

## Collaborative Decision Making and Dispute Resolution Systems Design

### BACKGROUND AND SERVICES

CDR Associates has extensive experience in collaborative decision making and dispute systems design, capacity building, and the successful implementation of new approaches to address a wide variety of organizational situations or conflicts. **Arenas in which CDR has developed dispute management systems include:**

- Employment and personnel conflicts in the private and public sector (complaints, grievances, charges of discrimination and sexual harassment)
- Collective bargaining and contract administration
- Conflicts between or among organizational units
- Disputes with customers
- Partnering between organizations in the private and public sectors
- Commercial and civil disputes
- Civil and human rights conflicts
- Public disputes involving diverse ethnic or racial groups
- Public issues and environmental conflicts
- Water and land conflicts
- Public conflicts that are the result of violent conflicts and civil wars

CDR understands that disagreements and conflicts are a fact of life for most organizations, communities, societies, and for the people who live and work in them. Disputes may be among or between coworkers, supervisors and subordinates, departments and divisions, or the organization and its customers or other members of the public.

Conflicts can also occur in the public arena. In normal times, disputes may emerge over the development of policies, rules, regulations or reoccur between parties. In post-conflict situations, such as the end of civil wars when parties are trying to rebuild their institutions or societies, ongoing disputes can hinder a return to stability, redevelopment or lasting peace.

Collaborative decision making and dispute resolution systems design are comprehensive and creative responses to common organizational and public conflicts. CDR Associates has special expertise in the development of systems responses to issues, problems or conflicts. Working closely with concerned leaders and parties, CDR will:

- Identify and diagnose the cause of recurring organizational problems or public disputes
- Develop a range of possible collaborative decision making or conflict management procedures to address them (counseling, conflict resolution coaching, dispute resolution strategy design, facilitated problem-solving meetings, mediation, dispute panels, arbitration, mini-trials, etc.)
- Work with the client organization to match appropriate procedures to the issues, problems or disputes that are to be managed and resolved
- Design a comprehensive collaborative decision making or dispute management system that includes a set of appropriate and sequenced conflict resolution procedures
- Train personnel to implement and administer the system
- Promote and/or market the system to potential users
- Maintain quality control and feedback to assure organizational learning and change

## SELECTION OF EXPERIENCE

## Employment – Corporate

Early resolution and mediation systems design – Alyeska Pipeline Service Company – *Consultation to develop appropriate processes for raising and resolving difficult conflicts within a private corporation.* Worked with the Employee Concerns Program of this unique Alaskan company to develop more effective ways for employees to bring forward concerns about safety, environmental compliance, and harassment. The process included consultation regarding addition of early resolution and mediation components, as well as training of an internal pool of mediators.

Internal dispute resolution system – Boulder Community Hospital – *Design of conflict management system to resolve both employee and patient complaints in a Colorado hospital.* Conducted training for a large number of staff in conflict resolution procedures and development a cadre of specialized, in-house mediators.

Early-resolution system and grievance system design – Ingram Micro – *Consultation with major computer marketing corporation to enhance its traditional grievance system.* Consulted on the development of early-resolution procedures for a range of workplace disputes.

Design and implementation of internal dispute resolution system – Levi Strauss & Company – *Design and implementation of a proactive dispute resolution process to be used by frontline supervisors and employees at this large multi-ethnic corporation.* Provided employees from all ethnic groups throughout the organization with skills to handle conflicts at the lowest appropriate level and prevent them from escalating within the corporation.

Comprehensive corporate conflict management systems design – MediaOne – *Prepared conflict management materials and trained staff in their utilization for this large corporation.* Assisted MediaOne to revise and enhance its existing Employee Dispute Resolution System. MediaOne is a telecommunications company located in eleven states across the United States, employing 14,200 people. CDR drafted the script for the company's Employee Dispute Resolution System training video and developed and delivered a train-the-trainer program to prepare employees at all levels to utilize the new system. CDR assisted human resource personnel and managers at MediaOne to more effectively anticipate, preempt and resolve specific disputes.

Conflict assessment, development, and implementation of employee complaint resolution system – Pitney Bowes – *Consultation with corporate team to design conflict assessment process and to develop options for new employee complaint resolution mechanisms.* Designed and presented a course for Pitney Bowes personnel on Interpersonal Negotiation and Mediation.

Design and implementation of grievance system – US WEST Communications – *Multi-year consultation and training in conflict management.* Assisted US WEST to implement a new grievance mechanism that included mediation for the resolution of personnel disputes. This program is an integral part of the corporation's goal of developing more cooperative labor management relationships.

## Employment – Government

Situation assessment of employee grievance resolution mechanism – U.S. Patent and Trademark Office (USPTO) – *Assessment of the employee grievance resolution mechanisms of large federal government agency*. Conducted an assessment of the experience of senior and mid-level managers in the resolution of employee disputes; the functioning of the Office of Civil Rights in resolving EEO complaints; how the union-management grievance procedures were used by three unions; and the functioning of Employee Relations and Labor Relations units. The CDR team made a number of recommendations for improving the use of grievance mechanisms and resolution of employee disputes including streamlining systems, development of a roster of specialized external mediators, and implementation of labor-management training in conflict resolution for supervisors and union officials as a dispute prevention and/or early resolution measure.

Design of interactive media for federal agency – U.S. Department of the Interior (DOI), Office of Collaborative Action and Dispute Resolution – *Production of material to bring awareness of agency's dispute management system to DOI*. Designed a process, wrote the script, served as narrator, and acted in an interactive DVD prepared for and disseminated to all agency employees to introduce them to diverse uses of ADR, including employment mediation. This initiative was designed to enhance awareness and use of the DOI's overall dispute resolution system and available procedures to address employee disputes, and to promote the use of Alternative Dispute Resolution procedures in the resolution of public disputes in which its Bureaus are involved.

Comprehensive agency-wide mediation design, training, follow-up – U.S. Department of the Interior (DOI), Conflict Resolution Program (CORE) – *Designed and conducted a forty-hour training program and coached senior management*. Design and presentation of a series of agency-wide educational briefings on workplace mediation for agency personnel, three five-day workplace mediation seminars for personnel who would be providing dispute resolution services in all of the Department's Bureaus, and follow-up advanced mediation seminar to enhance the performance of staff in this innovative system.

Situation assessment of conflict management system to address personnel disputes – U.S. Office of the Comptroller of the Currency – *Analysis of internal dispute systems for federal agency*. Conducted a situation assessment of the existing conflict management system to address personnel disputes within this agency, made recommendations on how to improve its performance, especially in the area of mediation, and provided input into the development of an agency strategic plan to enhance the use of ADR. Subsequently, CDR conducted capacity building for agency personnel to expand their capacity to intervene and facilitate resolutions of group disputes within the agency.

Executive training for resolution of internal and external issues – U.S. Army Corps of Engineers (USACE), Office of the Chief Counsel – *Multi-year training program in conflict management for Corps executives agency-wide*. Worked with the Corps to design and conduct a series of Executive Seminars worldwide to introduce senior decision makers from the Military and Civil Works branches and Office of the Chief Counsel and legal staff in Divisions and Districts to alternative dispute resolution approaches and procedures for the resolution of employment, contracts, construction, planning and environmental disputes. More than 150 senior leaders attended the programs. The initiative was part of an agency-wide program to incorporate ADR in all aspects of the work of the COE

Agency-wide employment dispute resolution program design and delivery – U.S. Army Corps of Engineers, Early Resolution Program (ERP) – *Mediation skills training to resolve employment discrimination disputes*. Designed capacity building for and implementation of a dispute resolution system to address employee charges of discrimination. Implementation included training more than 100 mediators to provide intermediary services for this system. This was followed by a training of in-house mediators for a new program to resolve employee grievances not related to discrimination for this international engineering agency.

Employee relations conflict management training – U.S. Army, European Command – *Designed and conducted grievance resolution training*. Assisted the Army to develop a cadre of mediators in Europe who were knowledgeable of human resource issues, EEO rules and regulations, and skilled in the mediation and resolution of personnel disputes. Participants in the training program came from across the spectrum of Army agencies.

Natural resource conflict resolution process design – U.S. Bureau of Reclamation Conflict Management Service – *Design and training of staff agency wide, including advanced training for senior advisors*. Development of this natural resource management agency's Conflict Management Service, an organization-wide collaborative problem solving and conflict management system that provides assistance in the resolution of public, natural resource, organizational, labor-management and personnel disputes. The Service has 16 Alternative Dispute Resolution Advisors who have received more than 300 hours of training. These ADR Advisors and external contractors have intervened in a number of personnel issues, water disputes, interagency partnering efforts, and conducted hundreds of hours of capacity-building conflict management training for agency personnel and cooperating organizations.

EEO and grievance mediation program design – U.S. Bureau of Reclamation – *Assisted the agency in developing a mediation component to add to its system for resolving Equal Employment Opportunity (EEO) complaints and personnel grievances*. Helped develop a panel of internal and external mediators to provide intervention services. Subsequently, the scope of this service was expanded to include the resolution of all kinds of personnel disputes. CDR provided training for all agency workplace mediators.

Systems design for state university – Client confidential – *Assisted university in developing better systems for handling conflicts among faculty, staff and administration*. Worked with this unionized facility to create more effective systems for addressing disputes regarding employment, harassment complaints, working conditions and related issues within the context of the bargaining contract. CDR Associates assisted staff in designing better dispute systems, provided training in conflict resolution and helped create an ongoing training capacity within the university.

Statewide personnel grievance mediation system – State of Colorado, State Personnel Board – *Design and training of a panel for a statewide personnel grievance mediation program*. Worked with the agency multiple times since 1989. The system has been highly successful in resolving disputes and grievances.

## Inter and Intra-Organizational Issues

Cooperative problem-solving assistance for school district – Los Angeles Unified School District/Unified Teachers of Los Angeles – *Work with school board and union to improve working relationship.* Worked with the Board of Education, the Administration and the Union after Los Angeles schools experienced a serious strike, to take systematic steps toward a more productive working relationship. The project involved vision building and training in cooperative collective bargaining procedures.

Partnering assistance for agency and construction company – National Aeronautics and Space Administration (NASA), Goddard Space Center and Blake Construction, Inc. – *Worked to build overall partnering agreement for large construction project.* Assistance for these organizations in building a partnering relationship and developing partnering agreements for a \$30 million construction project for the Earth Observing System Data and Information System Facility. This partnering workshop resulted in the adoption of a partnering charter, communication and decision-making protocols, a dispute resolution system and an ongoing evaluation plan.

Design of broad-based university conflict resolution program – University of North Dakota - *Design of a dispute resolution service affiliated with the President's Office.* Worked with this multiyear program build capacities to resolve faculty, staff, student and public disputes. Twenty mediators were trained and provided with coaching to provide intermediary services.

Agency-wide environmental, personnel, and contract dispute resolution program design – U.S. Army Corps of Engineers – *Design of an agency-wide alternative dispute resolution (ADR) initiative and systems to resolve internal personnel, contract, environmental, planning, and real estate and other public disputes.* Trained more than 400 Senior Executives and 500 mid-level managers in ADR principles and procedures.

Conflict management skills training for Federal Reserve bank examiners – U.S. Federal Reserve Board – *Design of program, multi-year presentation of program, and training for trainers for FRB staff.* Research and consultation with a team from the Federal Reserve System and led in the design and implementation of a new interest-based approach for handling banking regulatory activities and bank examinations. The program is now mandatory for bank examiners at all Federal Reserve Banks.

## Public Disputes

### *Civil Rights*

Interethnic conflict management processes for complex situations – U.S. Justice Department, Community Relations Service – *Consultation and advanced training for agency staff.* Presentation of a series of seminars for agency staff on diverse conflict management approaches and procedures available to regulate, manage address and/or resolve controversial and potentially violent conflicts involving interethnic, interreligious or civil rights issues. Seminars were attended by all levels of staff, from the director to field staff, and covered conflict management and intervention design, implementation of rumor control mechanisms, diverse forms of multiparty mediation, conflict regulation strategies and approaches for intervention in multicultural disputes.

*Banking and Lending Issues*

Design of mediation system for neighborhood/banking issues – Board of Governors, U.S. Federal Reserve Board – *Assisted the Federal Reserve in designing a new mediation system to resolve disputes over the implementation of the Community Reinvestment Act.* Trained bank vice-presidents and Community Affairs Officers and their assistants.

*Client Services Issues*

Design of statewide processes to address mental health issues – State of California, Department of Mental Health – *Innovative program designed to improve communication and reduce conflict among mental health clients, their families and mental health care providers.* Consulted with all involved in the mental health system in California (providers, families, clients, and related state, county, municipal agencies) to focus the entire system on less adversarial, more collaborative decision making processes. The intervention involved training a statewide network of intermediaries, with special efforts to establish systems in three pilot areas.

Consultation to improve relationships within university systems – University of Colorado – *Work with university staff to build capacity within multiple offices.* Consultation with the Student Affairs, Bursar's and Financial Aid Offices of the University to design and implement systems and increase capacities to prevent and resolve disputes between students and the University. The intervention also established procedures for coordination among these offices.

*Farmer-Lender Issues*

Farmer/Lender conflict management systems – State of Kansas, Department of Agriculture – *Consultation in the design and training for a statewide mediation service to resolve conflicts between lenders (banks and other agencies) and borrowers.* Trained mediators and financial service advisors from across the state.

*Mining*

Mining ombudsman program design – Jefferson County, Colorado – *Establishment of ombudsman office, training of staff.* Helped to create the first Office of the Mining Ombudsman United States, as a result of the successful resolution of public policy issues related to mining in this country. Also trained the ombudsman in a range of interpersonal and public dispute resolution skills appropriate to address and resolve conflicts over mining and mining-related activities.

*Planning and Natural Resource Issues*

Facilitation and dispute system design assistance for water resources issues – Nebraska Water Policy Task Force, State of Nebraska – *Provided facilitation and dispute system design assistance to a 49 member committee established by the Legislature, and with members appointed by the Governor.* In this long-term project, worked with the Task Force to evaluate the effectiveness of and make recommended changes to laws governing the integrated management of surface water and hydrologically connected groundwater. The committee, composed of representatives of key stakeholder groups—surface water

irrigators, groundwater pumpers, power generators, environmentalists, recreationists and municipalities—reached a consensus on recommendations which included a detailed dispute resolution system to resolve future disputes between surface and groundwater users.

**Conflict management systems design assistance for two Air Force Base closures** – U.S. Air Force, Air Force Base Conversion Agency – *Provided dispute resolution system design services for two pilot projects dealing with environmental and other issues at closing Air Force bases.* CDR staff conducted an in-depth assessment, convened a Design Group of representatives from each of the agencies, and worked with the Design Group to develop a dispute resolution system. In the California pilot, the goal was to resolve CERCLA (“Superfund”) related environmental disputes between the Air Force and regulators. Following the completion of the design, CDR conducted workshops with a wide array of stakeholders to build skills and support for the system. Finally, staff completed an evaluation on the effectiveness of the system in these disputes and worked with the Design Group to adjust the system accordingly.

**Design of systems to address water allocation in the Republican River Compact** – States of Colorado, Kansas, and Nebraska, and the U.S. Government – *Worked with water compact states to help them with ongoing means of conflict management.* As part of a mediation process under the jurisdiction of the U.S. Supreme Court, assisted the states that are members of the Republican River Compact to design two dispute resolution systems. The first system was designed to address water allocation disputes between the states, and the second to resolve conflicts over Republican River basin modeling.

**Design of statewide system to address growth management policies** – State of New Jersey, Office of State Planning – *Assistance in the design of a process and training of state and county personnel to participate in a statewide growth management planning process.* Provided training in negotiation and facilitated problem solving for representatives of the State Planning Commission and 21 counties.

**Assistance in design of systems for air quality conflict management** – State of Pennsylvania Department of Environmental Resources (DER), Environmental Conflict Management Initiatives – *Facilitated a strategic planning retreat for DER's Bureau of Air Quality.* Assisted in the development of a plan for proactive initiatives regarding Federal and state air quality regulation. CDR Associates assisted with systems design initiatives, including designing more collaborative and efficient permitting processes.

#### International – Multinational

**Evaluation and consultation on the policy and practice of the ADB Office of the Special Project Facilitator** – ADB Office of the Special Project Facilitator – *Evaluation of the grievance resolution mechanisms of a multilateral lending institution to resolve disputes over large complex development projects.* Provided support to the operations of the Office of the Special Project Facilitator, the consultation component and phase of the Asian Development Banks’ accountability mechanism. CDR reviewed the OSPF consultation process policy and practice, evaluated the way complaints have been managed in the past, and recommended improvements to the consultation process within the current policy framework. In its role as an outside expert, CDR served as a sounding board for project-specific issues and provided advice on various aspects of OSPF’s operational procedures, issues of process, and accountability and dispute system design issues arising during complaint handling. CDR’s role also included identifying lessons that can guide

the handling of future complaints and further equip OSPF in carrying out its mandate in difficult situations.

**Grievance Mechanisms for World Bank projects** – Compliance Advisor/Ombudsman, the International Finance Corporation of the World Bank Group – *Research and preparation of a resource guide on grievance mechanisms for large, complex development projects.* Conducted an international study for the Compliance Advisor/Ombudsman on “Grievance Mechanisms for Large, Complex Development Projects.” The analysis identified models currently being used, best practices, and procedures for establishing project-based grievance mechanisms with a special emphasis on extractive industries operations and resulted in a comprehensive resource guide.

In 2006 the International Finance Corporation (IFC) of the World Bank published *Performance Standards on Social and Environmental Sustainability*. The IFC applies these standards to manage social and environmental risks and impacts and to enhance development opportunities of its projects. Performance Standard 1– Social and Environmental Assessment and Management Systems – states that, “The client will respond to communities’ concerns related to the project. If the client anticipates ongoing risks to or adverse impacts on affected communities, the client will establish a grievance mechanism to receive and facilitate resolution of the affected communities’ concerns and grievances about the client’s environment and social performance.” In addition to Performance Standards, the IFC has also prepared a set of Guidance Notes that correspond to each standard and explain their requirements.

**Situation assessment resulting in trans-boundary water training and protocol development** – Okavango River Basin Commission (OKACOM), and the U.S. Department of State, Agency for International Development and Bureau of Reclamation – *Work with the governments of Angola, Botswana and Namibia to analyze sources of conflict regarding Okavango River Basin management and to develop a protocol for their management.* Over a period of several months, conducted a situation assessment of parties, issues and interests related to the management of the Okavango River. The Okavango River is the third largest river in southern Africa and flows between the three countries. Subsequently, designed and facilitated an international workshop and training program for commissioners from each of the countries and their technical staffs to develop procedures and protocols for working on effective integrated river basin management and conflict resolution.

**Design of conflict management system for resolution of employee complaints in international organization** – The World Bank Group – *Worked with the World Bank Group’s management to assess worldwide systems for addressing and resolving organizational staff complaints and grievances.* As part of the institution’s efforts for continuous improvement, the Bank commissioned an independent study conducted by CDR Associates to assess the functioning and performance of core and affiliate conflict resolution approaches and entities that informally or formally address staff complaints and grievances. The assessment examined how conflict resolution approaches and services are used in the International Bank for Reconstruction and Development (IBRD), International Development Association (IDA), International Finance Corporation (IFC), Multilateral Investment Guarantee Agency (MIGA), and International Centre for Settlement of Investment Disputes (ICSID). Specific offices, mechanisms and services assessed included, but were not limited to, the five components of the World Bank Conflict Resolution System (CRS) (Ombuds Services, Mediation Services, Appeals Committee, the Administrative Tribunal and Ethics

and Business Conduct); Human Resources; the Staff Association; the Department of Institutional Integrity (INT); Office of Diversity; Respectful Workplace Advisors; the Legal-Vice Presidency; the Counseling and Consultation Service of the Health Services Department (HSD); and middle and upper management. Results of the assessment have been used to fine tune the Bank's internal dispute resolution systems and components of systems.

**Consultation to develop plans for resolution of Arctic environmental conflicts** – Arctic Military Environmental Cooperation – Governments of Norway, Russia and the United States – *Planned and facilitated meeting of experts to develop agreements on protection of the Arctic*. To support the November, 1996 Declaration on Arctic Military Environmental Cooperation (AMEWC), CDR planned and facilitated a week-long meeting of experts in environmental affairs from the Norwegian and Russian Ministries of Defense and the US Departments of Defense, State, Energy and the Environmental Protection Agency. Participants developed agreements to overcome barriers and provide a strategic basis for cooperation on military-related environmental projects in the Arctic, and negotiated joint documents to address key problems, areas for cooperation, potential projects, and procedures for developing new projects to protect the Arctic Environment.

**Development of system to address international trade disputes** – Tri-National Produce Industries Corporation – Canada, Mexico and the United States – *Facilitation of the design of dispute resolution system to resolve trade disputes under NAFTA*. Worked with the perishable produce industries of Canada, Mexico and the United States (participants in the North American Free Trade Agreement – NAFTA) to facilitate the design of the first tri-national corporation and dispute resolution system to resolve trade disputes under this international law. In conjunction with an international design committee, developed a new dispute resolution system that is easily accessible, works inter-culturally, provides rapid resolution of differences, and promotes voluntary agreements to the greatest extent possible. Because mediation assistance is a major component of the new system, a training program on mediation and arbitration was conducted for intermediaries working in the new system.

**Design of conflict management systems as instruments of governance** – United Nations Development Programme (UNDP) and the United Nations Governance and Public Administration Branch – *Designed and implemented a seminar on Developing and Sustaining Effective Conflict Management Systems as Instruments of Governance, held in Uganda*. Designed and implemented a pilot seminar for government officials, representatives of the private sector, and non-governmental organizations on designing conflict management systems as instruments of governance. The seminar prepared governmental and non-governmental actors and agencies to develop integrated conflict management systems to address environmental, land, ethnic, and other forms of common conflicts. The UN plans to duplicate the program across Africa

## International - Country Specific

### *Australia*

**Conflict systems for issues in the legal arena** – Minter Ellisons, Sydney – *Members of a law firm worked with CDR to identify systems to apply in public and private disputes*. Designed and presented a customized program that introduced the phases involved in

designing dispute management systems. This program was conducted for the members of this Sydney law firm. The firm planned to apply this process in a wide variety of multiparty situations in both the public and private sectors.

### *Bulgaria*

**Systems design for interethnic conflict resolution** – Bulgarian Center for Negotiation and Conflict Resolution, Sophia – *Multi-year program to assist public and private sector Bulgarian organizations in the reduction of ethnic conflict.* Assisted the Center to design and establish a system of Multi-Cultural Commissions in five Bulgarian cities to address problems of ethnic group interaction, cooperation, and dispute resolution. The Commissions are composed of ethnic Bulgarians, Turks and Roma (Gypsies) and address employment, housing, and educational issues. This model has been implemented in additional communities across Bulgaria.

### *Canada*

**Farmer/lender dispute management systems design** – Agriculture Canada – *Cooperated in the design of and training for a nationwide mediation service provided by this Federal agency to resolve conflicts between lenders (banks and other lending agencies) and borrowers.* Helped prepare mediation panels to resolve farmer/lender disputes in every Canadian province.

**Cooperative collective bargaining process** – Province of Saskatchewan, Public Service Commission, and Saskatchewan Government Employees Union – *Design and implementation of a cooperative collective bargaining and contract administration system.* Worked with the provincial government and union to design and implement a cooperative collective bargaining and contract administration system that involved multiple levels of stakeholders. The process has been used to successfully bargain and administer multiple contracts.

**Comprehensive labor/management conflict management system** – Saskatoon Correctional Center, Saskatoon, Saskatchewan – *Mediation, coaching training, and process design to assist organization with complex and hostile post-strike relationships.* Worked for six months with all parties after a particularly contentious strike that created intense feelings of animosity between labor and management. Formed a dispute design committee and provided oversight for negotiation skills training, two-party and multiparty mediation processes, and the creation of a new dispute resolution system.

**Design of dispute system** – Royal Canadian Mounted Police (RCMP) – *Joint design and implementation of innovative process including conflict prevention in grievance disputes.* Worked with four RCMP Divisions, including headquarters, to redesign their employee dispute resolution procedures. The process involved an innovative “designshop” in which 15–20 members of management and the police association jointly designed the new system and developed strategies for its implementation. New procedures included the addition of conflict prevention measures as well as the introduction of mediation to resolve grievances and charges of discrimination.

**Design of collective bargaining process** – Treasury Board Canada – *Design of a multilevel stakeholder process for negotiations and new structures for labor management*

*interactions.* Designed and facilitated a process to enable the government of Canada to return to collective bargaining with 16 unions after a multi-year break in contract bargaining.

### *East Timor*

Consultation regarding process for return of IDPs – Ministry of Social Solidarity and the Asia Foundation – Community Dialogue Program -*Design and presentation of customized seminar as part of an initiative of the Government of East Timor to promote reconciliation and return of Internally Displaced Persons (IDPs) to their former communities.* Prepared Ministry staff to facilitate public meetings and negotiations between IDPs living in camps and residents of their former neighborhoods on conditions for IDP returns. The seminar focused on facilitating information gathering meetings, mediating agreements to assure the safety of returnees and permanent residents, return of illegally seized or occupied property, and payments to be made to vacating occupants for improvements made or crops in fields.

Design of system to resolve land and property issues – Ministry of Justice, Land and Property Directorate – With partner organization, Indonesian Institute for Conflict Transformation, assisted in design, capacity building and implementation of a dispute resolution system to resolve land and property issues. Assisted in the design of procedures to address and resolve land issues caused by 400 years of Portuguese colonization, occupation by Indonesia, and violent political conflicts after a UN sponsored popular consultation. Post consultation violence resulted in the destruction of 70 percent of all buildings in the country, and a high number of illegal land and property occupations.

### *Guatemala*

Development of mediation system at national level – INTERPAZ, Guatemala – *Assisted in the development of mediation system in which high level leaders from the economic, political, religious, and civil society sectors of Guatemalan society were prepared to act as intermediaries in national disputes.* Prepared Guatemalan leaders to address and resolve conflicts with the potential to impact the nation's stability and progress toward peace following its 36-year civil war. A number of these disputes involve cultural conflicts between indigenous peoples and Ladinos, as well as conflicts over land. CDR designed and conducted an intensive public disputes mediation program and follow-up conflict management strategy design activities for participants.

Consultation on dispute resolution systems design and capacity building training – Organization of American States (OAS) – Assisted in a major initiative of OAS in Guatemala to help the government, popular organizations, and civil society to develop a "culture of peace." Following the signing of a series of peace accords, worked with OAS to provide consultation on dispute resolution systems design and conduct capacity building training for refugee return, community reintegration, resolution of land and property disputes, and environmental protection. Consultation and training for governmental agencies and community groups was designed to build their capacities in conflict resolution, negotiation, and mediation. A cadre of twelve OAS and Guatemalan trainers was also trained to continue this work.

*Haiti*

Design and implementation of mediation system – Ministry of Justice, the United Nations (UN) International Civilian Mission to Haiti, and the Organization of American States (OAS) – *Assisted these agencies to design and implement a new nationwide system to provide mediation as a means of resolving civil disputes.* Prepared Justices of the Peace, officials who handle the majority of cases in Haiti, to provide mediation services and to promote voluntary settlements of disputes. The project is part of the UN/OAS's peace building mission in Haiti.

*Indonesia*

Development of conflict management system for environmental issues – Ministry for the Environment and Ministry of Local Affairs, Indonesia – *Consultation on the design and development of a dispute resolution system to resolve water pollution and other environmental conflicts.* Trained mediators to provide services at the local municipal levels.

*Japan*

Seminars on systems for resolution of contract disputes – U.S. Army Corps of Engineers – *Design and presentation of an Executive Seminar on dispute systems design and alternative dispute resolution procedures for the resolution of contract disputes.* Conducted seminars across the U.S and in Japan. Attendees included executives involved in resolving disputes between the Japanese, Korean and U.S. governments, and contractors in these countries.

*Peru*

Multi-year consultation to promote community/corporate communications and cooperation – Compliance Advisor/Ombudsman, International Finance Corporation, World Bank Group – *Served as consultant to develop ongoing public involvement and dispute resolution system.* Designed procedures to promote communications and resolve outstanding issues among members of civil society, government, and a large mining company operating in Peru. CDR conducted a situation assessment, designed and implemented an ongoing community dialogue and public participation process, provided capacity building to dialogue participants in problem solving and consensus building, assisted in the design and implementation of a yearlong and technically rigorous participatory water study and transparent community water monitoring system, and worked with the local board of directors of the dialogue project on leadership and institution strengthening.

*The Philippines*

Design of national mediation system – Barangay Justice System – *Assisted in the design and delivery of intermediary training to Justice System trainers.* Built institutional capacities of individuals serving as impartial on 40,000 municipal panels of mediators and arbitrators throughout the country.

Design of land dispute resolution system – Department of Agrarian Reform – *Worked with Department of Agrarian Reform to use mediation as a means of resolving land*

*disputes, including land appropriation, purchase, and distribution.* CDR Associates helped to design a culturally appropriate mediation process and to train Department personnel to deliver the services.

### *Poland*

Design of system for resolving labor, environmental, and educational issues – Center for Negotiation and Cooperative Problem Solving, Warsaw University – *Assisted in establishing systems and training personnel for a dispute resolution center to provide intervention, training, and consulting services in the labor, environmental, and educational sectors.* Worked with the Center and the Ministries of Labor, Environment and Education to develop internal dispute resolution capacities.

### *Serbia*

Situation assessment and system for addressing human rights conflicts – Government of the Republic of Serbia, Agency for Human and Minority Rights, the United Nations Development Programme (UNDP) and the European Agency for Reconstruction (EAR) – *In cooperation with CSSP, its European partner, designed a broad-based program to work with human and minority rights conflicts.* Conducted a situation assessment on the types, dynamics, and numbers of human and minority rights' conflicts occurring in Serbia and presented a five-day seminar on Designing Dispute Resolution Systems to Address Human and Minority Rights Issues. Additionally, CDR staff prepared an assessment report for the government recommending arenas and strategies for the development of new dispute resolution systems to address conflicts related to employment, internally displaced persons, interethnic and interreligious issues.

### *South Africa*

Consultation to establish national conflict management program – South African Center for the Constructive Resolution of Disputes (ACCORD) – *Worked with international funders and South African staff, created highly successful regional conflict management center.* Consulted in the design, systems development, and training of this independent mediation service that provides internationally recognized intermediary assistance in organizational, employment, interethnic, public and political disputes.

Consultation and training with highly political national peacemaking group – National Peace Accord Structures – *Worked with regional and local groups to assist in designing processes to address often violent conflicts.* Over a two-year period, consulted and trained national, regional and local personnel of this national interethnic dispute resolution system in dispute systems design and implementation, as well as intermediary services. Worked with members of the National Peace Secretariat as well as with Regional and Local Peace Committee staff to develop effective intervention, conflict investigation and mediation capacities.

Dispute systems design seminar for leaders in conflict management – Multiple South African dispute resolution organizations – *Work with leadership to implement conflict resolution systems.* Conducted an advanced dispute system design seminar for senior staff of major South African dispute resolution organizations working to implement the National

Peace Accords and to introduce conflict management procedures into private and public institutions.

Design and training in university-based conflict management – University of the Western Cape, University of the North, and University of Durban-Westville – *Consultation and training on systems to address personnel and student issues for administrators, faculty, staff and students of historically black universities.*

#### *Sri Lanka*

Design and implementation of nationwide civil dispute resolution system – Democratic Socialist Republic of Sri Lanka, Ministry of Justice and the Asia Foundation – *Worked with Ministry to develop a nationwide civil dispute resolution system. Assisted the Ministry to design and implement a nationwide civil dispute resolution system, “the Mediation Boards Project.” Worked jointly with the Ministry to develop culturally appropriate procedures, worked to design the process, trained in-house trainers, helped establish a quality control system, and engaged in ongoing consultation on program administration. The program has been operating since 1989, has over 250 Boards across the country, has trained more than 6,000 mediators, and has settled over 100,000 cases.*

Development of Sri Lankan land and property dispute system – The Asia Foundation – *Conducted a nationwide situation assessment process to determine the feasibility of developing a national land and property dispute resolution system to handle disputes related to the return of internally displaced persons (IDPs). After the cease fire that ended 20 years of hostilities between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE), conducted the situation assessment which led to the development of a national strategy of capacity building of diverse organizations, both governmental and non-governmental, and the development of a “network dispute resolution system” to address land and property disputes.*

North East Housing Reconstruction Project – Government of Sri Lanka (GoSL) and the World Bank – *Design of process and training of staff for housing-related dispute resolution project. Working under contract to the Asia Foundation, partnered with the North East Provincial Council of the GoSL and the World Bank to prepare and train project staff to act as intermediaries as part of a new housing reconstruction project. Project staff will serve as first line dispute resolvers to address and resolve property issues related to refugee and IDP return, and will also serve as members of grievance mechanisms to resolve recipient-project conflicts.*

Development of land and property dispute resolution system – Democratic Socialist Republic of Sri Lanka, Ministry of Justice and the Asia Foundation – *Post-Tsunami system to address land claims. Assisted the Ministry to design and implement a nationwide post-Tsunami land and property dispute resolution system to address land claims and conflicts that resulted from the Tsunami of December 2004. The system involves mediation panels in each of the affected districts, members of which have technical expertise in land law, finance, and development. CDR assisted the Ministry to develop an issue appropriate training agenda and to prepare Ministry trainers to present the program.*

Development of business/governmental partnerships to address interethnic tension – The Asia Foundation, Local Economic Governance for Private Sector Recovery and

Development Program – *Assisted the Foundation in the design of new organizations, systems and procedures in over 15 communities to develop local business/governmental partnerships.* Helped develop procedures to form partnerships to enhance economic development, promote job creation, encourage interethnic cooperation and lower tensions in this war-torn country. CDR developed meeting designs and facilitation processes, and conducted capacity-building training to prepare a cadre of local facilitators to establish the business/government partnerships, scope issues of importance, and develop specific projects to enhance the business environment and promote economic growth.