# clock-icon 165 Minutes **(**Core Module**)**

# Why does this session matter?

This module highlights the importance of conflict resolution in close regards to HLP issues in Somalia IDP sites. Camp Management Committee members, through their mandating of inclusive self-governing, may come into situations in which they are used as a mediator to resolve disputes in the site. As a result, it is important that CMC members are well-versed on the basics of conflict resolution. In IDP sites that do not have written permission from the landowner to settle, CMC members may be active in negotiating with landowners with HLP and CCCM partners mediating such meetings with the objective of cementing a more long-term agreement.

# Learning Objectives

At the end of this session participants will be able to:

* Identify the causes of HLP conflicts
* Carry out HLP conflict analysis and understand how to analyze conflicts
* Identify factors that contribute to resolving disputes.
* Gain strategies and skills that will build on and improve the performance of participants as successful dispute resolvers for their communities
* Describe three potential dispute resolution approaches
* Describe factors for deciding which approaches and procedures can best help CMC members come to an amicable end to community disputes

Key Messages

Session Plan

|  |  |  |  |
| --- | --- | --- | --- |
| Activity | Topic | Method | Timing |
| 1 | Disputes related to HLP in IDP sites | Activity, plenary | 60’ |
| 2  3 | Stakeholder Conflict Analysis  Conflict Mediation | Activity, Plenary, Group Work  Activity, Plenary | 60’  45’ |

# Supplies Needed

* Flipchart paper, markers

# Planning

* Make sure that the trainer has a firm knowledge about the tenure/land lease agreement that has been established in each site. Furthermore, make sure that an HLP partner has operations ongoing in the particular region.

## Activity 1 – Disputes related to hlp in IDP sites 60’

Warm up: Ask participants to select a partner

* + They should interview one another to find out the following:

-Who they are, where do they live and what do they do

-Tell one another about a dispute they are familiar with, either one in which they were a participant or know a lot about, in which the dispute was successfully resolve

– They should describe one thing that was done either by the disputants or a third party that helped those involved to improve their relationships and reach agreements

Ask for participants to share their stories.

ASK: Has the site gone through a conflict in the past?

ASK: How has the community responded to such conflicts

ASK: What can be improved in the future to improve conflict responses

Say:

It is always advisable for conflicts to be resolved as quickly as possible utilizing resources that are available within a community. However, due to biases that members of the community may have towards one another, at times, it’s okay to bring in a mediator that can be fully impartial to an argument such as a service provider staff that specializes in these sort of matters (NRC HLP).

In groups of two, have participants discuss what are ways in which the community can enhance conflict resolution work. Give 5’ for these conversations to occur. Once finished, hold an active conversation with the group discussing some of the strengths, weaknesses and opportunities that the community may have to tackle conflicts that occur within their community. This may include having designated mediators, having a process for ensuring that each side of an argument is able to voice concerns and plead their case, or have designated service partners that can be called upon to support.

## Activity 2 –Stakeholder conflict analysis

Say: In order to resolve disputes that may occur within a community, we must first have a full understanding of who is involved in a conflict and the complexities of each party that is holding a dispute. This will make it easier to identify an entry into resolving a particular complaint as we’ll have a better understanding of key interests that may be identified to resolve issues.

Say: Stakeholder Conflict Analysis is a tool to identify parties to a dispute, issues they want to resolve, their needs and interests, sources of power and influence and initial orientations towards resolution procedures.

Say: Conducting a conflict analysis allows people working to resolve conflicts to get a better understanding of a dispute and its dynamics, the people involved, issues disputants are concerned about, their needs and interests, potential sources of power and influence to get desired outcomes and preferences for dispute resolution approaches and procedures.

**Write on flip chart paper and verbally define the following terms:**

**Primary Parties:** people who are directly involved whose issues and interest are disputed

**Secondary stakeholder/Parties:** people, who while not directly involved in

the dispute, are concerned about how the primary parties’ differences are or will be

handled, and how they may be affected by a resolution process and its outcome.

**Issues/Problems:** are the topics that parties need or want to talk about and or resolve.

**Needs:** include basic necessities for human survival (such as food, shelter, health and physical and psychological security. ***Interests a***re real or perceived desires, concerns, wishes or fears that parties want to have addressed or satisfied.

**Power and influence analysis:** a framework to determine each party’s sources of power, and

how they may, or are currently, affecting their abilities achieving their goals.

**Initial orientation towards procedures for resolution are** stakeholders or parties’

beginning preferences for processes to resolve their differences. These may change over time as parties gain more information about potential dispute resolution procedures or interact with each other.

ASK: do participants have any questions about these terms?

**Activity 1:**

Break participants into five groups and provide them with flip chart paper and markets. Make sure that the following matrix has been created on the flipchart paper prior to the training.

Read the following case study to participants:

**Case 1: Mud on Concrete:** Two brothers had the same father but two mothers. One mother was married to the father and had the younger junior brother. The older brother’s mother was not married to the father. The father has died without leaving a will. The senior brother has built a house on the concrete foundation of a house destroyed by the war, which was owned by his father. The younger brother contests the construction and claims the house. Whose land is this and who does the house belong to? What might be each of the brothers’ positions and underlying interests?

Provide participants 20’ to fill out the following Conflict Stakeholder Analysis based on the case.

NOTE: You will likely need to reread the case to the various groups:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Primary Parties/**  **Stakeholders** | Issues –  Presenting  and Underlying  Problems  resolved | Needs and  Interests –  Desires, Wants  or Goals to be  Achieved | Actual/Potential  Sources of Power  and Influence,  Degree of  Symmetry and  Parties Willingness  to Exercise it | Parties’ Initial  Orientations  Toward  Procedures  for Probable  Outcomes |
|  |  |  |  |  |
| **Secondary Parties/**  **Stakeholders** |  |  |  |  |
| Older Boy  Younger Boy |  |  |  |  |

ASK: What type of fair resolution would you recommend based on the analysis?

## Activity 3– Conflict mediation 45’

Explain: ***Mediation*** is a dispute resolution procedure in which a trusted, fair and mutually acceptable third party, a *mediator*, helps parties in dispute to negotiate a mutually acceptable agreement that resolves a conflict. Mediators do not have authority to make a binding decision or impose an outcome.

It may be conducted by an independent and impartial third party – such as CCCM partner staff or a member of a national or community-based non-governmental organisation (NGO/CBO) established by or independent of CCCM, a private mediator, a mediator affiliated with a Ministry of Justice or other government agency – or by customary or religious authorities as part of a local dispute resolution approach and procedures

Regardless of who provides mediation and the procedures used, there are a number of common goals:

**Please draw on flip chart and explain each point**

* Improve communications between parties
* Build positive working relationships, trust and confidence.
* Focus parties on their interests and what really matters to each of them
* Help parties do their own work to find answers, create solutions and make choices.
* Help parties put the conflict behind them

**Say**: There are many types of mediators that can support in issues of conflict.

***Social Network Mediator*-** A person who has an ongoing relationship with one or more disputants because of being a member of their family, clan or community.

***Benevolent Mediator*-** A respected high ranking formal leader or group of leaders in a community, such as a customary leader, local cleric or respected elder

***Administrative/Managerial Mediator***-A person in an organisation – such as a government agency – with authorised authority to mediate or make a decision on issues in question.

***Vested Interest Mediator***- A person who is a party to a dispute and has an interest in the specific outcome, but also provides third-party assistance in finding a solution such as a politician or large landowner.

***Independent Mediator* -** A person who is not directly involved in the dispute, neutral regarding his or her relationship to the parties and unbiased concerning the issues in question. Independent mediators may be CCCM or partner staff

Ask: If you were enduring a conflict, who would you like to receive mediator support from?

**Activity 2:**

Role play situations in which there is a dispute. Break up participants into groups of 3. For this exercise, assign roles to the following members per group of three based on the case study below. Have each group simulate this case for 5’ before switching roles. Hold this activity for a total of 15’ to assure that all group members have the opportunity to play each role.

**Role Play:** While brushing their land to clear it for farming, people from ***Clan A*** were surprised to meet people from **Clan B** on the same land chopping down trees and mining sand from the river that runs through the wooded area. Clan A elders tried to reason with Clan B’s elders and argued that Clan A owns the land. Clan B elders argued that it was they, Clan B who own the land. They disagreed and the dispute escalated. A mediator from an NNGO has been called in by community members to assist in mediating the conflict.

Role play this scenario with one person in the group play Clan A, the second playing Clan B, and the third playing the mediator. After 5’ minutes, switch!

Debrief:

ASK: what have you learned about conflict resolution? How do you intend to take what you have learned from this lesson and demonstrate it in the community?

(Facilitator notes: probe respondents so that they are bringing up how a mediator has to be agreed by both parties and how it is important for both parties to explain their positioning)