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Peer Mediation Program

Guide for Peer Mediators

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List of Abbreviations

ADR	Alternative Dispute Resolution
BARMM	Bangsamoro Autonomous Region in Muslim Mindanao
BMZ	Federal Ministry for Economic Cooperation and Development
CHED	Commission on Higher Education
CWC	Council for the Welfare of Children
DECS	Department of Education, Culture, and Sports
DepEd	Department of Education
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
MBHTE	Ministry of Basic, Higher, and Technical Education
OPAPRU	Office of the Presidential Adviser on Peace, Reconciliation and Unity
PWD	Person with Disability
RA	Republic Act
SAR	Special Administrative Region
SDC	School Discipline Committee
S-PMP	School-based Peer Mediation Program
SSG	Supreme Student Government
UNICEF	United Nations Children's Fund
YFD	Youth-focused Dialogue
YOUCAP	Youth for a Culture of Peace and Non-Violence in Mindanao
YVCA	Youth-focused Vulnerability-Capacity Assessment

Foreword

This Guide for Peer Mediators, crafted for people who play an important role in dealing with school-based conflicts, serves as a handy reference for youth peer mediators. It elaborates on the peer mediation process and the peer mediators' role in addressing conflicts. It promotes a culture of non-violence, prevents violent escalation of school-based conflicts, and nurtures schools as zones of peace. It serves as a fitting confirmation and enlightenment to all educators, peace advocates, and other internal and external stakeholders that we can achieve our continuing pursuit of peace if we invest and start combining all of our efforts and initiatives for the school children.

This guidebook highlights the concept of peer mediation, which emphasizes that mediation is a form of third-party-assisted dispute resolution, wherein a mediator helps the parties involved facilitate what they cannot do alone. It is a facilitative and non-adversarial process which allows the mediator to maintain neutrality, impartiality, and balance the power between disputants.

The Guide for Peer Mediators, crafted by the Youth for a Culture of Peace and Non-Violence in Mindanao (YOUCAP) project in partnership with DepEd Regional Office 10, DepEd Regional Office 13, Duyog Marawi, and other stakeholders, paved the way for implementing the DepEd 10's innovation on peace education titled PEACE (Peer mEdiation progrAm in a Child-friendly Environment) Project.

In Region 10, the project commenced its pilot implementation among student-leaders and school heads at Luyungan IP High School in Malaybalay City Division and Jasaan National High School in Misamis Oriental Division, DepEd Region 10.

Subsequently, the Regional Youth Leadership Formation unit conducted a Regional Training of Trainers on Peer Mediation for the Division Youth Formation Coordinators, Teacher Advisers, and Regional Federation of Supreme Student Government Officers (RFSSG).

With profound gratitude and the sincere hope of achieving peace, DepEd Regional Office 10 would like to commend the peace-building initiatives and combined efforts of the Youth for a Culture of Peace and Non-Violence in Mindanao (YOUCAP) project and other stakeholders in providing a peaceful environment to our learners, community, and our nation.

DR. ARTURO B. BAYOCOT, CESO III

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Department of Education (DepEd) Region 10

Preface



Peer mediation empowers students to prevent, resolve, and transform violent and non-violent conflicts by developing their values, attitude, skills, and knowledge to help envision alternative options for action towards building a conflict-sensitive, gender-sensitive, and culture-sensitive learning environment in schools. The main goal is to reduce violence in schools and increase the capacities of students and teachers to deal with conflicts in a non-violent way.

With the school-based peer mediation program, the project “Youth for a Culture of Peace and Non-Violence in Mindanao (YOUCAP)” drafted a pilot initiative wherein students and teachers were provided online training to help strengthen their skills in communication, problem solving, critical thinking, de-escalating conflict situations, and achieving “win-win” agreements. The trained youth mediators are now able to support their peers to solve conflicts in a non-violent way with little to no intervention by adults. The trained teachers are capable of guiding the student mediators and help provide support if issues are too serious for the mediators to solve. The benefits and impacts of learning these skills include increased citizen participation, better student-teacher relationship, improved classroom management skills, better prepared young people entering the workforce, and prevention of conflict that could lead to violence.

Peacefulness in schools is not just a category. It is a dynamic process that should be formed, and become a daily part of life in schools. The positive dynamism toward peace and non-violence in schools need to be nurtured by the availability of peace-promoting capacities of individuals, organizations, and institutions. Peer mediation is one of the capacities that cut across different levels.

This Guide for Peer Mediators provides a user-friendly reference tool for youth peer mediators, youth formation coordinators, and other actors involved in the school-based peer mediation program. It elaborates what peer mediators do during the mediation process by drawing upon lessons from the pilot experiences and relevant literature on conflict, mediation, and peer mediation. This guide forms a part of other tools developed by the Youth for a Culture of Peace and Non-Violence in Mindanao (YOUCAP) project such as the Guide for Trainers of Peer Mediators.

I sincerely hope that school-based peer mediators, home room teachers, youth formation coordinators of the Department of Education, and school administrations will find this guidebook meaningful. May this guide become a useful tool for the youth peer mediators, so that they feel supported and empowered in their important role as peer mediators in their respective schools.

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Glossary of Selected Terms

Agreement An agreement between the two parties about what each will do to solve the conflict (Dues, 2010)

Arbitration An out-of-court procedure for resolving disputes in which one or more neutral third parties, called an arbitrator or arbitration panel hears evidence and arguments from both sides, then reaches a decision (Lovenheim & Guerin, 2004).

Best alternative to a negotiated arrangement (BATNA) A conflict party's option to achieve one's goal, interest and need without the need for a negotiated agreement (Fisher et al., 1997).

Conciliation The process of reducing tensions and getting the conflict parties talking and not so much as resolving the dispute (Lovenheim & Guerin, 2004). Intermediary efforts to encourage parties to move towards negotiations (Ramsbotham et al., 2005)

Conflict The pursuit of incompatible goals by different groups, whether pursued by peaceful means or by force (Ramsbotham et al., 2005). A motor of change that keeps relationships and social structures honest, alive, and dynamically responsive to human needs, aspirations, and goals (Lederach, 2014)

Conflict Management A generic term that includes a whole gamut of positive conflict handling (Ramsbotham et al., 2005). In real life, there is also such a thing as bad conflict management, the kind of management that diverts energy away from constructive solutions, end of communication and persistence of animosity. (Daresh 2002; Oachesu, 2016).

Conflict Outcome The long-term positive or negative consequences conflict (Condliffe, 2016).

Conflict Resolution A comprehensive term implies that deep-rooted sources of conflict are addressed and transformed. The aim of conflict resolution is not to eliminate conflict, but to transform actual

and potentially violent conflicts into a peaceful (non-violent) process (Ramsbotham et al., 2005).

Conflict Sensitivity An approach that involves a sound understanding of the interaction between an intervention and the context and acting to minimize negative impacts and maximize positive impacts of the intervention on the conflict (Conflict Sensitivity Consortium, 2012; APFO et al., 2004)

Conflict Transformation A deeper level of conflict resolution implies a deep transformation of institutions and discourses that reproduce violence as well as the transformation of the conflict parties and their relationships (Ramsbotham et al., 2005).

Essentialism The habit of thought invites people to always look for explanations in the intrinsic essence of things or of a person rather than in cultural influences like narratives (Winslade & Monk, 2008). Essentialism often leads to stereotyping and labeling.

Fact-finding The process of further understanding and analyzing an issue (or issues) and generating recommendations for a solution (Lovenheim & Guerin, 2004).

Identity Conflict Conflict related to individual or group needs, desires, concerns, and fears (Rothman, 2011).

Interest The reason behind the stand someone might take (Fisher et al., 1997). The person's stake in the negotiation and mediation process; the underlying desires, needs, wants, and goals of a conflict party serve as the fundamental drivers of negotiation (Patton, 2005; Interests, Positions, Needs & Values in Negotiations, 2018). It is about why a person enters into a negotiation - what they expect to gain or what needs to change to make them happier or satisfied (Doran & Winkeler, 2017).

"I" statement The way of expressing oneself and taking responsibility for one's words and actions

(www.irex.org). This is the opposite of the "we" statement, where one avoids responsibility by using the group's name.

Mediation A process that allows people in conflict to discuss things in a structured environment that facilitates a peaceful resolution that is fair to everyone. (www.irex.org). A third-party intervention wherein the process is voluntary, and the conflict parties retain control over the outcome of the negotiations (Ramsbotham et al., 2005).

Mediator A person who is trained to help people resolve their disputes while remaining neutral (www.irex.org).

Needs There are basic human needs for security, belonging, fulfillment, self-esteem, and justice (Interests, Positions, Needs & Values in Negotiations, 2018). Conflicts often undermine the fulfillment of these needs.

Negotiation Back-and-forth communication designed to reach an agreement between two parties who both have shared and opposing interests (Fisher et al., 1997). Two or more parties with different preferences trying to reach a joint decision (Bazerman & Moore, 2013).

Nonviolent Conflict Action for change and counter-action that does not involve the use of violent means such as direct physical force. Examples are peaceful protests and rallies that lead to negotiations rather than physical violence (Ramsbotham et al., 2005; Lederach, 2014).

Peacebuilding Addressing structural issues and long-term relationships of conflict parties (Ramsbotham et al., 2005). A complex, long-term process of creating the necessary conditions for sustainable peace that aims to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at

all levels for conflict management, and to lay the foundation for sustainable peace and development (<https://peacekeeping.un.org/en/terminology>).

Peer Mediator A mediator who belongs to the same social group based on age, grade, or status, such as belonging to the same class in school or the same student organization (<http://www.peacepals.com.tr/en/what-is-peer-mediation>).

Position Someone's stand on an issue or the preferred solution of the issue to meet individual interests and needs (Moore, 2014). The requestor demands that the other person can say yes or no (Doran & Winkler, 2017). A fixed idea is usually a demand that forms the basis of continuing conflict (Interests, Positions, Needs & Values in Negotiations, 2018).

Resource Conflict Struggle over claims to low power and resources (Rothman, 2011).

Violence Intentional use of physical force or power threatened or actual, against oneself, another person or against a group that results in injury, death, psychological harm, maldevelopment or deprivation (WHO, 2002); includes direct violence, structural (indirect violence) and cultural violence (Galtung, 1969, 1996).

Violent Conflict Conflict involves direct physical violence (Ramsbotham et al., 2005).



1. INTRODUCTION

We all experience conflicts in our everyday life. Conflicts occur because of actual or perceived differences in goals, interests, strategies, or how we communicate with one another. Conflicts become a problem when the competition escalates to violent behavior and inflicts harm or damage on one or the other (Moore, 2014). Whether conflicts are transformed violently or not depends on the capacity of conflict parties to deal with the issues among themselves. Third-party intervention through mediation, is one of the ways of dealing with conflicts when conflict parties are unable to do so on their own.

Schools are sites of learning and socialization, but are not immune from conflicts. They are also spaces where every student interacts with other students and teachers in the process of achieving his or her goal. Through these interactions, conflicts can occur, some of which are currently defined as offenses. The Department of Education, Culture, and Sports (DECS), former name of the Department of Education, Service Manual of 2000, includes a list of fifteen (15) grave offenses (Sec. 7.1) and thirty (30) minor offenses that are described as violations of school rules and regulations. Some of the offenses - such as threats, sexual assault, insults, bullying, and borrowing without returning - are disruptive to school rules and regulations and are also issues of conflict between students that do harm.

In 2005, the Department of Education (DepEd) issued Department Order No. 44 (s. 2005), declaring schools as zones of peace. All concerned personnel from central to field offices were enjoined to undertake necessary steps to make schools a place where learners can receive utmost security and peace. In 2019, the DepEd issued Department Order No. 32 outlining the national policy framework on learners and schools as zones of peace. The policy framework takes into account situations of armed conflict and in-school situations under normal circumstances, specifically the need to integrate peace-promoting concepts and values in the curriculum, and peace-promoting structures and processes at all levels (Section V.b). The policy also enjoins DepEd officials to collaborate with external stakeholders to pursue peace for education or create a peaceful and secure environment conducive for effective teaching and learning (Section VI.A).

In 2021, the project "Youth for a Culture of Peace and Non-

Violence in Mindanao (YOUCAP)" pilot-tested a School-based Peer Mediation Program (S-PMP) in cooperation with the regional offices of the Department of Education in Region 10 (Northern Mindanao), Region 13 (Caraga), and the Ministry of Basic Higher and Technical Education (MBHTE) in BARMM. The non-governmental organization with technical support from Duyog Marawi Inc. was the supporting consultancy firm for the online peer mediation training for students and teachers. The YOUCAP project is commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ) and implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH in partnership with the Office of the Presidential Adviser on Peace, Reconciliation, and Unity (OPAPRU).

This guidebook draws upon lessons from the pilot experience and relevant literature on conflict, mediation, and peer mediation. It has also benefited from a review of comments and suggestions to the first draft communicated by DepEd officials from Region 10 and Region 13.

Purpose of the Handbook and Intended Users

The immediate purpose of this guidebook is to provide a handy reference for youth peer mediators, youth formation coordinators of the DepEd and other actors involved in the school-based peer mediation program. It elaborates on what peer mediators should do during the mediation process. The ultimate objective is to promote a culture of non-violence, prevent violent escalation of school-based conflicts, and nurture schools as zones of peace.

Intended Users

This guidebook has been prepared for those who play important roles in dealing with school-based conflicts and are desirous of protecting schools as peaceful environments for learning and socialization.

Firstly, junior, and senior high school students who are interested to become peer mediators or who have already acquired some training and experience; Secondly, school administrators and home room teachers and youth formation coordinators of the DepEd who provide support to peer mediators or are in-charge of



school-based peer mediation programs;

Thirdly, officers and members of high school supreme student governments and social clubs;

Fourthly, officers of parents-teachers associations; and,

Finally, wider audiences such as staff of agencies of local government units and youth and youth-oriented organizations in communities around the school and youth, in general.

Overview of Content

The handbook is divided into seven chapters starting with this chapter (Introduction). Chapter 2 provides an overview of conflict and different ways of response and management. Chapter 3 talks about mediation as an approach to conflict management. Chapter 4 discusses peer mediation as a subcategory of mediation. Chapter 5 describes the peer mediation process using two approaches, namely: the formal (structured) approach and the informal (un-structured) approach. Chapter 6 introduces some ideas as food for thought of the peer mediator.

¹ See: <https://www.deped.gov.ph/2005/08/08/do-44-s-2005-declaration-of-schools-as-zones-of-peace/>

² See: https://www.deped.gov.ph/wp-content/uploads/2019/11/DO_s2019_032.pdf

2. CONFLICT: A Brief Overview

Conflict is a common occurrence in daily life. It occurs in all human relationships. Every individual has rights, freedoms, preferences, interests, needs, aspirations, ways of communicating and doing things. In the exercise of individuality and the corresponding interactions with others, conflict occurs. Conflict exists when individuals or groups compete and pursue incompatible goals, whether the incompatibility is actual or just perceived (Ramsbotham et al., 2005; Wilmot & Hocker, 2010; Moore, 2014). Conflict is not necessarily bad nor violent. It can be seen as a motor of change that keeps relationships and social structures honest, alive, and dynamically responsive to human needs, aspirations, and goals (Lederach, 2014; Condliffe, 2016). If handled badly, conflicts can turn into violence and harm individuals, organizations, communities, and nations (Dues, 2010).

There is no universal standard for the classification of conflict. Scholars classify conflict according to level (e.g., international, usually inter-state, or conflicts between and among states; national or intra-state, usually related to insurgency and rebellion) and conflicts between individuals and groups within a community or society.³

Conflicts can also be categorized according to direction and balance of power, including vertical and horizontal categories. Vertical conflicts refer to conflicts between a higher authority and a lower authority. This conflict is usually political in nature or a conflict about power. Common examples are insurgencies and rebellions or conflicts between labor and management within a company or organization. Horizontal conflicts, on the other hand, are conflicts between and among individuals and groups located at more or less the same level of power and authority.

Vertical and horizontal conflicts may also be classified according to typology. The typology criterion is based on framing and causation (Rothman, 2011). This includes identity conflicts (such as those related to identity claims pertaining to ethnicity, gender, religious belief); resource conflicts (such as those related to competition over access, ownership and control of land and other natural resources); and ideological conflicts (such as those related to the long-standing conflict between communism and capitalism), among others.

Responses to Conflict

As Lederach (2014) argues, conflict is not necessarily bad or violent. People deal with conflict in different ways. Nader & Todd (1978) identify eight different ways:

1. Lumping or ignoring the conflict and the bad relationship continues.
2. Avoidance or ending a relationship by leaving it. This often happens when one party feels powerless to deal with the social, economic, and emotional (psychological) cost of the conflict.
3. Coercion or imposing the outcome on one party by the other party.
4. Negotiation or the process by which conflict parties seek mutual settlement.
5. Mediation or the process by which conflict parties seek the support of a third party.
6. Conciliation or the process of restoring the relationship and establishing the conditions for negotiation.
7. Arbitration or the process by which conflict parties submit to a third-party intervention and judgment.
8. Adjudication or the process by which an authority intervenes makes and enforces a decision.

What needs deeper understanding are the independent goals of the conflict parties and the kind of outcomes they hope to achieve. There are only four ways to imagine what could happen: **one**, continue the win or lose competition; **two**, aim to win without losing; **three**, desperately compete despite a lose-lose situation; and **four**, find a mutually-beneficial or win-win solution. Deutsch (1973) suggests that win-win solutions should be the cornerstone of conflict management. However, achieving a win-win solution often needs third-party support that enables conflict parties to sort out issues, explore common ground and find solutions that mutually satisfy their independent goals. For students involved in in-school disputes, peer mediators are a resource that they can access for support.

Conflict Management

The problem of conflict begins when it goes beyond competitive behavior and acquires the additional purpose of inflicting physical or psychological harm on another person or group (WHO, 2002; Ramsbotham et al., 2005; Moore, 2014). As discussed in the preceding

³ For examples: Rule (1988), Rothman (1992), Stavenhagen (1996), Zartman (1995), Ashmore et al. (2001), Wallensteen (2002), Ramsbotham et al. (2006), among others.

section, conflict parties respond to conflict in different ways. Some responses can lead to positive results while others could lead to negative consequences, not only on the primary parties of the conflict, but also to those who are indirectly affected.

Although conflict parties are primarily responsible for dealing with their own conflicts and determining the outcome, it is everyone's responsibility to help manage conflicts. Every individual, group, community, and nation aim to build a conducive environment for fulfillment of basic human needs and collective goals. Societies have developed institutions for achieving societal goals through laws that deter violence and programs that address roots of conflict. In the international arena, the United Nations undertake a range of activities - such as peacekeeping, conflict prevention and mediation, peacemaking, peace enforcement and peacebuilding - to maintain international peace and security (<https://peacekeeping.un.org/en/terminology>). Peacebuilding, conflict prevention, and mediation are activities that are also undertaken by many international development agencies.



Conflict management represents a whole gamut of responses to conflict idealized to be positive (Ramsbotham et al., 2005). It is intended to prevent violence, support conflict resolution, and mitigate negative outcomes of conflict. It is a topic that is pertinent to all sorts of stakeholders - from family, private companies, state and non-state organizations, and other stakeholders (Dewa et al., 2012). Management of conflict requires acquisition of individual skills (such as conflict analysis, communication, conflict resolution approaches and techniques, among others) and appropriate structures for establishing favorable organizational environments (Thakore, 2013; Oachesu, 2016).

Management of conflict however, could also go wrong.

One must recognize that conflict systems are dynamic, non-linear, and complex (de Coning, 2018). Some, like the communist insurgency in the Philippines, are protracted. Others recur depending on influential factors such as political and economic conditions or spread of ideologies that promote violence. Conflict mismanagement can lead to exacerbation of the destructive elements of the conflict process. It could also lead to an end of communication and persistence of animosities (Daresh, 2002).

In schools, educational managers have the responsibility of coming up with better ways of dealing with in-school conflicts (Namara, 2002). Conflict situations, school policy, and programming should enable students, teachers, and non-teaching staff to deal with conflicts in ways that nurture a peaceful environment for learning and relationship building. They need to consider how to manage the conflict in the whole continuum of conditions before, during, and after the conflict, the consequences, and the impact on other people. For a conflict to be productive, conflict management has to be constructive (De Dreu, 1997). Peer mediation is one approach that is designed to be positive, constructive, and empowering to students.

In peer mediation, identification of conflict is important (Condliffe, 2016). Any conflict has a context. It has a location, a history behind it, people involved, and causes that drive the persistence, escalation, or de-escalation. Not all conflicts can be mediated. **Firstly**, in all conflicts, the parties involved are primarily responsible for the outcome. Mediation is an intervention that parties can choose to accept or reject. Their autonomous actions, differences, emotions, behavior, and interdependence will determine the results (Dues, 2010). **Secondly**, there are conflicts with escalated levels of violence that pose great danger to both the mediator and conflict parties. Even in school-based peer mediation, there are types of disputes that can be peer-mediated and others that need other responses. Criminal acts, like distribution or possession of illegal drugs or weapons, should be dealt with by law enforcement authorities rather than peer mediators.

Youth and Schools: Situations of Conflict and Violence

Conflict is a natural occurrence in schools where individuals and groups move, interact, and confront problems. This is a space that Lewin (1984) describes as "life space." The school is the 'life space' where students live their school life, aspire to learn, and prepare themselves for the future.

This is one space within larger life spaces. Conflict dynamics in the school can be affected by conflicts arising outside of school or the larger life space called community and society, where bigger and multi-faceted conflicts occur.

Although schools can be zones of peace and providers of life-saving experiences and education, violent conflict can result in the breakdown and erosion of systems and structures (Haines, 2014). Internal displacement is among the biggest factors impacting child education (Haines, 2014). Globally, there are an estimated 27 million children and youth whose education has been affected by armed conflict, 90% of whom are internally displaced (Bethke and Braunschweig 2004). In 2020, 4.4 million children between the ages of 5 and 14 in Sub-Saharan Africa were affected by internal displacement, of whom 3.3 million were at risk of being out of school (UNESCO, 2020).

In areas affected by violent conflicts, parts of the education system fail and functions of operating structures - such as school administrations and teaching staff - are disrupted. As a result of internal displacement, children are immediately separated from their schools due to the physical distance between the home school and the evacuation centers. In some areas, the disruption of education is prolonged due to the inability of the system to accommodate internally-displaced students in the schools of host communities. More significantly, internally-displaced families suffer loss of livelihoods and incomes that diminish their capacity to support child education. In the aftermath of the Marawi crisis in 2017, internally displaced children were unable to attend school because the schools were used as evacuation centers, lack of familiarity with the language of instruction (Bisaya instead of Maranao) used in temporary learning centers, incapacity of parents to buy school uniform, and concerns about possible re-eruption of violence (Coram International, 2017).



Violence Affecting Youth

There is no available study specific to school violence in the Philippines. A 2016 baseline survey commissioned by the Council for the Welfare of Children and United Nations Children's Fund (UNICEF) involving 3,866 youth aged 13-24 years old in 172 municipalities in the Philippines revealed that eighty percent (80%) had experienced some form of violence in their lifetime, whether at home, school, workplace, community or during dating. The prevalence of violence was 81.5% among males and 78.4% among females.

Findings of a 2016 study in the Philippines suggest that despite a high prevalence of violence among both boys and girls, only 10% of the affected disclose the incidents and mainly to friends and to some extent, their mothers (Council for the Welfare of Children and UNICEF, 2016). Only 29.2% of children are aware of the services they could utilize for their needs. On the other hand, local governments and school teachers are perceived to have a low capacity to respond to violence against children.

A 2017 report on the situation of Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) commissioned by the United Nations Children Fund (UNICEF) suggests that as a result of armed conflict and clan violence, women and girls are particularly at risk of being kidnapped, raped, subject to other forms of sexual violence, and early marriage of girls.⁴

Results of the YOUCAP-supported Youth-Focused Vulnerability-Capacity Assessment (YVCA) and Youth-Focused Dialogue (YFD) in Gigaquit (Surigao del Norte), Carmen (Agusan del Norte), Talisayan (Misamis Oriental) and Iligan City in 2020 and 2021 show conflict-induced hazards and violence affecting in-school and out-of-school youth. The most common issues are bullying, discrimination (due to ethnicity and gender preference), gang violence, harassment, and sexual abuse.

Youth victims of violence respond differently. There are those who passively respond to the victimization and completely rely on external support. There are others who dwell on vulnerability as a weakness and refuse to disclose the traumatic experience, even to family and friends. Victimization does not diminish the fact that youth are agents of change. Youth agency can be supported and nurtured towards non-violent responses to conflict. Peer mediation is one approach that could harness the power and capacity of youth to deal with their conflicts, and search for solutions that lead to the fulfillment of their interests and needs.

⁴ See: Coram International. (2017) SITUATION ANALYSIS: Children in Bangsamoro Autonomous Region in Muslim Mindanao. (Available at: <https://www.unicef.org/philippines/media/951/file/Situation%20Analysis:%20Children%20in%20Bangsamoro%20Autonomous%20Region%20in%20Muslim%20Mindanao.pdf>)

3. THE CONCEPT OF MEDIATION

Conflicts are not inherently destructive. The direction of outcomes, whether negative or positive, depends on the ability of conflict parties to deal with the conflict and resolve the differences. Sometimes conflict parties find it difficult to manage the issues and processes of resolving them independently. Under this circumstance, third-party intervention comes into play with mediation as one form.

Mediation is a form of third-party-assisted dispute resolution. Zartman (2008) describes it as a catalyzed negotiation where a mediator helps conflict parties to do what they cannot do alone. It is a facilitative, non-adversarial process where the mediator maintains neutrality and impartiality, defers from making judgments, and balances power between disputants (Levenheim & Guerin, 2004; Cremin, 2007; Moore, 2014). The practice is as old as humankind and is rooted in many cultures and religions (Cremin, 2007). Its current growth and popularity began in the 1970s, forming part of a wider system of alternative dispute resolution (ADR). It is widely used in resolving different types of disputes, including marital disputes, family disputes, environmental mediation, victim-offender mediation, workplace mediation, inter-group conflict mediation, peer mediation in schools, and others (Levenheim & Guerin, 2004; Cremin, 2007; Moore, 2014).

Relevant Concepts

Peer mediators need to familiarize themselves with some important concepts in situating their role in the mediation process.

- **Process within a process.** Mediation is a process woven into a fundamental negotiation process of and by the conflict parties.
- **Ownership of process.** Conflict parties remain as owners of the process. They determine the outcome of the process.
- **Win-win situation.** Negotiation is part of the conflict. It is a step further in dealing with a situation where one party makes it difficult for the other party to achieve his/her interest and goal (Deutsch, 1973). A win-win situation occurs when conflict parties

identify solutions that can achieve shared interests and goals (Dues, 2010).

- **Principled negotiations.** Win-win situations can be achieved only through principled negotiations. Fisher & Ury (1997) proposes four principles for win-win negotiations: one, focusing on events and behaviors rather than the persons involved in the events; two, focusing on interests rather than positions; three, generating options; and, four, objective criteria of the chosen options.
- **Cross-cultural facets of the third-party process.** Lederach (1995) proposes four third-party process facets that are cross-culturally acceptable. First is the gathering of perspectives; the second centers on jointly locating conflict; the third focuses on arranging issues and negotiating, and the fourth includes finding a way out or agreement.

Experiences and Approaches to Mediation

Mediation has been modernized and hybridized, leading to varied experiences and approaches. It is also being used in civil wars and inter-state conflicts, especially in preventing the escalation of violations and humanitarian disasters. Some mediation approaches use high power that reduces the ability of conflict parties to make decisions on their own (Ramsbotham et al., 2005; Moore, 2014).

Power is relative. One can be more powerful than another because of access to wealth or information (Keltner et al., 2003; Fiske, 2010), or the capacity to influence decisions either due to threat of punishment, or expectation of reward (Sturn & Antonakis, 2015). In peer mediation, peer mediators will have an unintended status of power because of expertise, legitimacy from sources of authority such as the school administration and/or the peer mediation program. The presence (or absence) of a mediator in a conflict is a crucial variable in the evolution of conflict outcomes (Nader & Todd, 1978). Outcomes of mediated processes depend on the approach of the mediator in enabling conflict parties to act for themselves or not. Peer mediators should use their power responsibly and enable conflict parties to participate in the mediation process voluntarily and make their own decisions.

Goal and Process Oriented Mediation

The primary goal of mediation is for conflict parties to work out solutions they can live with (Lovenheim & Guerin, 2004). This does not mean non-recognition of a wrong done and the need for restorative justice (Cremin, 2007). The process must be transformative and should lead to the restoration of good communication and human relationships.

The primary mediation characteristics upheld in this guidebook include:

- Neutrality and impartiality of the mediator;

- Volunteerism of conflict parties to enter a mediation process; and,
- Facilitative process that empowers conflict parties to control the outcome of the negotiations.

A mediator does not take the driver's seat in the mediation process. The mediation role needs to be anchored on the fact that parties are involved in a negotiation. The negotiating parties are the principal actors of the mediation process. A mediator should never undermine the autonomy of conflict parties to define the conflict on their terms and mutually agree on the solution (Condliffe, 2016).



4. SCHOOL-BASED PEER MEDIATION

Peer mediation is a form of peer support (Cremin, 2007). It forms part of a wide array of peer support in and out of school, such as peer-led pastoral care systems, befriending, mentoring, peer mediation (Sharp, 2001) and others like peer counseling and peer tutoring. The "peer" in peer mediation refers to individuals belonging to the same social group based on age, grade, or status, such as belonging to the same class in school or to the same student organization (<http://www.peacepals.com.tr/en/what-is-peer-mediation>).

In this guidebook, peer mediation refers to in-school mediation activities in the junior and senior high school years, roughly within the 15 to 18 age group. However, the peer mediation program itself involves other stakeholders for support - such as the home room teacher of the particular year group, the school administration, the parent-teacher association, and the local school board.

School-based peer mediation has been widely applied in other countries since the 1980s. In the United States, there are an estimated 10,000 peer mediation programs across different schools (<http://www.peacepals.com.tr/en/what-is-peer-mediation>).

Why School-Based Peer Mediation?

A school is a community of diverse individuals communicating and managing their relationships. Differences, whether in thinking, culture, income class, interests, and goals or in ways of communication, can lead to tensions and conflicts. Existing policy, as elaborated in DepEd Order No. 032, s.2019, promotes schools and learners as zones of peace.⁵ However, the Department of Education, Culture and Sports (DECS) Service Manual of 2000, an older and still unchanged policy, focuses on discipline and punishment in dealing with offenses considered transgressions of school regulations.⁶ The list of infractions in the DECS Service Manual of 2000 narrows student issues (e.g. vandalism, sexual harassment, gross misconduct, bullying, urinating, borrowing without returning, etc.) as punishable offenses or issues of discipline and violation of school rules. Offenses are categorized as "minor" and "grave," with penalties ranging from warning, probation, suspension, and expulsion. While there are issues that should be subject to school disciplinary actions, there are others that can be handled



through peer mediation.




School-based peer mediation aims to lessen stress on school administration-based enforcement of discipline and punishment by enabling students to grow and learn how to deal with their own conflicts. The theory of social learning suggests that children duplicate peer responses in social situations, assimilate and accommodate peer interaction patterns, and develop new cognitions for future interactions (Bandura, 1969, 1977, 1986, 2001; Bandura & Jourden, 1991; Schellenberg, 2000). Peer mediation training has also been proven to be effective in helping students to self-regulate their behavior when dealing with conflict (Bandura, 1986; Graham & Pulvino, 2000; Humphries, 1999; Johnson et al.,1994).

Students are perfectly capable of coming up with their own forms of resolution that are not based on punishment. Studies have shown that peer mediation has reduced or declined school violence and student suspension (Bickmore, 2000; Churchill, 2013; Schellenber et al, 2007). A 2003 study conducted in public schools of Cleveland (Ohio, United States) shows that 8–11-year-old students have increased understanding of and inclination to use nonviolent conflict resolutions combined with capacity for academic achievement (Bickmore, 2003). Another study conducted in two New York City schools showed decreases in on-campus physical violence, name-calling, and verbal put downs (Churchill, 2013). Schellenberg et al. (2007) also cite how peer mediation has led to reductions in suspensions from suburban elementary schools.

Purpose of Peer Mediation

Peer mediation should not only be reactive. While it should respond to specific disputes, it should also be proactive in preventing violence. The overarching objectives of peer mediation are to:

-  Transform school environments by reducing disciplinary problems and helping students to support one another;
-  Combine peer mediation with academic studies as a co-creating mechanism for the promotion of schools as a zone of peace;

-  Help change how students view themselves, specifically, as persons with the capacity to resolve their disputes;
-  Complement school administration-based enforcement of discipline with student empowerment; and,
-  To reduce violence in schools and increase the capacities of teachers and students to deal with conflicts in a nonviolent way towards a culture of peace.

The School-Based Peer Mediation

The peer mediator is a student in the same age group as the conflict parties (Adiquzel, 2014). In the school-based peer mediation program (S-PMP) piloted by YOUCAP and the DepEd regional offices of Caraga, Northern Mindanao and the BARMM, the peer mediator is in junior and senior high school, roughly in the 15-18 age group regardless of gender, gender preference, race, ethnicity, and religious affiliation. In some cases, he or she may come from another school but in the same year group. A peer mediator from another school may be needed if, in the beginning, the concerned school is still in the formative stage of developing its school-based peer mediation program and needs to gather support from another school with more advanced experience and capacity.



Qualifications of the Peer Mediator

Any student is a potential mediator. Any student has an intrinsic capacity to communicate, listen, and help others. However, he/she needs to be nominated and certified. The school administration and/or the S-PMP needs to develop standards of qualification and certification process. This process fulfills several functions: **one**, ensuring that qualification standards are met; **two**, providing legitimacy to peer mediators; **three**, raising the reputation of peer mediators; and **four**, informing students that school-based peer mediators are available to provide support in case of need.

Standards of qualification could combine inherent qualities of the would-be peer mediator and acquired knowledge and skills. It would be difficult for a student to mediate without undergoing training. Through training, students would be able to learn and apply procedures in actual disputes (Johnson & Johnson, 1996). Therefore, training should form part of the 'must-have' qualifications of the peer mediator.

Role of the Peer Mediator

To mediate means "to go-between" or "to be in the middle" (Lovenheim & Guerin, 2004). This is a scenario where conflict parties agree to deal with the conflict but with a third party as the "go-between". Here the roles of the peer mediator is to facilitate the process for the purpose of helping parties to:

- Find a solution.
- Review the facts and revise assumptions.
- Discover hidden issues.
- Understand the difference between positions on the issue, interests, and needs.
- Identify overlapping interests and needs and open the door for focusing on common interests and needs.
- Explore and agree on solutions that satisfy common interests and needs.

The peer mediator is not a judge or a jury. However, he or she can provide suggestions on the strengths and weaknesses of proposed solutions. This means that the peer mediator must also have evaluative skills.

⁵ See: <https://www.deped.gov.ph/2019/11/11/november-11-2019-do-032-s-2019-national-policy-framework-on-learners-and-schools-as-zones-of-peace/>. DepEd Order No. 32, s. 2019, National Policy Framework on Learners and Schools as Zones of Peace.

⁶ See: DECS (2000). School Discipline Rules of Procedure - DECS Service Manual. (Available at: <https://depedtambayan.net/school-discipline-rules-of-procedure-decs-service-manual/>)

What the Peer Mediator is not supposed to do

There are several things that a peer mediator is not supposed to do. These include:

- Not acting as a judge when there are competing ideas.
- Not advising any party on what decisions to make.
- Not acting as a therapist even if he/she encounters emotional issues during the mediation process.
- Not imposing discipline on anyone.
- Not behaving like a boss during the process.
- Not disclosing any information related to the identity of the conflict parties, the issues discussed and the agreement.

Qualities of a Peer Mediator

Facilitating a mediation process is challenging. It calls for special skills and abilities, and an attitude of calmness (Condliffe, 2016). Some good qualities have been acquired through socialization within the family and community and from peers. Others can be learned through observation, training, and team building. Conflict parties expect the peer mediators to be:

- Friendly and caring for others;
- Neutral and impartial;
- A good listener and communicator;
- Objective in appreciating the facts;
- Empathetic; and,
- Credible not only in terms of knowledge and skills in mediation but also by having access to adult support and supervision from the school-based peer mediation program and the school administration.



5. THE PEER MEDIATION PROCESS

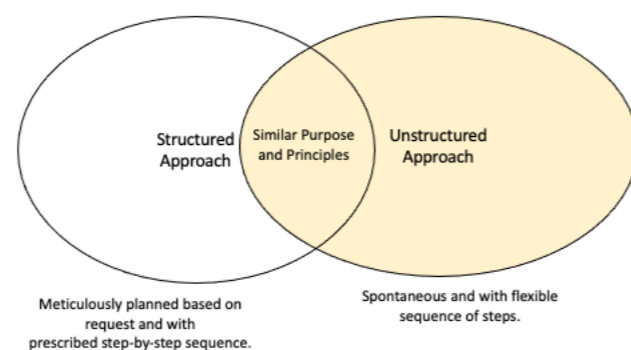
At first glance, the peer mediation process may look complicated and tedious. This perception usually happens if the peer mediator (or would-be mediator) is tempted to believe that he/she is singularly responsible for managing the entire process. However, the peer mediator is just a helping hand, a facilitator. Conflict parties are the owners of the process. In the first place, mediation does not happen without the mutual consent of conflict parties. Secondly, the whole length of the process, largely depends on the will of the conflict parties to reach a mutually beneficial resolution. The peer mediator should not feel responsible for the failure of a mediation process, and neither should claim personal credit for a successful outcome.

There are two approaches to school-based peer mediation: one, the formal approach, and two, the informal approach. The formal approach is structured with clear procedures and rules, has written forms to fill and sign, including the agreement of parties and is based on an agreed schedule and location (See: Lovenheim & Guerin, 2004; Block & Blazej, 2005; SCORE, 2008/2009; IREX, 2013; NYC Commission on Human Rights, 2016). The mediation session varies in length depending on the nature of conflict, behavior of participants, and other factors.

The informal approach is un-structured, spontaneous and peer mediation takes place when and where the incident happens (Davies, n.d.). The dispute is spontaneously mediated, be it in the playground, cafeteria, classroom, or hallway. However, prior conditions are needed to avoid confusion or the danger that the peer mediator would be misconstrued as a party to the dispute: firstly, student

awareness that there is a peer mediation program being implemented in the school; secondly, peer mediators have been introduced or known to the students. In some schools, peer mediators wear arm bands, vests, or badges so that they are easily recognizable (Davies, n.d.).

Fig. 1. Peer Mediation Process: Structured and Unstructured Approach



The formal and informal approaches to peer mediation have the same objective: facilitating the resolution of conflicts. They originate from the same concept and use the same guiding principles and rules. The differences lie in the following:

Attributes	Formal	Informal
Intervention process	Based on request and a clear plan of action.	Spontaneous and proactive.
Procedure	6-step procedure plus Step 0 (preparation).	Flexible.
Documentary requirements	Signed forms and agreements.	No written forms to be filled up and documents to be signed.
Facilitation	By a team of Mediator and Co-Mediator.	Can be done by one mediator.
Venue	Planned and pre-agreed venue.	On the spot, where the conflict happens.

The use of the structured approach to peer mediation relies on the availability of the following conditions. Firstly, a School-Based Peer Mediation Program (S-PMP) needs to be in place. Secondly, peer mediators have been organized into teams fulfilling specific roles. Thirdly, facilities and resources are available to support the program. Lastly, the S-PMP has been communicated to the student body and procedures disseminated so that parties in dispute know what to do and whom to approach.

Peer mediators and oversight officials (such as school administrators, home room teachers and youth formation coordinators) can freely and flexibly decide which approach is more appropriate in any given situation.

The Informal Approach to Peer Mediation

The informal approach to peer mediation is a process that can be initiated by anyone who has undergone training on peer mediation when a situation of conflict presents itself. For example, a peer mediator may happen to witness any of the following:

- Two or more students are hurling verbal insults, and someone might get hurt;
- One student accuses another of stealing his/her notebook or pen;
- One student humiliates another student because of his/her physical appearance, poverty, low academic performance, or cultural background; or,
- A student threatens another student with physical harm.

Some disputes could lead to long-term bad relationships or even turn violent. Other disputes that may look momentary could be a result of previous conflicts, long-running bad relationships or acquired attitudes

and behavior that are discriminatory. All of these can be handled in a non-violent way with the support of a peer mediator.

What would you do if you were a peer mediator caught in a conflict situation that needs urgent action? There is no time to plan. There is no request from any of the parties in dispute. There is no time to prepare the paperwork such as consent to mediation, confidentiality agreement and others. What you have are the knowledge and skills you acquired from the training and the motivation to be a peer mediator.

Here are a few simple steps:

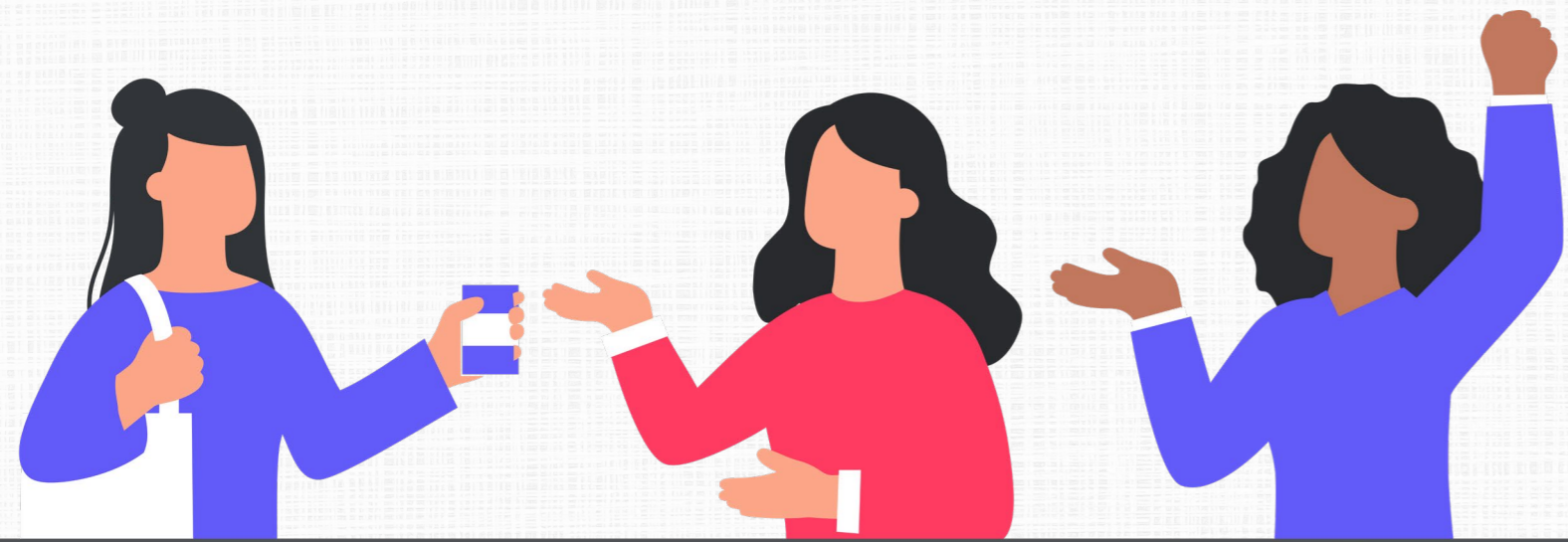
1. **Be the peer mediator that you are: decide and act to intervene or be in the middle.** Be careful not to confuse intervention with interference or getting involved in the dispute. The last thing you want to do is to get involved as a party to the dispute in favor of one or the other party. Intervention is physically and emotionally putting yourself in the situation of a neutral third party for the purpose of changing the mood. By analogy, it is like blowing cool air when the room temperature is getting hot.

If the peer mediation program is already established and students already know who the peer mediators are, it is most likely that you don't have to worry about how to intervene. One or both parties to the dispute might voluntarily ask for your help.

Tips:

- Assess the situation. One of the parties may be a friend of yours, and the other party might perceive that you are favoring your friend. You





may also have previous issues with any of the parties involved. In this case, you may need to ask another mediator to intervene.

- To be in the middle does not literally mean that you put yourself physically in the middle; that makes you the new center of attention. In doing so, you might be perceived as a new party to the dispute rather than a mediator.
- Position yourself at a safe distance and at an angle where disputants see and feel your presence from their sides. Imagine that when disputants confront one another face to face, there is a line between them. Be at an angle that, when you draw an imaginary line, you will be creating a triangle between them and yourself. In a triangle, no person will directly face any other party in a confrontational way.
- Approach the disputants smoothly. Start with a simple entry such as saying: "Hi, how are you?"

2. Introduce yourself. You should introduce yourself even if you think that you already know the disputants by name or that you are already known to them. The self-introduction is a way of politely changing the mood and reducing the tension. It is also a way of letting them know that you are a mediator and ready to help.

Tips:

- Disputants might find it weird if you introduce yourself without any reason. After saying "Hi

and how are you", quickly find a reason why you are there. There are many references on school discipline that should be commonly known to both. For example, students are not supposed to create unnecessary noise during school hours or loiter in the hallway. Use any of these as a pretext to enter the conversation.

- When you introduce your name, you also introduce your role as a peer mediator. For example, you could say, "I am Linda; I am a member of the peer mediation club. How may I be of help?"

3. Sensitive change the way of communication. Apply what you have learned from the training on conflict-sensitive communication, nonviolent communication or non-judgmentalism. You can use the knowledge and skills to change the way disputants communicate with each other.

Tips:

- Do not diagnose and do not attempt to find out who is right or wrong. At this point, your purpose is for disputants to slow down and pause. They can only slow down and pause if the communication style is transformed, leading to the lowering of voices and tensions.
- Find a way to change the topic of conversation. For example: "Can we move somewhere else where we could relax a bit?"
- Moving somewhere else allows the conflict parties to pause.

- Ensure that the new location has a place for everyone to sit down. Standing demands more physical effort and burns more calories. The exertion might make the parties uncomfortable after several minutes.
 - Changing the topic should not mean that the disputants forget about the subject of the dispute. It is only meant to let things cool down so that they can restart the conversation in a better way and talk about the issues more sensitively and calmly.
- 4. Alter the course of the conversation.** In the moment of dispute, your intervention may produce immediate effects. After cooling down, disputants may decide to improve the way they communicate. Although this does not mean that the conflict has been resolved, they shall have restored a good relationship. They decide to move forward and resolve the issues being disputed. In this regard, you can take the following steps:

- Find and suggest a place that provides some privacy. Make sure that they mutually agree to your suggestion.
- Offer to facilitate the conversation. If they accept the offer, explain that they need to agree on basic rules. These are the same rules that you would use in the structured approach.
- Talk things out. It may happen that time is short, and you will only have enough space for the disputants to narrate their issues, feelings, and their interests. In this case, you can offer to sit down with them again and continue the conversation at the next opportunity.

5. Continuing the conversation. The unstructured approach to peer mediation is like traveling to a destination with plenty of stopovers. The mediation comes in moments of opportunity. Each moment serves as a stepping stone towards a goal that may be achieved through several stopovers rather than one continuous journey. If, in one moment, you have succeeded in reforming the way of communication and altering the course of the conversation, you should consider them as significant milestones. The next challenge is how to continue the conversations so that disputants can talk about the issues, explore

common ground, and agree on a solution. There are two possibilities:

One, the disputants might discover that they can resolve the dispute by themselves in a non-violent way. Therefore, they may no longer need a mediator; and,

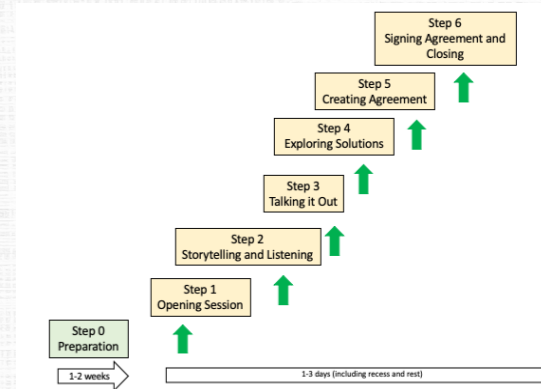
Two, they might see the need for a structured process. If they choose this option, you need to discuss with your team and prepare the requirements for the structured approach.

The unstructured approach to peer mediation is a proactive way of responding to conflict situations. It focuses on the moment, any moment that presents an opportunity to mediate and prevent the eruption of violence. It does not need a plan. It only needs the readiness of the peer mediator to act when the need and opportunity arise. Unlike the structured approach where the resolution is framed within a continuous process and timeline, the unstructured approach comes in installments where one conversation leads to another. The structured and unstructured approaches may follow different routes, but they follow the same guiding principles and rules, and they all lead to the same goal: facilitating the resolution of conflicts and promoting nonviolence in schools.

The Formal Approach to Peer Mediation

Formal peer mediation is structured into a six-step process, from Step 0 (preparation) through the 6-step actual mediation process. The process begins when a request for mediation is received and evaluated. If the school has an existing peer mediation program, the preparation process is immediately steered by the program.

Fig. 2. Peer Mediation Process: Structured Approach



Step 0: Preparation

Preparation is important in any activity. More so in mediation, where the process involves conflict parties who may be dealing with a difficult situation. The mediation process begins with a request for mediation. There are several steps that the mediator and his/her team need to undertake prior to the actual conduct of the mediation. The length of preparation depends on the complexity of the issue/s and the readiness of the parties to enter mediation.

The Request for Mediation

The request for mediation may come to the mediator through several routes:

- A direct request by one of the disputants of a conflict.
- Referral by a secondary party or parties.
- Appointment by a school-based peer mediation program.
- Appointment by a school administration.

The source and timing of a request may have significant effects on the dynamics of the negotiation (Moore, 2014). Depending on the source of the request and timing, the mediator has to devise strategies for ensuring that the request is mutual. Existing research indicates the differences of strategies between the trained and untrained mediators (Johnson & Johnson, 1996). Untrained mediators often use coercion and manipulation (DeCecco & Richards, 1974; Krapmann & Oswald, 1987). Trained mediators apply acquired knowledge in proper procedure and use integrative negotiation and problem solving to encourage cooperation (Johnson & Johnson, 1996).

The request for mediation is just the first step. The next step is to secure mutual consent of parties to the dispute.

A sample of the Mediation Request Form is found in Annex 1 of this guidebook.

Case Selection

Many disputes can be mediated even if one party has legal grounds to seek another recourse such as arbitration or court litigation. Even non-violent grave offenses that are normally under the realm of school disciplinary actions can be mediated. Lovenheim & Guerin (2004) suggest the following cases that cannot be mediated if:

- The purpose of one party is punitive and vindication of rights;
- One party refuse to mediate and prefers other methods;
- The case involves a serious crime;
- The case involves an ongoing criminal case in court;
- There is a threat of immediate harm; and,
- The disputes are already being conciliated by traditional means like family, elders, or school administration.

When starting the S-PMP, the school administration and the program needs to determine criteria for selecting in-school disputes that can be mediated so that students and peer mediators are guided accordingly.

Pre-Mediation Consultations

A request for mediation is not sufficient to prepare the activity plan for actual mediation. After a review of the request, the mediator should schedule pre-mediation consultations with the conflict parties. This activity enables the mediator to:

- Gain a deeper understanding of the conflict incident, the issues, positions, interests and needs of conflict parties;
- Assess the psychological conditions of conflict parties and their readiness to talk face-to-face with each other;
- Level-off with the conflict parties on the procedure of the mediation process and the ground rules;

- Secure consent of conflict parties to the mediation;
- Secure parties' acceptance of the mediator; and,
- Agree on the location, venue, and other logistical concerns.

Securing Consent of the Parties

The request for mediation is not equivalent to consent for mediation. The request may be coming mainly from one party or a third-party referral. It is important to secure the written consent of both parties. A sample of the consent agreement can be found in Annex 2 of this guidebook. The consent agreement also includes the acceptance of the mediator.

Mediator's Commitment to Confidentiality

The readiness of conflict parties to enter mediation is built around the assurance of confidentiality. The mediator must give this assurance through a written commitment. However, both the mediator and conflict parties should understand that there are exceptions and limits to confidentiality.

The S-PMP and peer mediators should describe the limits and exceptions provided in the jurisdiction where the mediation occurs (Moore, 2014). In the case of Philippine high schools, the DECS Service Manual of 2000 provides a list of grave offenses that should be under the jurisdiction of school discipline. At the onset, the S-PMP should clearly delineate which conflicts are covered by the program, which ones are under the jurisdiction of the School Discipline Committee and which others are subject to criminal law and special laws such as the Comprehensive Dangerous Drugs Act of 2002⁷ and the Comprehensive Law on Firearms and Ammunition of 2013.⁸

There are common exceptions to confidentiality are criminal acts (for example: sexual violence, child abuse, other acts of violence) that may be subject to law enforcement and subpoena when the conflict case is brought to court. It should also be made

clear that mediators are not required to maintain confidentiality if there is reason to believe that any party is in danger of being harmed.

A sample Commitment of Confidentiality is found in Annex 3 of this guidebook.

Logistics and Costs

There are costs involved in the formal mediation process. Peer mediators are students who may not have sufficient resources to conduct activities and cover incidental costs such as food and transportation. The school administration or the school-based peer mediation program should consider the following cost of activities:



Logistical costs such as procurement of the venue, supplies and materials. During the process, the mediator and conflict parties should have access to writing materials (bond paper, metacards, pens, pentel pens, crayons, manila sheets, flip charts), sanitation and hygiene supplies (alcohol, temperature scanner, first aid kit) especially if there is a pandemic, and equipment (such whiteboard or blackboard and flip chart holder). If resources are available, a laptop, beamer and projection screen would be useful.



Meals, snacks, and bottled water. There are situations when the mediation process is extended and may run up to more than one day.



Transportation cost. This aspect should be considered if the agreed location and venue are far from the school and residences of conflict parties and the mediation team. Holding the mediation process outside the school also needs the approval of the school administration. The best course of action is to find a venue within the school premises.

⁷ Republic Act No. 9165- AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES. (<https://pdea.gov.ph/images/Laws/RA9165.pdf>).

⁸ Republic Act No. 10591 - AN ACT PROVIDING FOR A COMPREHENSIVE LAW ON FIREARMS AND AMMUNITION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF. (<https://www.officialgazette.gov.ph/2013/05/29/republic-act-no-10591/>)

During the preparation stage, the mediator should orient the conflict parties about the costs and approval procedure if the mediation process is held outside the school premises.

Location and Venue

The location and venue for mediation may affect the interaction and dynamics between and among conflict parties (Moore, 2014). A location or venue, for example, may be perceived by one party as favoring another due to proximity of residence, the existence of social networks or community support. The mediator should consider the following:

- A neutral location and venue that is accessible but does not have emotional identification or physical control by any parties.
- A location that guarantees the safety of both the conflict parties and the mediator.
- Distance from the site of the conflict incidence.
- A venue that is free from external distraction and eavesdropping.
- A venue with good ventilation and lighting and ample space can be used as a caucus room. A caucus room is a room within the venue that is used for private sessions, if and when needed (Schreiber, 1971).

In general, the location and venue should be mutually agreed upon.

Physical Set-Up

Physical arrangement during actual mediation also affects the dynamics and outcomes of the mediated negotiation (Moore, 2014). A seating arrangement that places conflict parties opposite each other tends to be polarizing and promotes competitive behavior (Filley, 1975). Sommer (1965, 1969) suggests undifferentiated seating that does not indicate greater or lesser power or status. The use of a table also affects the dynamics (Moore, 2014). A table serves as a barrier. It also suggests formality. It is advisable to eliminate tables to increase physical proximity or to promote informality (Stulberg, 1981).

The ideal physical setup is the circle. Sitting in a circle is a traditional format in many communities worldwide. It is fluid, less confrontational, and allows people to focus on a center. The use of the circle was formalized among students in the United States in 1982 (Ballard, 1982). The approach was known as 'circle time.' Stacey and Robinson (1997) describe 'circle time' as a time when students sit in a circle and take turns to speak (round-robin), using a talking object as a guide for centering the conversation. In this approach, only the person holding the object is allowed to talk, and anything that anyone says is treated with respect.



Forsyth (2006) describes the circle as a sociopetal (in contrast to sociofugal) space that encourages social interaction. These concepts are sociological adaptations of the physics of centrifugal force and centripetal force that influence motion along a curved path. Anyone riding or driving a motorbike or a car in a curve on the highway can observe these forces. There is a force that pushes the vehicle away from the curve and another force that pulls the vehicle to the inner side of the curve.

This circle configuration possesses the following advantages:

- ✳ The open space inside the circle gives a sense of fluidity and freedom.
- ✳ Amount of space between participants avoids the compression effect and allows each participant to move his/her eyes around the circle freely.
- ✳ The circular arrangement gives no sense of preferential seating, and nor gives prominence to a permanent power figure.
- ✳ Unlike other configurations like square, rectangle or U-shape, there are no hard edges that put a participant in an awkward spot.

Mediation Plan

Once all other preparatory activities have been completed, the mediator must prepare the activity plan. This activity planning is a collaborative activity that involves the mediator, co-mediator, coordinator of the school-based peer mediation program and the documenter. The plan includes the following:

- ✳ Review of the findings from the pre-mediation consultations.
- ✳ Analysis of potential risks (e.g., physical violence, walk-outs, external distraction,

eavesdropping and others).

- ✳ Program of the actual mediation activity indicating the sessions and session duration. The session durations should be flexible. Very strict imposition of time limits per session can put undue pressure on the conflict parties.
- ✳ Task allocation and team-work. The individual tasks of the mediator, co-mediator and documenter should be clear within the framework of collaboration.
- ✳ Logistics and supplies.
- ✳ Dry run and rehearsal of roles. If possible, the mediator team should conduct an onsite dry run of the activity at least one day before the actual mediation process.

Managing Preparation Risks

Even if all preparatory activities have been completed, the mediator and co-mediator should conduct a final evaluation of preparedness. The final evaluation enables the mediator and their team to find out whether:

- Any party has changed his/her mind and withdraws from the process at the last minute.
- The location and venue are still safe and secure.
- Weather conditions are still favorable if mediation takes place outdoors.
- No new incident has occurred as it would undermine the psychological preparedness of the conflict parties.
- The mediation activity has not been leaked to the peers of one party or the other as

would induce gossip, speculations, and misinformation.

conditions and other external conditions also affect preparation time.

The completion of all preparatory activities may take up to two weeks or even one month, depending on all party's readiness and the logistical hurdles. Weather



Step 1: Preparation

This is now the start of the actual mediation process. Inside the mediation room are the following:

- The conflict parties;
- The mediator; and,
- The co-mediator. In addition to providing direct support to the mediator, the co-mediator shall also handle documentation of the proceedings.

Privacy is of prime importance. While some adults, like

representatives of the school-based peer mediation program and school administration, are involved in the overall process, they should not be present during the actual mediation process. Only the above-listed participants should be present inside the room.

The opening session comprises a set of activities designed to create assurance of safety, foster positive and non-antagonistic communication, and encourage openness. The main objectives of this session are to:

- * Establish a positive tone in the mediation process, trust, and confidence between and

among conflict parties;

- * Clarify the mediation process and role of the mediator;
- * Emphasize the voluntary nature of the process;
- * Assure disputants of the neutrality and impartiality of the mediator;
- * Level off on the procedure and group rules to ensure a safe environment for free expression of views and feelings and inhibit violent and insensitive communication; and,
- * Reaffirm the commitment of conflict parties that they are willing to negotiate in good faith and are ready to begin talking with each other.

Step 1 consists of six (6) sub-steps.

Sub-step 1A: Prayer

It is customary in the Philippine cultural setting to start group activities with a prayer. This is to invoke spiritual guidance for the group. A volunteer prayer leader may vocalize the prayer, or the mediator may suggest a moment of silence. If conflict parties are from different religious affiliations, the mediator may decide to let each participant recite their prayer by rotation.

Sub-step 1B: Meet and Greet

Even if the conflict parties and the mediator may know each other already, the meet-and-greet exercise can help set a positive tone for the process. Everyone in the room introduces themselves, their role in the activity and their expectations.

The mediator can use the suggested tools in Chapter 8 of this guidebook.

Sub-step 1C: Mediator's Opening Remarks

The Mediator's opening remarks aim to reinforce the positive tone of the process. As Stulberg (1981) suggests, conflict is easier to handle if it rests on a positive foundation. At this point, the mediator does the following:

- * Commend the conflict parties for agreeing to the mediation process;
- * Emphasize their mutual dependence in overcoming the obstacles that brought them to the conflict situation;
- * Encourage the conflict parties to focus on the good in each other rather than let their anger blind their perspectives;
- * Look forward to a fruitful mediation process.

Sub-step 1D: Briefing

In this sub-step, the mediator briefly presents the following:

- Concept of mediation.
- Specific concept of peer mediation.
- Role of the mediator and principles of neutrality and impartiality.
- Confidentiality.
- The potential use of private meetings when necessary.
- Possible forms of the agreement when the mediation is successful.
- Preview the procedure or the step-by-step process and the duration of each step in the process.
- Reiteration of previous agreements generated during the pre-mediation consultations.
- Ground rules.
- Ownership of the process and results. This includes joint participation in drafting the agreement during which a drafting committee will be tasked to prepare the written agreement.

The presentation may be done on PowerPoint slides projected by a beamer, metacards on a manila sheet, or a flip chart. This presentation should be prepared beforehand.

Ground Rules

There are two sets of rules, namely: (a) procedural; and (b) rules of behavior. These rules presume individual rights of conflict parties to agree, disagree or mutually agree to change some rules.

Procedural Rules

Procedural rules are important in strengthening ownership of the process. Some conflict parties may be keener than others on procedures. The mediator should make sure that procedures are clear and commonly agreed upon. The following are some of the basic rules that should be discussed during the briefing:

- Agreement on the time frame of the entire process and individual sessions.
- Time limit for individual statements.
- Speaking order of conflict parties.
- Agreeing to listen to one another.
- The way information or data is to be collected and used.
- Agreeing that all parties, including the mediator, may call for breaks or request private sessions if needed.
- Committing to withhold judgment and giving each other the benefit of the doubt.
- Agreeing to tell the mediator before deciding to end the mediation or walk away.
- Role and involvement of support persons, observers,

or witnesses.

- Clarifying how decisions are to be made when parties need to consult with parents or teachers.
- How agreements are recorded and safe kept.

Rules of Behavior

Rules of behavior complement rules of procedure. They are important in emphasizing self-regulation in communication, whether verbal or non-verbal and promoting healthy interaction. Here the mediator reminds participants regarding accountability for one's words and actions and emphasizes that each should speak from the heart as "I" rather than "We". For example: "I feel that you don't like the way I dress up for class" instead of "We feel that you don't like the way I dress up for class". Using "I" is a way of expressing oneself and taking responsibility for one's words and actions (IREX, 2013). This is the opposite of the "we" statement where one avoids responsibility by hiding behind the name of the group or community where the participant belongs.

Do's	Don'ts
<ul style="list-style-type: none"> • Listen actively. • Raise a hand to be recognized before reacting. • Be sensitive to gender, culture, and conflict. • Be open and above board. • Mean what you say and say what you mean. • Speak for yourself. • Be polite. • Avoid derogatory statements about another person or group. • Tell the truth to the best of your knowledge. • Focus on issues, not the person. 	<ul style="list-style-type: none"> • Do not interrupt or distract others' attention when someone is talking. • Do not judge the other person's opinion. • Do not criticize. • Do not change the subject. • Do not offer advice. • No stereotyping and mudslinging. • Do not make false assumptions. • Do not poke fun at others.

Rules of procedure and behavior need to be mutually agreed upon. After the briefing, the mediator opens the floor to elaborate the rules and confirm the mutual agreement. Conflict parties have the right to disagree or amend the rules.

Sub-step 1E: Reaffirmation of Consent to the Mediation

This sub-step is a transition point when the mediator hands over the process to the conflict parties. They will show a copy of the Request Form, Mediation Agreement, and Confidentiality Agreement prepared and signed during the preparation and ask the conflict parties to reaffirm consent to the mediation. (See Annex 1: Mediation Consent Form).

The reaffirmation may be done verbally or non-verbally.

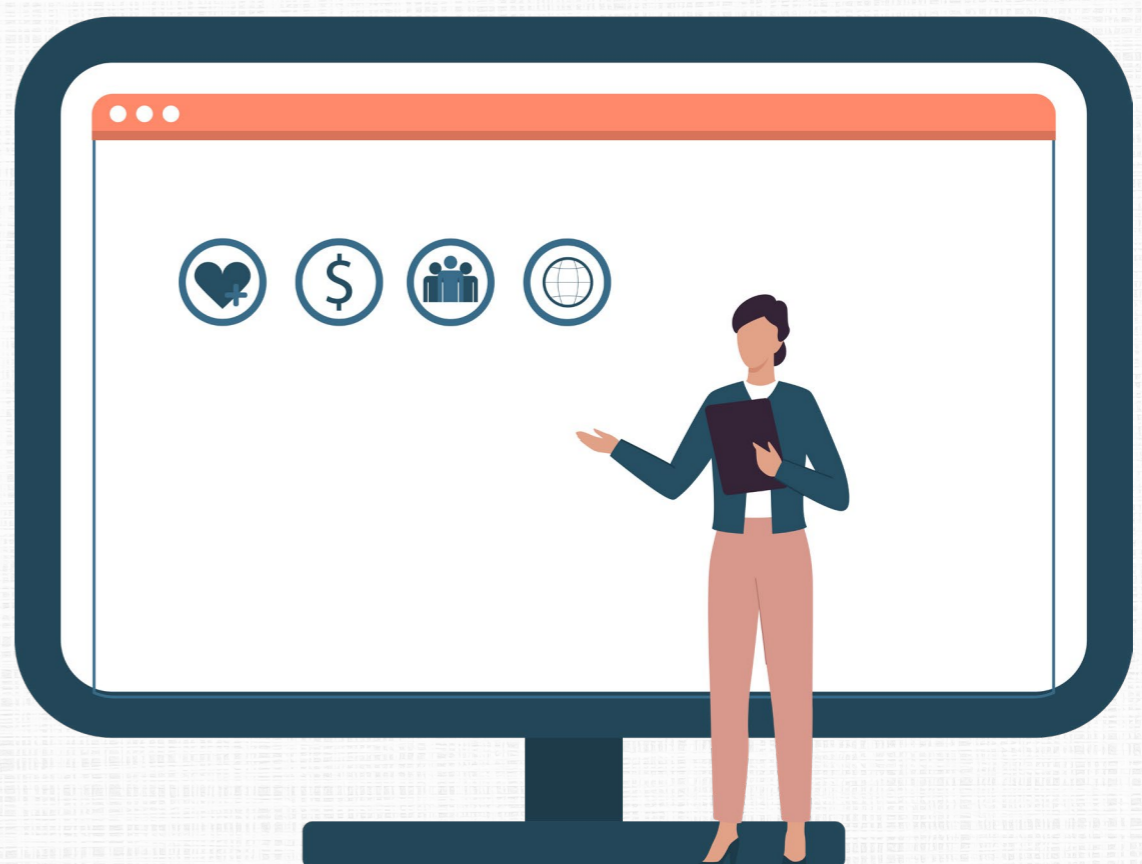
The mediator then announces that he/she is handing over the process to the conflict parties but will be around to facilitate as well as moderate the discussion.

Sub-step 1F: Opening Statements

The speaking order and time limit of individual statements shall have been agreed upon during the briefing on rules. The mediator needs to have flexibility. If one party is weaker, emotionally distraught or does not feel respected by a more dominant party, this party may speak first (Moore, 2014). Dominance among conflict parties may arise due to ethnic background, income class, or social status of the family.

Opening Statements

An opening statement is like a short privilege speech. The conflict party narrates expectations, interpretation of the issue/s at hand, position on the issue and interests and needs. The mediator cannot prevent a conflict party from stating his/her position on the issue. However, when everyone has spoken, the mediator should emphasize the need to focus on the issue/s (not the person) and the shared interests and needs.



Step 2: Storytelling and Listening

The core objectives of this session are to:

- Find out what happened.
- Get the story from different angles.
- Understand each other's feelings and concerns.
- Understand the problem.
- Sort out issues.

The overarching goal is to get all sides to the story and best understand the problem.

Step 2A: Individual narrations of the story

The mediator facilitates the individual narrations in a round-robin format, one speaker at a time. He/she encourages everyone to be candid without judging the other party. He/she explains that while active listening is crucial to effective communication, the narrator needs to communicate the message honestly and clearly.

Before starting the round-robin narrations, the mediator reminds the parties of the agreed time limit.

The guide questions are:

- What happened, where, and when?
- What are/were the issue/s?
- What did you feel about the issue?
- What is the grievance?
- What is the concern?

While one party tells the story, the mediator monitors the other party's reaction and the non-verbal interaction. No one should interrupt the storyteller except the mediator, who reminds the storyteller of the time limit or paraphrases a statement to avoid misunderstanding.

Meanwhile, the co-mediator takes notes of the stories and makes sure that all the facts and other relevant information are recorded.

Step 2B: Clarifications, exchange of views, feelings, and concerns

When all parties have spoken, the mediator gives a brief summary of the story as told from different angles. Before opening the floor for the open exchange, the mediator makes sure that all the stories are clearly communicated and understood. He/she asks probing questions such as:

- Can you help me understand what you are trying to say?
- Can you tell me a little more about that?
- Can you tell us what's happening here?
- What do you need or want?
- I am not sure I know what you mean by that.
- What do you mean when you say _____?

When the narrations have been clarified, the mediator encourages parties to seek clarification and exchange views, feelings and concerns using the following questions as guide:

- Is there anything else you want to clarify?
- How do you feel about what was said?
- Has the feelings of the other party changed your feelings?
- What are your feelings about that right now?
- What is your most important concern right now?

At this stage, there is no speaking order. Any party may initiate the discussion. If parties are reluctant to initiate, the mediator may randomly call on any party to start the discussion using the guide questions.

When everyone has spoken, the mediator synthesizes the discussion.



Step 2C: Identifying issues

The narrations provide a glimpse of what happened, where and when. These are individual narrations of events. The next step is to identify the issue/s arising from the event or incident. An issue means that:

- One party is unhappy about the event or incident.
- Conflict parties find it difficult to deal with the event, incident or the person/s involved.
- It is the most important part of the event or incident.
- A person has been harmed or hurt.
- A relationship has been affected or damaged.

In a round-robin format, the mediator encourages each party to identify the issue/s based on his/her own perspective.

At the end of the round-robin, the mediator summarizes the issues, and the co-mediator creates a list of issues on a whiteboard, manila sheet or metacards. The mediator should ensure that each issue is clearly stated and sensitized. If any issue sounds judgmental, it should be rephrased or reframed.

Before proceeding to the next step, the mediator encourages parties to create common meaning and think about advancing to the next step.

Step 2D: Sorting and prioritizing issues

There might be a long list of issues generated during Step 2C. The task of the conflict parties is to sort and prioritize. The mediator may use a simple tool such as Bubble Chart. On a Manila sheet, draw three bubbles: one large, one medium and one small. The large bubble represents top priority location; the medium chart, secondary priority; and the small chart, third priority.

The co-mediator lays all the issues written on the metacard on the floor. The mediator asks parties to pick any issue (metacard) and lay it on the preferred chart. Once all cards had been placed, the mediator asked participants to review the placement, and discuss and analyze. Once everyone has agreed on the placements, the co-mediator takes out all the cards on the small and medium bubbles. The mediator picks all the cards on the large bubble and asks parties to reconfirm that these are the priority issues.

The final step is to identify up to three (3) most important issues. The mediator repeats the bubble chart exercise using only the issues placed on the large bubble. The exercise is repeated until conflict parties agree on the top three most important issues.

Optional Private Sessions

If there are heated discussions and difficulty in reaching a consensus on the priority issues the mediator may call for a break and suggest the conduct of private sessions with one or both parties separately. The private session with one party or individual sessions with both parties serve the following objectives:

- Decompress and allow tensions to cool down.
- Gather needed information behind the tension.
- Handle bad feelings that may have developed.
- Develop options or new proposals.
- Decide whether the parties are ready for the next step.

Before initiating the private session/s, the mediator must clarify that:

- The session is not to side with any party.
- The private session recognizes that one or both parties may feel comfortable talking about the issue/s first with the mediator.
- The discussion be confidential unless the concerned party consent to disclosure through the mediator.

Step 3: Talking it Out

Conflicts generate problems and challenges that conflict parties can work out together to achieve solutions (Dues, 2010). However, the issue/s may be perceived differently. They need to be processed to identify shared interests, needs and goals. Every conflict party has a stake on the issue/s. It is natural for them to take a position, express their interests and needs and negotiate what is best for their interests or needs.

This step aims to encourage participants to focus on shared interests and needs without ignoring the feelings and the positions taken. Positions are defenses that represent the bottom lines. Each person has a bottom line. Overlaying each bottom line enables parties to map out zones of possible resolution or agreement.

Step 3A: Revisit the priority issues identified in Step 2D

The Mediator presents the results of Step 2D on the screen, whiteboard, or manila sheet.

Top 3 Priority Issues

- Issue No. 1
- Issue No. 2
- Issue No. 3

The Mediator then asks conflict parties to zoom in on the priority issues and ask if there is anything more to discuss regarding the chosen priorities.

Step 3B: Conflict parties share positions, interests, and needs

The purpose of this session is for the conflict parties to freely express their views on the priority issues, specifically, their positions, interests, and needs. It is important that each party is provided space to freely express his/her views.

- The mediator asks three basic questions:
- What is your position on each issue?
 - What is your interest in each issue?

- What is or are your needs?

Before the exchange of views, the mediator explains the definition of the terms:

★ Position (on the issue) is the preferred solution of the issue to meet individual interests and needs (Moore, 2014); the request or demand that the other person can say yes or no (Doran & Winkeler, 2017); a fixed idea, usually a demand that forms the basis of continuing conflict (Ury et al., 1988; Maise, 2017).

For example, an aggrieved party might demand or request an apology. Another party might demand justice.

★ Interest (on the issue) is the person's stake in the negotiation and mediation process; the underlying desires, needs, wants, and goals of a conflict party that serve as the fundamental drivers of negotiation (Ury et al., 1988; Patton, 2005; Maise, 2017). It is about why a person enters into a negotiation, what he/she expects to gain or what needs to change to make him/her happier or satisfied (Doran & Winkeler, 2017). For example, an aggrieved party's interest is to pursue learning without being subjected to bullying, but another person is undermining this interest in the form of threats.

★ Needs refer to fundamental human needs for security, belonging, fulfillment, self-esteem, and justice (Burton, 1990; Maise, 2017). While positions and interests can be subject to negotiation and compromise, needs - such as identity, security, and recognition - are not negotiable (Burton, 1990). In peer mediation, for example, the identity of an indigenous youth or a student who is gay or lesbian, is not part of the negotiable.

The co-mediator then places the template on a manila sheet (on the wall or the floor) as follows:

Top 3 Priority Issues	What is your position on the issue?	What is your interest in the issue?	What is your need?
Issue No. 1			
Issue No. 2			
Issue No. 3			

Parties can verbalize or write their views on metacard. There is no speaking or writing order. Parties are given time to think before speaking or writing. If there is a reluctance to speak or write, the mediator may prompt any participant to take the first step.

Step 3C. Mapping Common Interests

The mediator's challenge is how to lead parties towards interest-based negotiations rather than positional negotiations. However, even interest-based negotiations have their own challenges. One person's interest may not be the same as the other person's interest. Each interest is directly connected to the fulfillment of one's needs.

In this session, the mediator guides the conflict parties to map out differences and commonalities. All interests written on meta cards are shuffled and placed on the floor. The co-mediator places the following template below on the wall (or floor). The mediator then asks conflict parties to jointly sort out the meta cards and place each meta card on the appropriate column: individual interest, common interest.

The mediator then asks the conflict parties to focus and reflect on the common interests and how these can be achieved.

Top 3 Priority Issues	What is your interest in the issue?	What is your need?
Issue No. 1		
Issue No. 2		
Issue No. 3		

The mediator then asks the conflict parties to focus and reflect on the common interests and how these can be achieved.

Step 3D: Mediator summarizes the common interests

This session prepares the conflict parties to proceed to Step 4. The mediator summarizes the result of Step 3C as follows:

Priority Issues	Common Interests
Issue No. 1	
Issue No. 2	
Issue No. 3	

The mediator emphasizes that the viability of resolving the issues rests on addressing common interests. The next challenge is to find out how.



Step 4: Exploring Solutions

In a typical setting of Philippine high schools, a student mostly has few options when conflict issues are confined to disciplinary action by school administrations. When penalty is meted for a grave offense or disciplinary action for minor offenses, the school administration gains fulfillment. The offender and victims are not part of the solution or process of transformation. The worst that could happen would be that when one party gets punished, and the other doesn't, feelings of animosity or hostility linger.

In peer mediation, students have a wide range of options other than the default to punishment. They become active participants in conflict resolution. Conflict parties themselves own the process of resolving conflicts. Resolutions benefit both the conflict parties and the whole school.

This step brings conflict parties together rather than against each other. They jointly explore options for solutions to the issues in aid of fulfilling common interests. The idea is for everyone to gain from the process.

Step 4A. Preparing to Brainstorm

The session begins with a stimulation exercise that encourages the conflict parties to “think outside the box”

and collaborate. The mediator can choose from suggested tools in Section 6 of this guidebook.

Step 4B. Brainstorming Solutions

Brainstorming is a technique and a process. It is a group activity designed to encourage everyone to generate ideas and put them in writing. There is no speaking order. The thinking and writing should be free-flowing and in a relaxed atmosphere. At this stage, everyone must be looking forward to gaining something from the process.

The mediator may use the following sequence:

1. Explain the challenge questions:

- How do you get out of the conflictive situation and move towards cooperation and a better relationship?
- What path should you follow so that everyone benefits?
- Let's look at the three issues one at a time and focus on your common interests around each issue.
- Then let's see what solutions can best fulfill your common interests.

2. Establish the marker. Here are the three priority issues and your common interests over each issue.

Priority Issues	Common Interests
Issue No. 1	
Issue No. 2	
Issue No. 3	

3. Brainstorm solutions.

The mediator asks all parties to think freely and write what they think. They can do it individually or as a group. They can also compare ideas before writing them down.

Priority Issues	Common Interests	Possible Solutions
Issue No. 1		
Issue No. 2		
Issue No. 3		

4. Imagine the possibilities.

Solutions should lead to something that is mutually beneficial to the conflict parties. The mediator guides the discussion by asking the following questions:

- What if there is a solution? What would be the benefits? Will it benefit all parties to the conflict?
- What if there is no solution? What would happen to your common interests? What possible new conflicts might arise? What possible harm might be repeated?

Conflict parties, individually or jointly, undertake another round of thinking and writing about future scenarios. They write ideas on metacards and post them on the following template.

Priority Issues	Common Interests	Possible Solutions	What happens if...	
			There is a solution	There is no solution
Issue No. 1				
Issue No. 2				
Issue No. 3				

Step 4C. Presenting the solution sheet

The mediator summarizes the results of Step 4B and prepares the following solution sheet. The purpose of the summary is to emphasize the mutual benefits that all parties will gain if and the solutions are agreed upon and pursued. The mediator explains that all the listed solutions are at the level of options. They will be translated into an agreement in Step 5.

Priority Issues	Common Interests	Possible Solutions	Expected Benefits
Issue No. 1			
Issue No. 2			
Issue No. 3			

Step 4D. Refining Solutions

At this stage, conflict parties shall have surpassed hurdles in identifying possible solutions. Before moving to the final step of creating agreement/s, the mediator challenges conflict parties to refine the options. The purpose is for each and all to be assured of receiving maximum benefits and to strengthen the acceptability of the proposed solutions. Conflict parties can review and refine the proposed solutions by agreeing on a common criterion, for example: fairness, justness, and efficiency.

Here are the guide questions of the criteria:

- Fairness: Will it mutually benefit both parties to the agreement? Will any of the parties feel aggrieved by the solution?
- Justness: Does the proposed solution acknowledge the wrong that has been done?
- Efficiency: Is the proposed solution actionable? Can it be done without too much difficulty? Can it be monitored?

The above questions serve as a guide for a mental review of the proposed solution for about five minutes. After the mental review, the mediator proposes a round-robin discussion using the following guide questions. All questions apply to each issue, one at a time:

- What do you think of the proposed solution?
- Will it resolve your differences?
- Does the solution address or meet your interests and needs?
- Is the solution fully acceptable or only part of it?
- What problem do you foresee with the proposed solution?
- If you were to change or enhance the formulation, how would you state the solution?
- Is there any other benefit you could give to the other party without feeling dissatisfied?

The mediator synthesizes the discussion after each round. The co-mediator takes notes of the discussions and the synthesis. After the synthesis of the third round, the mediator gives the overall summary in the following format:

Priority Issues	Common Interests	Refined Solutions	Revised Expected Benefits
Issue No. 1			
Issue No. 2			
Issue No. 3			

The conclusion of Step 4 is the turning point of the mediation process. Conflict parties are now ready to create an agreement.

Step 5: Creating Agreement

At this stage, conflict parties should be excited and feel happier and more fulfilled. The next step is to transform the proposed solutions into a written agreement. It is important for the mediator to explain the benefits and the individual and collective responsibility of ensuring that the agreement is fulfilled.

Step 5A: Briefing on Agreement

- The mediator briefs conflict parties on the meaning and implications of an agreement:
- The aim of the mediation is not the paper agreement. The aim is the resolution of the conflict and restoration of relationships.
- Reaching Stage 5 is already a success. The mediation is considered a success if the conflict parties already know how to move on (Wittgenstein, 1958).
- An agreement is a form of a contract between the conflict parties and must be voluntary or based on the will of each party (Dues, 2010). Although it is not notarized by a lawyer, conflict parties agree to voluntarily fulfill what they have agreed upon.
- The agreement must be clear, concise, and commonly understood by all parties (Condliffe, 2016).
- The agreement must fulfill the checklist of (a) WHAT is agreed upon by all parties; (b) WHO is responsible for which action; (c) WHEN the action or behavior shall be fulfilled or complied with; (d) WHERE the agreed actions or behavior shall happen; and (e) HOW will the parties implement the agreement.

- There are two aspects of an agreement: (a) agreement on procedure; and (b) substantive agreement. The substantive agreement to what was agreed upon by the conflict parties. The procedural agreement simply refers to the question of when (for example, in one or two months) to fulfill the agreement and where (for example, inside and outside the school, Conflict Party A should not bully Conflict Party B). The success of the substantive agreement often depends on the strength of the procedural or implementation agreement (Moore, 2014). Sometimes conflict parties find it difficult to fulfill what was agreed upon because they have not agreed on the time frame and location.

- There are two types of substantive agreement: one, self-executing agreement, and two, non-self-executing agreement. A self-executing agreement is one where the terms and conditions are carried out in their entirety at the time of signing (Moore, 2014). A non-self-executing agreement is one that requires continuing performance and needs to be monitored (Young, 1972). A non-self-executing agreement needs an implementation plan or a procedural agreement.
- It is advisable to write the agreement in a language commonly understood by the conflict parties.

At the end of the briefing session, the mediator shows the template of the agreement.

Step 5B: Writing the Draft Agreement

The mediator proposes the designation of a drafting committee composed of Mediator, Co-Mediator and one representative from each conflict party (if there is more than one person on either side or both sides of the conflict parties).

The drafting may be handwritten on a manila sheet or encoded on a computer for presentation to the plenary. (See Annex 4. Sample: Mediation Agreement). If a printer is available, it would be best if each party is provided a copy of the draft for private reading.

Step 5C: Conflict Parties Review the Agreement

The mediator presents the draft agreement. He or she proposes one round-robin of sharing and commenting on each provision of the agreement using the following guide questions:

- Are you happy with the substance of the agreement?
- Are you happy with the procedure of implementation?
- Is there any provision of substance that you wish to change?
- Is there any provision in the procedure that you wish to change?

The mediator summarizes the comments and gives attention to the suggested amendments. The mediator then asks the parties to affirm the proposed amendments. The affirmation may be vocalized or expressed non-verbally. Once the proposed amendments have been consensually affirmed, the drafting committee proceeds with the finalization of the agreement.

Step 5D: Finalization of the Agreement


The drafting team finalizes and prints the final version of the agreement and distributes one copy each to the following signatories: main signatories (conflict parties), witnesses (mediator and co-mediator). The copies are for their eyes only and not for takeaway or dissemination.


Step 6: Signing Agreement and Closing


This is the culminating stage of the mediation process. The mediator should harness available tools to ensure that the culmination is celebratory, hopeful, and reassuring that the proceedings remain confidential.

Step 6A: Reminder on Confidentiality

Before the actual signing, the mediator briefs the conflict parties on confidentiality.

 The proceedings of the mediation will remain confidential.

 The mediator, co-mediator, and conflict parties commit to confidentiality.

 Only two copies of the agreement shall be signed and safely kept by: (a) the school administration; and (b) the coordinator of the peer mediation program. All other unsigned copies shall be shredded and safely disposed of.

Step 6B: Signing of Agreement

The co-mediator places a table and one chair at the center of the room. On top of the table are two printed copies of the agreement and one pen.

The mediator calls on the signatories to approach the table and sign the document, one at a time, in the following sequence:

- Conflict parties;
- Mediator; and,
- Co-mediator.

Step 6C: Creative Celebration

Time to celebrate. The mediator and co-mediator shall have prepared some creative tools and techniques to celebrate the success beforehand. These may include:

- A toast;
- Group singing;
- Handshakes;
- Group hugs;
- Dream weaving (see Section 6); and,
- Souvenir photo.

Step 6D: Closing

Time to finally close the mediation process. Participants of the process make closing statements and reaffirmation of commitments in the following sequence:

- Conflict parties;
- Mediator;
- Co-Mediator;
- Coordinator of the peer mediation program; and,
- Representative of the school administration.

Reporting, Debrief, and Reflection

Every mediation exercise is a point of learning. At the end of each mediation process, the following should be conducted:




- Preparation and submission of the mediator's report to the school-based peer mediation program and the school administration. See Annex 5: Sample: Mediator's Report;
- A mediation team debrief to be facilitated by the coordinator of the school-based peer mediation program or school administration; and,
- A joint reflection of the conflict parties, peer mediators, documenters, school administration and school-based peer mediation programs.
- The school administration and all parties involved in the school-based Peer Mediation Program should strictly observe commitment of confidentiality.

FOOD FOR THOUGHT

The actual work of the peer mediator cannot always be perfectly scripted and planned. The 6-step process guide is just a guide. How the process develops depends on the interaction of the mediator and the conflict parties. Managing the process is very challenging, even more so when unforeseen risks occur. Here are some tips that might be useful:

Neutrality and Impartiality

Neutrality and impartiality are basic traits of a peer mediator (and mediators in general). Neutrality is a precondition - that the mediator is not a party to the conflict, and neither is directly affected by it. Impartiality is not taking sides in one conflict party or the other. However, the mediator should be mindful of the following:







-  Neutrality has limits. The mediator is not neutral when, during the process, there is actual or imminent violence and harm by one party against another.
-  Neutrality and impartiality must be a written commitment of the mediator. He/she shall sign a commitment of neutrality, impartiality and confidentiality before the actual mediation begins.
-  Conflict parties must have prior knowledge and consent to the person of the peer mediator and accept him or her as a neutral and impartial third party.

Listening to the Story

In Step 2 of the dialogue process, conflict parties take turns in telling their story. Each story should be taken seriously. Each story that a person tells does not come from nothing. Every story is also intended to communicate something. In conflicts, a person's story is just one of the many possible stories that a person can or will tell, depending on what he/she wants to communicate. A story of violence can focus on the pain as much as it can also focus on hope for something better. However, some people have a thinking habit called "essentialism" that tends to look for explanations in the intrinsic essence of things or of the person telling the story rather than the cultural influences around the narrative (Winslade & Monk, 2008). Essentialism often leads to stereotyping and




labeling that hinder listening.

As peer mediator, it is important for you to consider the following:

-  Whether the storyteller and the listener/s are happy with the direction of the story, or would they prefer that the direction should go somewhere else. Listeners react to a story not just in words but also in body language.
-  The other side of the story. Even if the story is about pain or grievance, there is always that untold story behind it - the story of hope and wish for something better. Ury (2007) describes this as "double listening" or "the power of the positive no". A party might openly take the position of "no" as a message to the other party, but that "no" actually means "yes" to oneself or to protect what is important.
-  If the story focuses on a problem, do not attempt to dig deeper. If you do so, you might unintentionally create a pile of problems that conflict parties have to climb and discourage them from moving forward.
-  Listen to the message of the story. Storytelling is intended to deepen understanding of the conflict incident and the issues. However, parties may also want to use storytelling to advance the negotiation and relay his/her position on the issue and the demand.
-  Externalize the story. The problem narrated in the story is the problem, not the person telling the story. Focusing on the storyteller could lead to stereotyping, labeling, or false accusations that the person is telling a lie.
-  Watch out for openings to an alternative story. The alternative story is the story that did not happen because it was disrupted by the conflict. Within a story of pain there should be an opening that leads to some hope of an acceptable solution to both parties.

Dealing with Power Imbalance

Peer mediators should treat conflict parties as equals, as human beings with equal rights. However, it may happen that one party appears more dominant than the other party. This happens when one party has a significant advantage owing to income class, academic knowledge, and other factors (Lovenheim & Guerin, 2004). The other party might be at a disadvantage because of poverty, ethnicity, gender, or emotional strength due to trauma from abuse. Pre-existing imbalances should not deter a peer mediator. What he/she can do is minimize the possibilities of imbalance during the preparation stage. The following actions can be taken:

-  Emphasize that the mediation process is informal. Parties should not attempt to dress up with their best clothes. A party wearing expensive clothing might be perceived as more powerful than the other party who cannot afford to buy expensive clothes. The mediator should similarly do the same. The mediation is not a court hearing where a lawyer appears before a judge in formal attire.
-  Equalize psychological preparedness. During the pre-mediation consultations, the mediator can facilitate separate dry runs to develop the autonomy and competence of parties and, most of all, the mutual need for belonging.
-  At the crucial stages of exploring solutions (Step 4) and creating an agreement (Step 5), emphasize that the agreement should be based on the will and informed consent of the parties. No one should be obliged to sign an agreement without exploring all possible options. An agreement is ideal, but the parties can also agree to disagree and focus on rebuilding relationships.

Dealing with Emotional Blackmail

Forward & Frazier (1998) describe four types of emotional blackmailers: punishers, self-punishers, sufferers, and teasers. During the mediation process one or both parties may intentionally or unintentionally use emotional blackmail to stress their positions over an issue. A 'punisher,' for example, may issue a threat like "If you do

not apologize, I will make you suffer and sue you in court"; or, "If you do not acknowledge your mistake, you might be kicked out of school."

In these situations, the mediator can do the following:

- Remind conflict parties of the agreed rules of procedure and behavior;
- Ask the concerned party to reframe or rephrase his/her statement;
- Ask the concerned party to tame or tone down their emotion; and,
- Remind conflict parties to focus on common interests and needs.

Process Management

The role of the peer mediator is essentially that of a process manager. This role can be more effective if the mediator:

- Pays equal attention to conflict parties;
- Uses eye contact;
- Memorizes and states the name (or nickname) of each party frequently;
- Maintains eye contact with the co-mediator to ensure that you are sharing process management;
- Is a model of respect and conflict, culture and gender sensitivity;
- Is patient;
- Shows appreciation and excitement when they notice progress;
- Congratulates conflict parties when they have agreed on proposed solutions; and,
- Ensures that the agreement is willfully signed by all parties concerned.

Evaluative Intervention

As a basic norm, the peer mediator should be neutral and impartial and avoid giving advice. However, he/she has an obligation to protect a weaker party if the latter is about to agree to an unfair solution (Lovenheim & Guerin 2004). For some reasons - like trauma from past abuse, language difficulty, emotional fragility, or exhaustion - a conflict party may just want to accept an unfair solution if only to finish the process. If the process gets to this point, the mediator must intervene. This intervention is part of his/

her role and the agreed procedure. He/she can ask the following questions:

- "Shall we go over the proposed solution and find out whether it is mutually acceptable and beneficial?"
- Addressing the weaker party: "How do you feel about the proposed solution? Would you need time to think about it?"
- "Shall we take a break?"

The mediator and co-mediator may decide to use the break as an opportunity to engage conflict parties in separate and private discussions before resuming the session.

Dealing with Deadlocks

The peer mediator and his/her team must anticipate potential problems that may cause premature deadlock of the mediation process. Fisher (1978) identifies some problem areas that can lead to deadlocks:

- Too few options that bring parties to non-negotiable solutions;
- Too many options that become confusing;
- Problems in the procedure leading to complaints (for example one party taking more time to talk than the other party); and,

- Blockages in communication due to strong emotions, labeling, cursing and others.

The mediator and co-mediator can make use of the following strategies:

- ✓ Anticipation and prevention. Anticipation of potential deadlocks can be done during the preparation, specifically during pre-dialogue consultations.
- ✓ Intervention. If there are communication-related blockages during the negotiation, the peer mediator should remind parties of the agreed rules of procedure and behavior.
- ✓ Recess and relaxation. The peer mediator can always call for a break and decompress when the going gets rough. In many tension-laden situations, deep breathing exercises, group massages, or just walking about outside the venue can help in cooling down emotions. In a worst-case scenario where one party is on the brink of deciding to walk away, the mediator can "call it a day" and advise them to come back another day. In between, the mediator can hold private sessions separately.



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ANNEXES

1. Sample: Mediation Request Form

Mediation Request	
Name	(Name of requesting party)
Date	(of request)
Description of the dispute	
Names of parties involved in the dispute	
Referred for mediation on	(date)
Referred for mediation to	(name of school mediation program)
Request reviewed by	(name of coordinator of the school mediation program)

2. Sample: Mediation Consent Form

Consent to Mediation

This is an agreement between (name of Conflict Party A), (name of Conflict Party B), (name of Mediator) and (name of Co-Mediator) with the intention of reaching a consensual

3. Sample: Mediator's Commitment of Confidentiality

The Mediator's confidentiality commitment is a signed document prepared prior to the actual mediation. Below is a sample that can be used and amended:

Mediator's Commitment of Confidentiality

I, (name of Mediator), designated mediator of a conflict resolution process held at (name of venue) on (date), commit to uphold the following:

The sessions will be considered by me to be confidential; I will not disclose your names or any discussion and proceeding with any person who is not involved in the conflict;

I would like your permission to discuss matters with my colleague, the co-mediator, to enable me to better assist you in reaching an agreement;

If in any case that some matters discussed in the mediation process are subject to court proceedings without my prior knowledge, I would be legally required to submit to a subpoena by a court of law.

Signed:

Full name of Mediator
Date

4. Sample: Mediation Agreement

Mediation Agreement

We, the undersigned, (name of Party A), (name of Party B) underwent a mediation process on (date) at (place) through the facilitation of (name of mediator and co-mediator). As a result of the mediation process, we agreed to undertake the following:

(what they agreed to do)
(what they agreed not to do)
(timeline of the agreement)
(specific details on how they will implement the agreement)
(what happens if one or the other party does not fulfill the agreement)

Hereby we affix our signatures on (date) at (place):

Name and Signature of Party A
Name and Signature of Party B

Witnessed by:

Name and signature of Mediator
Name and Signature of Co-Mediator
Name and Signature of Representative of the School Administration
Name and Signature of the Coordinator of the Peer Mediation Program

5. Sample: Mediator's Report

Mediator's Report	
Name of Mediator	
Date /s of Mediation	
Description of the dispute	
Parties Involved	
Was there an agreement	(yes / no)
What went well	
What needs improvement	
Date	(Date of report)

6. Suggested Tools for Step 1 in Formal Mediation

The following tools can be used to enliven the 'meet and greet'.

a. Passing the Ball

1. Things to prepare: a small rubber or paper ball; colored pins or small sheets of paper in different colors.
2. On a manila sheet or whiteboard, prepare five questions. Each question is represented by a color. The questions should be hidden from the participants before the exercise.

For example:

- What is your name?
- What is your favorite flower?
- What did you eat for breakfast?
- If you had the chance to travel abroad, where would you go?
- Could you sing us one line of your favorite song?

3. Move around and ask each participant to pick up to three pins (or paper) of different colors.
4. Show the list of questions and color legends.
5. Pass the ball to any participant at random. The one holding the ball answers the questions based on the colors they picked. Then they pass the ball to any participant that they choose at random.

b. Ask Any Question, Write Any Answer

1. Give each participant a piece of paper and pen.
2. Ask each participant to write one question, any question, that they would want to ask any other participant.
3. On the back page of the paper, ask each participant to write any answer to any question he imagines would be asked of them by the other participants.
4. When everyone has written their question and answer: ask any participant to share their question. Then ask participants: who has the answer?
5. Then move on to another participant and ask: what is your question? Once the question is read, ask participants: who has the answer?
6. Repeat the exercise until questions and answers have been read.

Not all questions may be answered. The exercise mainly encourages participants to think of themselves and others in the form of imaginary questions and answers.

7. Suggested Tool for Step 2 in Formal Mediation

Before the storytelling, the mediator can propose a tableau game. This creative exercise stimulates inter-personal communication and coordination within a group. This is done in eight simple steps:

1. Ask participants to form as one group.
2. The group finds a space within the room (e.g., corner, center) with enough room for movement.
3. The group discusses and agrees on what story to tell and shows it as a frozen image.
4. Within the agreed storyline, the group decides who plays what kind of role in the story.
5. They then show the frozen image of the story.
6. The mediator and co-mediator interpret the image and the story behind it.
7. The group then creates another story and the frozen image of the story for the mediator and co-mediator to interpret.
8. End the exercise with a discussion on the stories behind the two frozen images and why they chose the story.

Message of the exercise: the tableau is a group story that is constructed from the actions and roles of individuals in the group. The mediation process aims to create a group story, a story of hope for a better situation. It is important to share and listen to each other's stories.

8. Suggested Tool for Step 3 in Formal Mediation

The mediator can use the 'Tableau' as a stimulating exercise to begin Step 3. This creative exercise stimulates inter-personal communication and coordination within a group. This is done in eight simple steps:

1. Ask participants to form one group.
2. The group finds a space within the room (e.g., corner, center) with enough room for movement.
3. The group discusses and agrees on what story to tell and show it as a frozen image.
4. Within the agreed storyline, the group decides who plays what kind of role in the story.
5. They then show the frozen image of the story.
6. The mediator and co-mediator interpret the image and the story behind it.
7. The group creates another story and the frozen image of the story for the mediator and co-mediator to interpret.
8. End the exercise with a discussion on the stories behind the two frozen images and why they chose the story.

9. Suggested Tool for Step 4 in Formal Mediation

The mediator can use an exercise called 'Connecting the Dots' in Step 4A: Preparing to Brainstorm. This exercise is intended to encourage participants to get out of their shells, 'think outside the box and imagine every possible solution. The exercise is done in four simple steps:

1. Prepare pre-printed sheets of bond paper as shown below and give each participant one copy and a pen.
2. Challenge each participant to connect all the nine (9) dots in four (4) continuous strokes. Give them two minutes to do so.
3. The exercise is finished once a participant has connected the dot.
4. Ask the winning participant to share how she/he did it.

Message of the exercise: In brainstorming and exploring solutions, one must think outside the box.

10. Suggested Tool for Step 5 in Formal Mediation

Before Step 5A (briefing on what the agreement is all about), the mediator can prepare participants to imagine how significant the mediation agreement is through an exercise called "Dream Weaving". In fact, the mediation agreement is like a dream woven by the conflict parties together.

Dream weaving is a process connecting an individual's dream to those of other dream weavers. It is a way of creating conditions for a person to sense that they are surrounded by other persons who also are hoping to achieve their dreams. The notion of weaving symbolizes collectiveness, the mutual commitment to work together in dealing with hazards that pose barriers to the dreams.

This exercise is done in eight simple steps after the sharing of reflections:

1. Each participant is given a 2"x 6" (inches) strip of white Cartolina, a marker pen and a Crayola.
2. The facilitator asks each participant to select one image that best represents their dream or vision.
3. Participants repeatedly draw the image on the strip of Cartolina until the strip is full. She/he also chooses their favorite color.
4. When all have finished their drawings, the facilitator asks them to form a circle while seated on the floor.
5. Each participant shares thoughts about their dream/vision and why he/she chose the image and the color. You may allocate 1 minute to 2 minutes per participant.
6. After the sharing and reflection, participants weave the strips of Cartolina until they form into a tapestry.
7. Allow some minutes for participants to walk around and appreciate the tapestry.
8. At the end of the session, encourage the participants to decide who safekeep the tapestry for future reference.

11. Suggested Tool for Step 6 in Formal Mediation

Step 6 is a ceremonial activity to formalize (in writing) what has been agreed upon during Step 5. To enliven the atmosphere, the mediator and co-mediator can do the following:

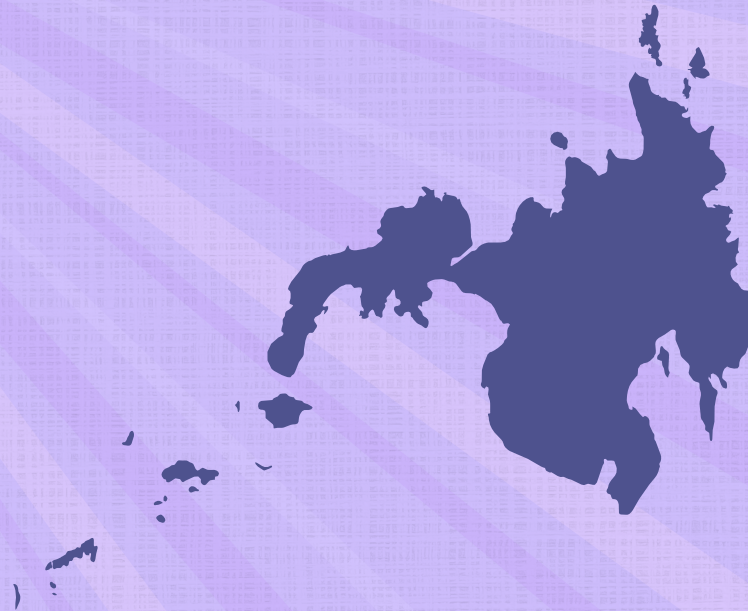
Decorate the table that will be used for the signing ceremony. A white linen and flower vase would do some magic.

- Prepare fruit juice and some glasses for the toast.
- For the closing statements and the closing prayer, ask participants to sit on the floor in a circle. Place an object, perhaps a lighted candle, at the center of the circle. This encourages participants to let their thoughts flow towards the center - the mediation process and the successful conclusion.





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Youth for a Culture of Peace and Non-Violence in Mindanao, Philippines (YOUCAP) Project

About the Design:

Mindanao, the Philippines' second largest island, has rich and diverse cultures. These distinctions have long been a source of contention. It is time to rebuild a culture of peace regardless of faith, tribe, or gender.

A rich, bright, and unique clothing pattern emerged from several Mindanao tribes textiles. The textile designs were woven together to form a pattern (banig). This, like weaving (banig), represents collaborating on ideas, approaches, dialogue, and participation of youth and other stakeholders to promote a culture of peace. Combining fabrics created pixels that resembled the vibrant, contemporary, and youthful traditional banig.

The three hands represent Mindanao's three peoples: Muslims, Christians, and Indigenous People. This is a symbol of cultural and social unity in Mindanao. These hands represent the project's education, civil society, and government partners, both state and non-state.

These elements form a modern peace sign and the letter "Y," representing Youth, the sector at the center of the YOUCAP Project's activities. Also, the letter "Y" stands for YOUCAP, a project that works with partners to strengthen state and non-state actors in Mindanao to contribute to culture-sensitive, gender-sensitive, and youth-oriented peacebuilding and non-violent conflict transformation.

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