

## Title: **Effective Cross boarder Communication whilst resolving intercultural disputes**

The presentation's aim was to explore some of the aspects of mediation within the cross boarder communication and resolution of intercultural disputes. There are couple of ideas proposed:

- 1.) Firstly, it is the formation of ***Slovakian mediation consultancy based in London*** with its intention to promote alternative dispute resolution and to provide mediation services and counselling for Slovaks living in London in their crisis / conflict situations as well as inter-cultural and cross-border issues between UK and SR in the areas such: family issues / family law, working environment, adaptation to the new environment and system of the country, interpersonal relationships an business relationships.

For this purpose, consultancy intends to adapt the development of such mediation mechanisms which would take into the account mainly the cultural differences, language barriers and different legislation of countries. Nevertheless, *Slovakian Mediation Consultancy in London* proposes the idea of "*institutional mediation*" ( primarily, in the meaning of communication development between UK and SR through mediators in their role of "***cross boarder communication experts***" ) whilst resolving cross boarder issues between those countries.

### **Social order**

The concept of this project reflects on current challenges of society on regional and European level from social and political point of view such:

- a) Mediation directive of European Parliament and Committee 2008/52/ES which includes certain aspects of cross boarder mediation, with its implementation by the end of 2011<sup>1</sup> (*not effectively implemented yet in SR's cross boarder disputes as there is no significant evidence, in fact, an absence of effective cross boarder communication competencies between UK and SR has been noted, especially when dealing with family related cross boarder issues, e.g. inaction, incorrect procedures and deficiencies in the cooperation of public authorities and central organs, resulting into the violation of child rights*)<sup>2</sup>
  - b) Opened borders resulting into the massive migration (specifically continuous extensive migration of eastern europeans to UK) causing a number of intercultural and cross boarder civil and commercial disputes
- 2.) Secondly, by following up the concept of *Slovakian Mediation Consultancy in London*, the presentation has proposed the concept of „**CBCA**“ formation – „*Cross Boarder Communication Agency*“ where some of its foundation may be based on the experience of slovakian mediation consultancy. CBCA's main interest would be again, to promote alternative dispute resolution through the mediation to the wider eastern european population as well as development of cross boarder and intercultural mediation

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<sup>1</sup><http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:136:0003:0008:SK:PDF>, 20.06.2013

<sup>2</sup>Report of Slovakian Public Defender of Rights, Judr. Jana Dubovcova, 28.11.2012

mechanisms with the intention to support integration migration policies on *European* and *global* level.

### **Social order**

From the global point of view, Cross Boarder Communication Agency reflects on:

- a) current character of societies and territorial/functional governance continuously shifting from „spaces of place“ to „space of flows“ (due to the extensive cross boarder interactions) and continuous development of policy instruments moving towards global institutional context.<sup>3</sup>
- b) extremely unpredictable times and escalating uncertainty on the social, business and political level, possibly resulting into the „ **global chaos**“ **creates an unique time for the use of flexible and tangible tools such cross boarder and intercultural mediation**

*Nevertheless, the crucial aspect of both concepts is **extensive research and analysis of current situation** of the most relevant areas for the use, development and implementation of accurate crossborder and intercultural mediation technics and identification of its competencies. Only through the research the well needed solid base for such interactions can be achieved. On this occasion, establishing the academic partnerships will be the necessity.*

### **Next steps**

There are couple of matters to tackle in order to make the concept of cross boarder/ intercultural mediation and formation of Slovakian mediation consultancy in London success.

- A) the development of establishing the concept through the extensive networking on slovakian, english and global level simultaneously, by presenting the idea and discussing it with experts in the field such; mediators, academics, intercultural experts, integration policy makers and related public authorities
- B) *finding the way of appropriate funding to support the project and research from regional and global sources*
- C) marketing
- D) *analysis and strategy for accurate interfering within structures, wider complex of already existing institutions, systems in the field*

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<sup>3</sup>J. Blatter, "From spaces of place to spaces of flows", International Journal of Urban and Regional Research, Vol 28, Issue 3, pages 530 - 548, 2004

## **Benefits**

Cross-border conflicts are characterized by much more complex and complicated nature compared to settling national conflicts. Settlement of cross border disputes brings several complications, such as. time demands, financial expensiveness, differences in the administration of public administrations, national legislation, etc. Delicate nature of such situations also come from other aspects such language barrier, different "mentalities" of countries and their citizens, ways of preferred communication or their interests. Resolving such disputes through a mediator as an expert on cross-border and intercultural mediation could bring "loads of fruit". Such expert would especially pay attention to the alignment of different cultures and systems of each countries, which could create a **trust** of both countries towards the mediation process. This could support the effective communication, facilitate constructive solutions and **deepening of mutual understanding of each country**. This could have a positive impact on **mutual enrichment**, the integration processes of countries, communication, exchange of experience, and thus leading to **society/relationships/education/economy reinforcement**.

Specifically, *Slovakian Mediation Consultancy* would enhance **the improvement of the quality of life of Slovaks/Czechs in the UK** by supporting the adaptation/integration process of our migrants and their lives in a foreign country and help in addressing often challenging and conflicting situations related to intercultural differences, language barriers, migrants' status, different countries' legislation and systems.

Another important aspect of potential benefit is *to eliminate the levels of hostility towards migration in UK* by facilitating the understanding of both cultures and interests whilst resolving possible conflicts.

Nevertheless, development of such cross boarder/intercultural mediation technics could be beneficial within the development of European integration policies as well as its mediation directive on some of the cross boarder mediation aspects.