



CODE OF PRACTICE MULTICULTURAL MEDIATOR



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Preamble

Conducting multicultural mediation between people from different cultures requires special competences and skills from the mediator, in particular having sensitivity and knowledge about different cultures, customs, values and norms, as well as understanding how different cultures influence behavior and the ways of creating and resolving conflicts.

The mediator should have the ability to communicate effectively with people from different cultures, taking into account language and cultural differences, different communication styles and levels of involvement in the conflict.



FOR THIS PURPOSE, THE MULTICULTURAL MEDIATOR SHOULD FOLLOW THE FOLLOWING RULES:

1. A multicultural mediator makes every effort to use his or her resources, knowledge and experience to conduct effective, impartial and competent mediation between people from different cultures.
2. A multicultural mediator should recognize that the conflict between the parties was caused by cultural differences and recognize the cultural basis for differences in the parties' behaviors, habits, values and expectations.
3. A multicultural mediator should be aware of the cultural differences between the parties and respect the culture and perspectives of both parties to the conflict. He should understand what cultural values and norms mean to each party.
4. A multicultural mediator should adequately prepare for mediation by acquiring or supplementing knowledge about the characteristic features of the cultures of people participating in multicultural mediation conducted by the mediator.
5. A multicultural mediator should resolve the conflict with respect for cultural diversity, showing the parties different perspectives and supporting them in searching for solutions acceptable to both parties, taking into account their multiculturalism.
6. A multicultural mediator should respect cultural differences between the parties to the conflict and avoid any actions that could lead to discrimination on the basis of cultural differences. A multicultural mediator avoids bias, showing prejudice and judging the parties, in particular due to their multiculturalism.
7. The multicultural mediator correctly diagnoses the background and causes of the conflict and does not mediate on values, social norms and ethical attitudes.
8. A multicultural mediator should be creative and flexible in his approach to intercultural conflicts. He should be willing to adapt his mediation style to specific needs and circumstances.

9. A multicultural mediator should have basic knowledge of the law and principles of mediation, especially in the context of different cultures and legal systems, and in situations that exceed his knowledge, he should use the substantive support of appropriate specialists.
10. The multicultural mediator separates the role of mediator from all his other professional roles, which helps him remain impartial and neutral.
11. A multicultural mediator does not impose his or her worldview when creating conflict solutions.
12. The multicultural mediator does not convince the parties of his arguments and views.
13. Mediators should be able to communicate effectively and clearly with each party to the conflict, taking into account cultural differences in communication styles. They should also be able to help the parties overcome communication barriers.
14. The multicultural mediator ensures the neutrality of messages in mediation and does not use the language of evaluation.
15. A multicultural mediator does not introduce into mediation elements of judging, moralizing, patronizing, giving labels, making diagnoses or giving advice.
16. The multicultural mediator does not pressure or force the parties to participate in mediation or sign an agreement, and does not in any other way take advantage of the parties' weaknesses resulting from cultural differences in order to achieve a specific mediation result.
17. The multicultural mediator takes into account the needs of the parties and focuses on their resources and potential (capital), not on weaknesses and shortcomings.
18. If, for any reason, a multicultural mediator is unable to conduct mediation impartially, he or she should immediately discontinue the mediation proceedings.
19. A multicultural mediator maintains a high level of professional ethics.
20. The multicultural mediator constantly deepens and improves his/her multicultural competences.

21. A multicultural mediator constantly works on his/her personal development in order to achieve high self-awareness. He is aware of his strengths and weaknesses, which translates into knowledge of his own boundaries and helps define the mediator's fields of specialization.
22. A multicultural mediator is obliged to undergo systematic interviews and supervisions.
23. A multicultural mediator should be a model of an open, tolerant attitude and respect for the culture of other people, and thus promote the profession of a multicultural mediator, educate and raise public awareness about mediation and the role of multicultural mediators in resolving conflicts.