



Drs J.J. (Hans) Démoed
professional Dutch NMI register mediator



Hans Démoed



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Introduction....

Profession...

- Manager municipality of Kaag en Braassem in the Netherlands
- Member regional parliament of the province Zuid-Holland (chairman Christian Democratic Party CDA)

And further...

- NMI Register Mediator
- Facilitator at several conferences
- Supervisor housing corporation

TITLE WORKSHOP

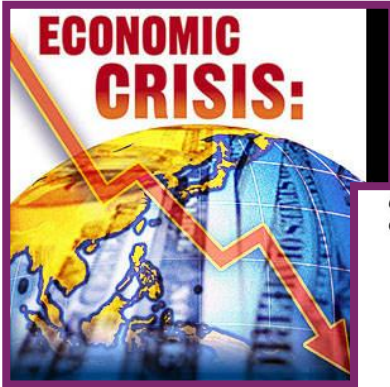
It is a time of crisis – the regional and local government have to invest in ADR through spatial planning and local taxes:

THE EXPERIENCE OF KAAG EN BRAASSEM IN THE NETHERLANDS

“mediation is a treasure”



crisis?!



Arguing?!



Treasury!

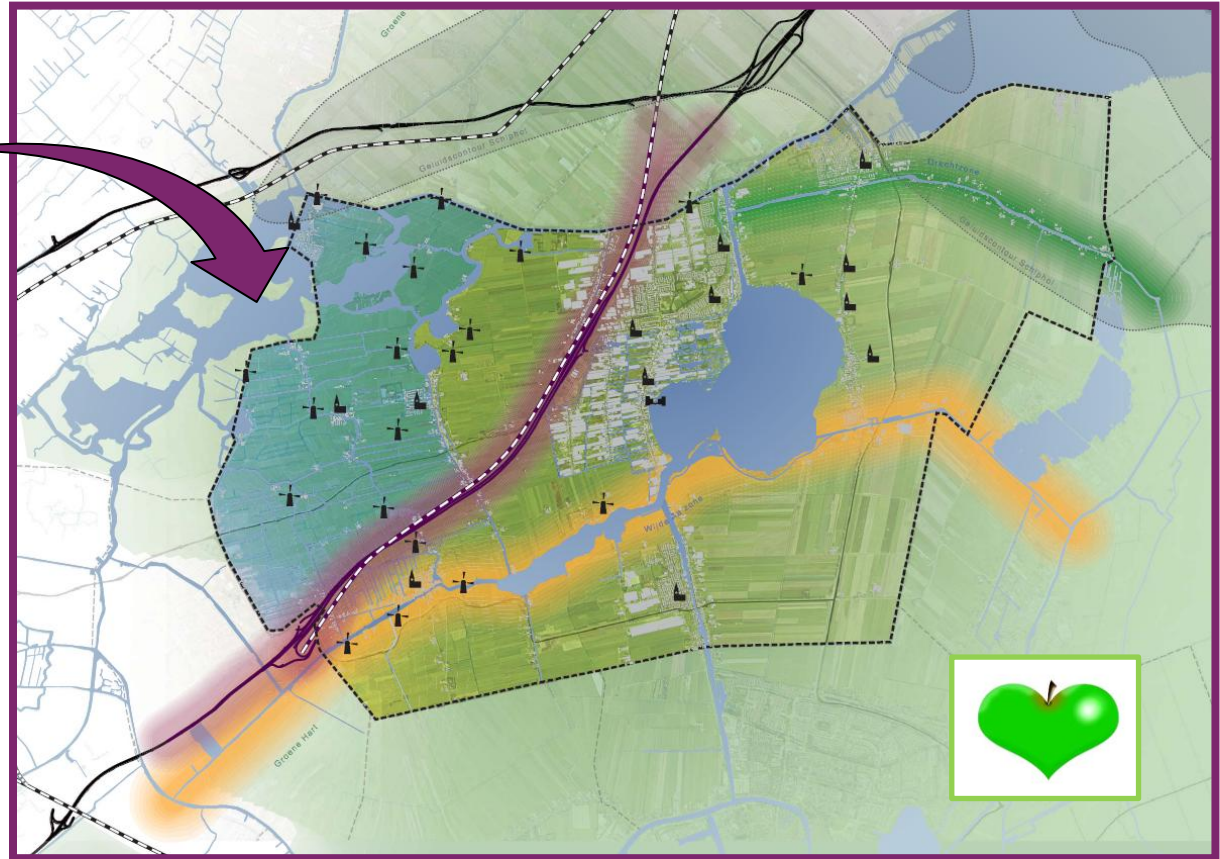


Crisis gone!



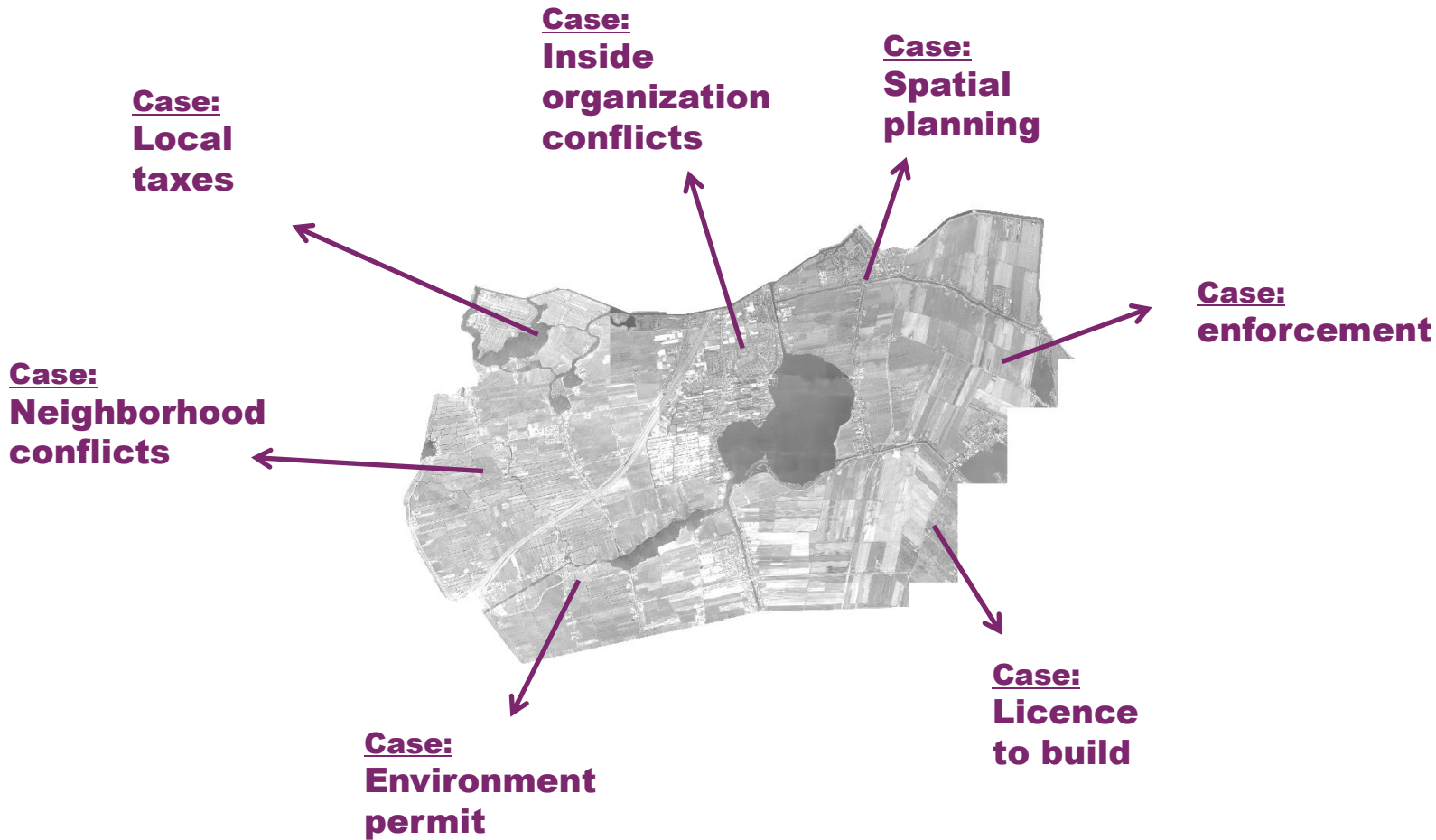
The community.....

Amsterdam



The Hague

“mediation” in Kaag en Braassem



Mediation and pre mediation in the municipality of Kaag en Braassem

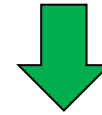


- Skills for the employees in the organization
- Contact with all participants in the pre-process
- Avoiding is better than repair!
- Pre mediation needs an open attitude and culture

Conditions for success



- An open mind
- Looking for the problem behind the problem (a deep search!)
- Terms for a durable communication


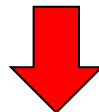


- Mediation is a psychological contract and not a legal contract
- Motivated employees in the organization


Projectplan – part 1



- Analyze the local opportunities for mediation
- Listen to your stakeholders
- Stakeholders: management of the municipality, politicians, community organizations and individual inhabitants



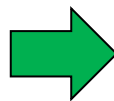
Warning: always double check: don't think for other people, thinking for 1 is enough!



Projectplan – part II



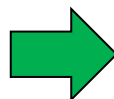
- Share your legal power with the community
- Mediation is a tool to share instead of divide people
- Early communication



Projectplan – part III



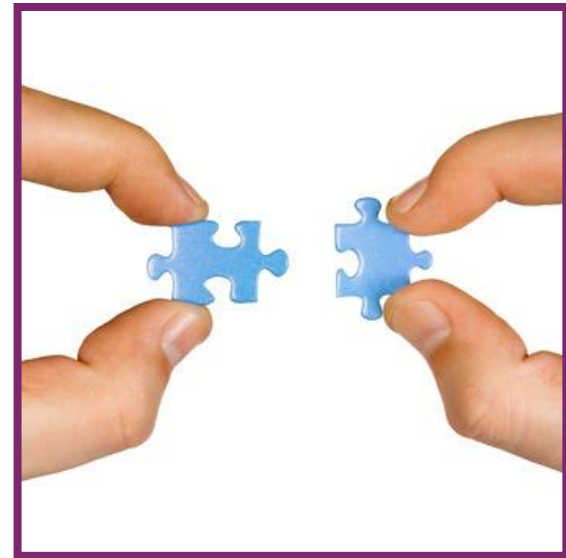
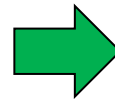
- Make sure that your colleagues in the organization keep an open mind!
- Mediation makes impossible situations possible: that's the spirit
- Think out of the box, also in preparing local decisions



Projectplan – part IV



- Mediation as a discipline in the organization
- Political support for the instrument
- Monitoring results in legal procedures and number of conflicts
- More public support for the decisions of the local authority



Strategy – part I



1

check all filed complaints for mediation before starting the legal process

2

approach all participants for support to start an alternative

3

suspend all decisions and procedures



Strategy – part II



4

show that the local authority chooses communication above judgement (gives confidence for the future)

5

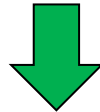
show the results to your local/regional to your city council

6



do not hesitate and trust your inhabitants for a better relationship

Inhabitants Kaag en Braassem



- Look for someone who really listens to their problems
- Need to have confidence in the municipal official
- Look for respect and recognition
- Want a transparent decision
- Are mostly prepared to share in finding a solution

Results in Kaag en Braassem



1

50% reduction of filed complaints



2

More support for local measures



3

A better contact between local authority and their customers



4

Durable solutions and no more permanent conflict between people



Factors for succes



- Really listen to people instead of hearing what they say
- Turn to issues instead of points of view
- Be willing to look for real solutions instead of procedures
- Always check, never assume



Premise (items for discussion)



1

“ADR provides a better communication between inhabitants in the municipalities of Europe”

2

“ADR solves 50% of the conflict situations in a municipality when you are ambitious!”

3

“Mediation needs political support to succeed in the local situation”

Premise (items for discussion)



4

“Mediation is the best way to cut down costs in municipalities”

5

“Mediation gives more confidence in the local authority”

6

“Mediation saves expensive legal procedures in this time of crises and more important: happy people!”



ask your neighbour in this main hall for
5 reasons to start mediation as a permanent
instrument in the relation local authority/inhabitants
in conflicts in your own country”

