proposal text structure, comparative studies, designing the law proposal frame.

At the present time we were able to finalize a first form of ADR-Mediation Law Draft and a Mediation Functional and Organizational Framework proposal – the first ones of the kind done up to now. The proposals were sent for evaluation and discussed with the most prominent entities (organizations, professionals) in order to have their opinion on our proposals.

The Law Draft and Mediation Framework proposal were sent and evaluated by a core of legal specialists from the Ministry of Justice, Parliament and relevant Administration offices. The documents were submitted for evaluation to the attention of several specialists and political leaders, members of the Romanian Parliament.

At present time we are working to build up a coalition of political and professional prominent leaders, having an as wide as possible political orientation, aiming to introduce and support our initiatives in the legislative procedures.

Also we are involved in creating a group of organizations, professionals and opinion leaders actively involved in sustaining, lobbying and advocating in behalf of the up-mentioned proposals.

This is an ongoing activity, to be done even after the project's ending, considering that the legislative activity is a long term process, involving time consuming procedures, number of key people from a wide spectrum of activities, specialists and politicians. For the time being is not possible for us to foresee a date for the ending of the legislative process, but considering the project's terms we can consider those as fulfilled.

## **Overall results**

- (c) Establishing of a network of three conflict resolution centres in the north-eastern Moldavian region of Romania with teams of mediators working at professional level to resolve family and community conflicts, under tutorial of ADR professionals;
- (d) Strengthen conflict mediation services in Romania through building local NGO capacity, create public awareness on the need for mediation services, and complete the documentary work on the new mediation law.

Evaluating the results obtained on the ending of every foreseen activity, on some items appeared small differences between the proposed figures and the actual results, but not relevant for the project's overall objectives, which were covered and even enhanced.

## **Specific expected results include the following:**

- 1. Three new, functional mediation centres capable of providing family, community, commercial and labour mediation services. The Sub-recipient will replicate its mediation model in three locations: (1) the village of Movileni in Iasi County; (2) the city of Botosani through the Asociatia Activ; and (3) a third location to be identified in the updated workplan as per Section 1.12(e) of this Subgrant Agreement;

As a result of the project's implementation a number of three new centres are capable to provide basic ADR – Mediation services (community, family, commercial and labour) under direct support and supervision provided by experienced ADR professionals. The system of delivering ADR – Mediation services is a replica of the CSMC model. The locations are: (1) Asociatia “Femina 2000” – Roman, (2) Asociatia “Activ” – Botosani, (3) “Societatea Doamnelor Bucovinene” – Suceava.

- 2. Thirty new cases resolved in the three new centres; of these, 60% will involve family and community conflicts, 20% minor victim offender cases, 10% labour conflicts, and 10% commercial conflicts<sup>24</sup>;
- 3. Eight CSMC mediators trained as trainers of mediators able to deliver training sessions and supervisory services for development of new mediators<sup>25</sup>;

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<sup>24</sup> See Appendix 1 – Case Situation;

<sup>25</sup> See Appendix 2 – Training Situation

- 4. Nine new mediators basically-trained in the three new mediation centres, each having at least two mediators per centre; these mediators will have the capacity to address minor conflicts through agreements between the conflicting parties<sup>26</sup>;
- 5. Ten experienced CMSC mediators with previous experience in family and community conflicts trained in commercial and labour mediation<sup>27</sup>;
- 6. A national media and awareness campaign was conducted, having as pillar a video clip produced and presented on five national and local television channels; at least two million people saw the video<sup>28</sup>;

The promotion campaign, besides the broadcasting of the ADR video clip, consisted in media coverage (national and regional TV, Radio and newspapers), and events. The main events were:

- the first official national ADR meeting, gathering ADR professionals from all national ADR relevant organizations, official representatives from US Embassy, USAID, World Learning, RASP Program, GRASP Program, Parliament members, Ministry of Justice, County Prosecutor's Office, Courts of Law, Police, Coroner's Office, City Hall, County Council, County Education Management Office, different High Education Institutions (both state and private), Media and commercial Companies, politicians, interested professionals working with of with high risk of involvement in different types of conflicts;

- official launching of the First promotional ADR national campaign – participants were ADR professionals from all national ADR relevant organizations, official representatives from US Embassy, USAID, World Learning, RASP Program, GRASP Program, Parliament members, Ministry of Justice, County Prosecutor's Office, Courts of Law, Police, Coroner's Office, City Hall, County Council, County Education Management Office, different High Education Institutions (both state and private), Media and commercial Companies, politicians, interested professionals working with of with high risk of involvement in different types of conflicts;

- 7. Establishing working groups on drafting the new law on using alternative conflict resolution methods<sup>29</sup>.

As a result of the project a work-group made of ADR and Dispute Resolution professionals was established, the activity having as result an ADR / Mediation organization and functioning scheme proposal and an ADR Law draft. Both proposals were submitted to professional's and politician's evaluation. The projects were deposed for Parliament expert's evaluation. A sustained lobby and advocacy activity was and is made in order to promote, sustain the proposals, activity meant to be done up to the moment when the ADR-Mediation law is going to be issued. In order to enhance the results of those activities, we are aiming to establish organized forms and / or entities formed by ADR and DR professionals, practitioners and interested people, having as goal the introduction, sustaining, management and performance of ADR and border ADR activities.

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<sup>26</sup> See Appendix 2 – Training Situation

<sup>27</sup> See Appendix 2 – Training Situation

<sup>28</sup> See Appendix 3 – Awareness Campaign

<sup>29</sup> Appendix 4 – Law Drafting



## **5. Problems encountered and actions taken during the project term**

### **The first quarter**

During the first part of the project there were no major issues worth mentioning.

The only issue is related to relatively low engagement of the Miroslava county hall representatives, who – in the first place - accepted to be part of the project, afterwards lowering their efforts in complying with the project requirements, mostly due to the overburden of tasks to be solved by few, on local level.

To balance that, we increased the efforts towards another centre, in order to fill the project requirements concerning the 3<sup>rd</sup> implementation location. We plan to focus on Suceava partner NGO, who was more responsive to and will be better able to take on tasks of the project.

VOMA experienced no problems other than what were expected regarding logistics, time change, training with a translator and working trans-continently. CMSC responded with creativity, patience and competence regarding all issues. The only irresolvable issue has been the cost of airline travel between the United States and Romania. Costs for training cycle I were double (\$800 per ticket) the amount budgeted, and for training cycle II were more than triple (\$1500 per ticket).

### **The second quarter**

Our VOMA partner is offering a valuable perspective on ADR. VOMA reports that CMSC employees are enthusiastic, sophisticated professionals and looks forward to long-term and ongoing relationships past the expiration of the grant.

The only less satisfactory results were linked to some of the regional partners activity, generated by the resource costs needed to implement and sustain the each one assumed activity of delivering services in territory. It is known that the establishment and the running of a service providing activity involves high amounts of resources, mostly in the first stage (the one we are referring to). The resource situation of the Romanian NGO sector affected our regional partners possibilities of fully participating to the efforts needed to completely satisfy the role they assumed in the project. As a consequence, the role in covering the case assumed loads was affected for some of the territory partners. On the other hand, other partners evaluated and managed better their resources so they were able to perform better so to compensate other's miscalculation. Evaluating the differences between the proposed figures and the results, some minor differences were observed, not relevant for the whole of their activity or for the projects overall objectives, which were covered and even enhanced.

### **The third quarter**

During the third part of the project there were no major issues for the overall and specific project objectives.

As a general observation, we must offer credit to territory partners who had a lot of resources / financial difficulties to support case intervention activities (some cases needed parties transportation fees, case management costs, etc.). The costs issue lowered significantly the number of cases possible to be approached. The direct observation is that a functionally ADR service needs resource levels difficult to be disposed internally by number of NGOs, without outside-organizational founding or funds obtained as a result of selling specialised services.

Considering the objectives proposed by the project and the actual status of accomplishment we evaluate that we responded on overall activity level, on some items having enhanced the level of project's quality and quantity indicators (including the introducing of some un-foreseen activities – but needed for the assumed goals completion, un-financed in the original shape of the present project, but covered by own resources of CSMC).

## **6. Partnership**

### **a. Best practices and lessons**

Our VOMA partner offered and is offering a high professional approach and a valuable perspective on ADR, seen from the practicing's, educationalist's and manager's point of view. The program activities had the benefit of the high degree of ADR direct experience in all relevant fields.

We had, also, the benefit of being trained and allowed to use training support materials, service and case management best practice materials, a consistent code of ethics, elaborated by VOMA.

VOMA reports that CMSC employees are enthusiastic, sophisticated professionals and looks forward to long-term and ongoing relationships past the expiration of the grant.

We consider our meeting under the RASP Program as an highly valuable opportunity who gave us the chance to enhance our information and skills level as ADR professionals and private people.

### **b. Continuing activities**

The CSMC and VOMA is going to last beyond the final of this project, at the present time having planned for future joined activities.

One of the activities aims the on-going ADR professional support up to the moment when the ADR-Mediation law and application norms are going to be legally issued. The ADR future projects collaboration, consultancy and support activities are going to continue beyond that, being limited only by the resources that can be provided by the parties

At the present time CSMC and VOMA agreed to develop two punctual projects, as follows.

One project aims to link Romanian mediators to US ADR specialists, concerned in the same line of interest and activity for on-going bilateral contact, set through VOMA kindness. The links are going to be set on personal basis, every interested party stating ADR lines of specific interest in which is interested to be linked to an US expert, specialised in the same specific lines.

The purpose of the second project is to establish international common standards, code of ethics, and certification processes for individuals seeking to claim the status of a professional in either practicing ADRP and educating/training in ADRP (including research and curricula content). It is expected that the project will produce a core set of competencies, with supplemental and specific competencies and requirements for specialized practice and unique cultural contexts.

The project will build upon work already established within specialized practice communities (ABA (VOM resolution & UMA), ACR, NAFCM, MEDIATION UK, RJ Consortium, European Forum for Victim Offender Mediation and Restorative Justice, Basic UN

RJ Principles etc.) and like process standards in the private sector and common computer language in the technology sector. The field of mediation will establish commonly held and agreed upon practice, process and credential requirements.