The Professional Consultation on the Charter for International Family Mediation Processes (hereafter “Charter”) is designed to develop and establish common principles and standards of practice for international family mediation processes. In this context, ISS is in the role of the facilitator and coordinator, and has the privilege to bring together mediation structures and mediators specialising in cross-border family conflicts, to exchange ideas, expertise, multi-cultural perspectives, experiences, and lessons learned in issues of training, deontology and general practice.

The hope is to create an environment of engagement and collaboration towards achieving an international charter reflecting shared understandings in this specialised mediation practice area.

Information and development stemming from this professional consultation will be shared with all participants.

The consultation process is envisaged in the following 3 stages:

STAGE 1: Consultation leading to the Meeting (completed)

The professional consultation started in June 2015 within a limited group of experts in international family mediation and cross-border family conflict resolution (hereafter “Start-up Group”). The Start-up Group was invited by ISS based on the recognition of their work within their countries and the realm of cross-border family conflict. It represents established international family mediation structures recognised internationally, ISS members active in international family mediation practice, as well as structures or practitioners from the Advisory Board to the publication of the ISS Guide to International Family Mediation promoting international family mediation practice in their countries.

Tasks and Actions:

ISS sent out an enquiry regarding key principles as well as some topics for promising practices\(^1\) for international family mediation processes to the Start-up Group.

ISS evaluates the level of consensus, synthesises information and highlights subjects that require discussion during the Meeting on the Charter held in Geneva (hereafter “Meeting”) towards the elaboration of an international charter.

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\(^1\) We deliberately call them ‘promising’ rather than ‘best’ practices, as we cannot guarantee their on-going quality.
A summary of the information gathered will be sent out by ISS to the Enlarged Group (Initial Group and Participants to the Meeting) for preparation of the Meeting. The final programme of the Meeting will be sent out in September 2015.

In addition, ISS will send out a survey to the Enlarged Group with questions on general practice to gather testimonials from different continents that will help develop:

- The topics and discussions to be held during the Meeting
- A general knowledge on practices throughout the world

The survey will consist of objective questions on practice, feasibility, cost and institutional links, training and networking. It will also include subjective questions such as:

- The type of conflicts (e.g.: contact, leave to remove, Hague and non-Hague child abductions...)
- Effectiveness of co-mediation
- Flexibility of models of practice (e.g. integration of enlarged family members effective or not, who might be considered in the process etc.)
- Existence of a mediation association in the jurisdiction, if mediation is supported by the government, by Central Authorities (e.g. justice services) or charitable not-for-profit organisations.

It is anticipated that the survey will be sent out by beginning of August.

**STAGE 2: Meeting in Geneva**

The Enlarged Group is convened at the Meeting in October 2015, which will be a gathering of professional mediators specialising in cross-border family conflicts and possibly other stakeholders from different regions. The Meeting will be conducted as a set of participatory workshops and will take place in Geneva, Switzerland for 2 and ½ days. The dates will coincide with a broader conference scheduled in parallel that gathers Central Authorities under The Hague Convention of 1996, academics, The Hague Permanent Bureau and ISS practitioners (Cross-Border Child Protection: Legal and Social Perspectives).

The Meeting will begin with a report on the consultation with the Start-up Group (elaborated by ISS), any updates on the Charter, and highlights from the survey.

**Day 1** will focus on key principles and promising practices. The participatory workshops will focus on the topics identified as relevant to develop promising practices by the Start-up Group.

**Day 2** will be dedicated to conclude discussion on Promising Practices and move forward to discussion on competence and qualifications of mediators specialising in cross-border conflicts.

On **Day 3**, there will be an opportunity to report and to exchange with the Central Authorities established under The Hague Convention of 1996. At present, ISS foresees a plenary session to report on the advancement of international family mediation practice globally in terms of access and training (and possibly also present a case study). For this exchange, a joint session with the representatives of these central authorities will be organised accordingly.
Composition of the Enlarged Group:

- Start-up Group and professional mediators specialising in family conflicts and cross-border family conflicts from different continents.
- Observers from intergovernmental organisations like the European Union and the Hague Conference on Private International Law.
- The members of the international Advisory Board to the publication of the Guide to International Family Practice.

STAGE 3: Follow up of the Geneva Meeting

- Immediate Follow up:
  
  ISS will synthesise the outcomes of the Meeting and present the updated draft Charter.
  
  We hope to present to the Enlarged Group:
  
  - a set of required key principles for international family mediation processes;
  - a set of promising practices to be included in the future Charter.
  
A final consultation will take place by email. Once these drafts find consensus, ISS will propose a finalised Charter. However, we might find ourselves in a situation where further consultations are needed before finalising these objectives.

- Possible future follow up:
  
  If needed, a possible second meeting may be organised by ISS in the spring of 2016 to resolve any open issues.

TERMS OF REFERENCES

ISS

- ISS will coordinate the drafting of the Charter among professional practitioners.
- ISS will prepare the base and template for the discussions on the Charter.
- ISS will organise and facilitate the Meeting.
- ISS is pleased to invite and include any recognised structures active in international family mediation wishing to participate.
- ISS encourages and promotes mutual learning and inclusion of mediation professionals from different continents, as this process opens the opportunity to make international family mediation practice accessible to families throughout the world.
- ISS remains neutral on the content of the Charter and does not advocate for any corporate interest or specific mediation model.

THE ENLARGED GROUP

- Members of the Enlarged Group are kindly requested to respond to the various queries from ISS in order to develop and facilitate the discussions of the Meeting within the provided deadlines.
- The Enlarged Group will work in the best interest of the consultation process as a whole to help ensure it success.