

REPORT

TOWARDS A GLOBAL NETWORK OF INTERNATIONAL FAMILY MEDIATORS

2ND MEETING OF THE COLLABORATIVE PROCESS

Geneva, 7 – 9 May 2017

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Glossary

The following important terminologies are used throughout this report:

Collaborative Process: International group of family mediators representing all continents and regions, working together since 2015. ISS initiated this group to facilitate reflection on worldwide practices in International Family Mediation (IFM).

Charter for International Family Mediation Processes (in short ***The Charter***): International document of reference for IFM practice across the world, drafted by the *Collaborative Process* in 2016 and launched in 2017.

Good Practices for International Family Mediation (in short ***Good Practices***): Set of practices providing guidance for IFM practitioners in fulfilling the principles of *The Charter*. They were developed by the *Collaborative Process* in 2015 and reflect the diversity of how mediation is conducted around the world.

Interactive Platform for IFM Good Practices (in short ***The Platform***): User-friendly online tool developed by ISS to implement *The Charter*, utilise the *Good Practices*, and strengthen collaboration among IFM practitioners.

IFM Practice Community: Online community using *The Platform*, composed of all registered participants in the *Collaborative Process*.

Interim Steering Committee: Volunteer group, drawn from *Collaborative Process* participants, responsible for all initial duties related to the creation and formalisation of a global network of international family mediators. Members of this group have a 12-month mandate.

The Network: The future global network of family mediators specialising in cross-border family conflicts.

Steering Committee: Volunteer group, drawn from *Collaborative Process* participants, mandated to implement the action plan and Terms of References proposed by the *Interim Steering Committee* and agreed to by the *Collaborative Process*. The *Steering Committee* is also responsible for ensuring the continuity of *The Network's* operation and general oversight.

The Hub: A structure to facilitate communication amongst the bodies (*Steering Committee* and several other bodies, including ISS) in charge of the effective operation of *The Network*. At this stage, the structure is not precisely defined.

Introductory remarks

This 25-page document presents a substantive report of discussions held by an international group of mediators (the *Collaborative Process*) during a meeting in Geneva from 7 to 9 May 2017.

This meeting followed up on discussions held by the same international group in 2015, and decisions arising from those discussions. Consequently, ISS decided to draft a multidimensional report with following objectives:

- 1) Record the ideas and brainstorming efforts of the 2015 meeting;
- 2) Report on the 2017 meeting; and
- 3) Create a working document for the benefit of the *Interim Steering Committee*, who will be in charge of continuing and consolidating the work initiated by the *Collaborative Process*.

This report has been drafted in the spirit of the rich and very fruitful discussions held by the *Collaborative Process* – experts representing all continents, as well as all structures specialising in IFM. It supersedes the *Summary of Discussions* sent to the participants of the Meeting in the middle of May 2017.

ISS felt it was important to keep a record of a number of the remarks made and debated upon during the meeting, which reflected the endeavors of, and specific challenges faced by practitioners and specialised structures at the global level. The comprehensive summaries under each session are meant to facilitate the reading of the report for those people who were not present.

The attached annexes provide reference documents necessary to aid in the understanding of the working process and the outcome of the 2017 Meeting. For those interested, we are happy to provide all documents used by the *Collaborative Process*.

Background

In 2015, an international group of mediation professionals, the *Collaborative Process*, was created with the objective of discussing issues and themes linked to IFM across regions. During a meeting in Geneva in 2015, the group adopted core principles for IFM conduct to be integrated in an international Charter for worldwide reference. During 2016, the *Collaborative Process* jointly drafted *The Charter*, which was launched in January 2017.

In May 2017, ISS organised a second meeting in Geneva, with 27 experts from 18 countries and representing all continents, ensuring a balanced geographic representation. They included: mediation practitioners, representatives of structures specialising in cross-border family conflicts, representatives of institutions, and experts in private international law. Participants were invited by ISS to discuss the relevance and feasibility of one global/transregional and centralised network of family mediators specialising in cross-border family conflicts.

Discussions focused on professional qualification standards for international family mediators across continents, and the process of creating such a network.

The meeting took place during 2 ½ days from 7 to 9 May 2017:

- **Day 1** was dedicated to the methodology of the meeting, and to the presentation of a demo-version of an online tool designed to share information and facilitate communication among mediation practitioners around the world.
- **Day 2** focused on professional qualifications and competencies of international family mediators.
- **Day 3** focused on the strategic and operational aspects of a global professional network.

The methodology was designed to:

- **Look back** at the volume and the quality of work achieved by the *Collaborative Process*;
- **Build on** the work of the 1st meeting held in 2015;
- **Evaluate** among those present, the level of interest in pursuing the *Collaborative Process*; and
- **Encourage** each participant's commitment to advancing the work as an international group.

To facilitate discussions, the three working days were organised in different sessions:

General keynotes to guide reflexions, followed by presentations from participants and plenary discussions; and participatory workshops and thematic interactive sessions. A closing plenary allowed for an action plan for the forthcoming 12 months to be decided on and elaborated.

Results

During the Closing Plenary the international group decided the following:

➤ **To pursue the *Collaborative Process*, through the creation of a global professional network**

The international group decided that a global professional network of international family mediators should be created to ensure the protection of children involved in parental conflicts. The group determined that the objective of such a network is to facilitate searches for competent and qualified international family mediators working in all regions of the world, and to reinforce cooperation with administrative and legal authorities. Specific tasks are listed at the end of the report.

➤ **To establish an *Interim Steering Committee* working on specific tasks over the following 12 months**

ISS was granted the mandate to coordinate the creation of *The Network* and to establish an *Interim Steering Committee* of volunteers drawn from the *Collaborative Process*. The *Interim Steering Committee*, with ISS as focal point, will develop the Terms of References (governance, mediators' competencies, institutional and financial partnerships), and a Plan of Action for 2 to 3 years. These preparatory documents will be submitted to the wider group for consultation and approval.

➤ **To test and assess the new online Platform among the community during 12 months**

The Platform, developed by ISS, creates an online Community. The proposed demo-version presents a series of *IFM Good Practices* that were developed in 2015 by the *Collaborative Process*. Its objective is to promote knowledge sharing and networking among IFM specialised practitioners. It was decided that this tool should be tested and assessed on specific functionalities, such as direct communication among participants of the *Collaborative Process*, publication of trainings and events, interactive discussion about practices, and sharing practical tools.

N.B.: More about the decisions under section "Closing Plenary & Decisions".

Acknowledgement

ISS wishes to wholeheartedly thank all participants for their attendance, their active participation and their willingness to discuss practices, which brought to light the span of knowledge, experience and commitment developed throughout the world. Each and every participant felt the value of this collective expertise in forming a solid base for the advancement of IFM globally. ISS hopes that the general enthusiasm generated by the discussions remains an incentive to continue joint efforts to strengthen this practice and to build foundations to expand across regions.

DAY 1: THE INTERACTIVE PLATFORM ON IFM PRACTICES

The Interactive Platform was created as a virtual, multilingual and collaborative workplace with an objective of sharing information and facilitating networking:

- ✓ **The Platform offers the following main sections:**
 - 1) **The IFM Charter & Good Practices;**
 - 2) **A repository for announcements on specialised Trainings & Events;**
 - 3) **A database of useful documents, templates, videos and literature.**
- ✓ **The Platform facilitates communication amongst the international group: all participants in the Collaborative Process are registered by ISS, and granted personal access to The Platform.**
- ✓ **Users contribute to the content, while ISS ensures coordination and uploading of information, updates and technical maintenance.**
- ✓ **The needs and expectations of the mediation practitioners are key parameters for the design of The Platform; yet, it can only work with their active participation (consultation, comments, sending of information etc.).**

The Plenary at the 2015 Geneva Meeting adopted 10 core principles to be included in *The Charter for International Family Mediation Processes*, and elaborated approximately 60 examples of *Good Practices* specifically related to IFM and cross-border family conflicts. As these examples, eventually, were not included in *The Charter*, ISS created an interactive platform to present the practices in an accessible and easy-to-use format. The principal objective was to facilitate interactions and the sharing of important information amongst mediators around the world.

A "Demo" version of the *The Platform* was presented to the participants of the 2017 Meeting¹. In short, it offers the registered participants (the *IFM Practice Community*) a platform to discuss the examples of *Good Practices* by country, to upload or download documents, to share information on events / trainings / conferences related to IFM, and to provide feedback on trainings. To facilitate communication within the *IFM Practice Community*, *The Platform* also provides a list of contacts to assist in finding mediators and an internal messaging system.

ISS offered to manage *The Platform* and to ensure its technical maintenance on a regular basis, incl. the community management and content updating. After the presentation, a plenary discussion identified the needs and views of the practitioners.

The following challenges in making *The Platform* an efficient tool were highlighted:

- a. To ensure *The Platform* is relevant and updated, regular and active participation is necessary;
- b. *The Platform* must reflect the needs and strategic views of participating IFM structures and practitioners;
- c. Additional resources and technical expertise will be needed to develop new functionalities;
- d. General agreement on procedures is necessary, such as on the posting of new practices, Terms of Use, and Property Rights; and
- e. There may not be consensus among all practitioners as to what constitutes *Good Practices*, nor may they be applied in all contexts of IFM practice.

To advance *The Platform's* development, ISS distributed questionnaires to participants². An analysis of the answers highlights the following:

- **General Comments:** *The Platform*, in general, meets the needs and expectations of participants. Most participants are ready to use and actively participate in *The Platform* at least once a month. In this regard, some participants sought an email notification system on updates to guarantee their active participation, while others feared an overload of emails.
- **Section on IFM Charter & Good Practices:** Most participants considered this section very interesting and agreed to comment on IFM practices. It was emphasised that *The Platform* is a powerful instrument to further implement and promote *The Charter*.
- **Section Trainings & Events:** This section is very welcome. Yet, some participants found it sensitive to comment on past trainings; it was proposed to rate the trainings instead of providing comment.

¹ For more information, please find the leaflet in *Annex 3*.

² To read the Questionnaires, kindly read *Annex 4*.

- **Section Documents:** Almost all participants agreed to share their documents, but some had reservations on opening the section to all Internet users (e.g. general information on the International Legal Framework could be open to all Internet users, while access to templates and working documents for mediation practitioners would be restricted). One participant suggested that the platform also provides documents dealing with cultural and psychological aspects of mediation.
- **Networking opportunities:** The possibility to connect and collaborate with practitioners around the world was unanimously welcomed and highly praised. It appears a key functionality and a paramount motive for participation.
- **Visibility of all IFM specialised structures:** The description of structures is deemed clear and substantive. Visibility of the structures/organisations is featured according to their specific work and status. It was also proposed to create a subgroup named “Independent Mediators”.
- **Community management:** A clear definition of the roles and responsibilities of content providers and community managers should be developed, notably with regard to the uploading of documents and participant commentary.
- **Validation of functionalities:** It was proposed that the *Collaborative Process* be consulted on the effectiveness of all functionalities of *The Platform* after 12 months of testing. Consultations will be conducted and ISS will propose a consolidated “beta” version to be submitted during the next months to the international group.

DAY 2: QUALIFICATIONS FOR INTERNATIONAL FAMILY MEDIATORS

❖ Keynote address: International Family Mediation at a Critical Crossroads - Moving Forward Together

Dr. Mohamed M. Keshavjee, associate expert with ISS since the inception of the mediation programme in 2010, presented a striking situational analysis, which drew on the work achieved by the *Collaborative Process*. He highlighted the opportunity today to build a community of consensus between professionals working with families in all regions for the protection of children involved in parental conflict. He seeks to strive for and achieve a global outreach for amicable dispute resolution and professional cooperation, in a context where people and cultures are globally interconnected and conflict resolution is an inevitable challenge.

It is about 7 to 10 years now that all sorts of endeavours regarding IFM Practice can be observed throughout the world³.

Emerging family models and challenges need to be addressed globally, for instance expatriation of families, migration, child abduction, conflicts and xenophobia. Providing answers to these challenges demands a greater understanding of cultural diversity and of the notion of family in different cultural traditions. These challenges require the development of diversified models of mediation that are (socially) appropriate in various family systems and traditions, and an increased understanding of cross-cultural norms, nuances and religious laws, including how these play out in mediation without compromising established core principles. From this standpoint, Dr. Keshavjee underlined the need to create both synergies and new tools, and to promote global sharing and appropriate adaptation. He shared his thoughts and ideas for discussion regarding a better use of technology, and the potential multiplier effect of training trainers in many regions, as well as with an international group of trainers.

This Meeting in Geneva focuses on further professionalization and institutionalisation of international family mediation across regions. Participants will discuss ways to increase networking, recognition of competency, capacity building, IFM promotion and partnerships and advocacy. For their part, the *Collaborative Process* and ISS has already created and published *The Charter for International Family Mediation Processes*, a multilingual guide to International Family Mediation, a multilingual website with a contact repository and an interactive digital tool for professional mediators.

Dr. Keshavjee poetically elaborated the idea of a journey among practitioners with a large vision but small steps, and not the opposite. He urged towards creating a **community of consensus** during the meeting and an ongoing commitment of all experts, including newcomers for the work to continue and advance.

N.B.: Kindly note that those interested can receive this PowerPoint presentation upon request.

❖ Mediators' profiles

ISS invited a mediator from each region to present the specific context and culture of their mediation practice. Based on personal experience, the presentations highlighted the challenges mediators face in their countries, as well as the way they interact with administrative and legal authorities. This session increased general understanding of:

- ✓ Family mediation practice (incl. cultural and legal dimension) in Europe, Hong Kong (and China mainland), the Ismaili Community, Ivory Coast, Japan, Jordan, Mexico and USA.
- ✓ Diversity - and similarities - of mediator status and professional standards in different countries and regions.
- ✓ Different approaches to child involvement in mediation and to the consideration of the best interests of the child.

³ Please see *Annex 2*, drawing all kind of projects and endeavours in the field of International Family Mediation in recent years. Please note that the scheme is not exhaustive.

The presentation of the mediators' profiles was an occasion to share experiences, knowledge and approaches towards mediation practice. The session showcased the diversity, richness and importance of practical experience in various countries, and how cross-border mediations are linked to administrative and legal proceedings.

Unfortunately we cannot recap here all the fascinating presentations given on this occasion, however it is worth noting a few striking elements. For instance, variations regarding the nature of mediation (e.g., used as a prevention mechanism to social problems and family conflict in Ivory Coast, always court linked in Japan, offered as a community service within the Ismaili Community) and mediation settings (very structured in Europe and Mexico, very flexible in Hong Kong and the US). This session also provided an opportunity to hear about developments in family mediation in countries of Islamic law, e.g. Jordan, where mediation is providing an actualisation of the customary "reconciliation endeavour before separation or divorce".

Presenters also spoke about the challenges they meet in respecting the 10 principles of *The Charter*, which allowed for consideration of the importance of formal recognition and implementation of *The Charter* in each country. A lack of credentialing, common standards, and training appears in many practice contexts to be a clear hurdle. While in some countries or practices the child's perspective during mediation is already implemented or progressively developing, in most contexts it remains merely a part of mediation without being considered a distinct key element.

N.B.: Kindly note that all presentations were filmed and can be sent to the speakers for further usage upon request.

❖ **Participatory Workshop "Imagine the global network": Part I – Elaborating standards for competence**

Moderated, participatory workshops were organised by ISS, to visualise an international certification procedure for cross-border family mediators. Participants were asked to reflect in small groups on criteria for eligibility to the certification procedure, on assessment/evaluation, and on practice control. The key results were as follows:

- ✓ **Any requirements for eligibility to a certification procedure, should be based on adherence to *The Charter*, national recognition / mediation experience, and personal motivation.**
- ✓ **The actual assessment should be based on skill demonstration (e.g. interview, evaluation of a mediation, role-play, dossier).**
- ✓ **Practice control (re-certification) is of great importance and should include supervision and/or inter-vision, continuing training and take into account degree of satisfaction (complaints or appeal).**
- ✓ **The added value of regional certification mechanisms was raised by a number of participants, and discussed.**

As part of the workshops, participants were asked to discuss and imagine together a certification procedure for cross-border family mediators wishing to be internationally certified. It was proposed to base the discussion on a classic scheme with three main elements: 1) eligibility criteria to apply for an assessment; 2) type of assessment; and 3) conditions for recertification and control of practice over time.

1) Eligibility: Criteria to apply to an IFM certification procedure

The main question to be addressed in small groups was, "Which standards make an applicant eligible to an IFM certification/accreditation procedure?".

Consensus:

- Participants agreed that eligibility criteria must give rise to credibility (amongst peers, authorities and families) and flexibility (given the diversity of mediators' backgrounds).
- From the beginning of the application process, the main eligibility criterion should be adherence to, and application of, *The Charter* and any professional Code of Ethics.
- All three groups emphasised the need for a minimum common denominator which would make the application procedure both inclusive and achievable. The common minimum denominator for eligibility would be:

- adherence to *The Charter*, and national recognition, in addition to professional experience; or
- when national (or regional) recognition does not exist, adherence to *The Charter* and professional experience only.
- If considered eligible for the certification process (by a body which was not further defined), mediators would be admitted to the actual assessment/evaluation to become a certified IFM practitioner.

Subjects for further discussion:

- There were no specific controversies on the proposed eligibility criteria, however there were views expressed on certain technical aspects of the application process (e.g., a timeline for the application process – eligibility, assessment, re-certification –, and periods between reviews).

Opinions/proposals shared by some participants:

- Where national recognition does not exist, professional experience would be considered equivalent, in particular in terms of hours of training/mediation.
- Additional criteria for eligibility could include: the motivation of the applicant (e.g., through a personal statement); bilingualism; knowledge and acquaintance of the international legal framework; and cultural sensitivity.
- One group came up with the idea of considering regional recognition (as an alternative to national recognition) and/or elaborating regional standards.
- Experienced international family mediators should be certified through a facilitated process.

2) Assessment: Procedures to demonstrate professional skills

The main question to be addressed in small groups was, “What type of assessment or evaluation would be appropriate to be certified as an international family mediator?”

Consensus:

- Unlike the applicant’s eligibility criteria (inclusive and flexible), the actual assessment/evaluation should be more demanding, yet achievable.
- The assessment should be based on a demonstration of skills. Examples of “demonstration of skills” were given during the workshops, although without final consensus:
 - Work samples (portfolios composed of – written or oral – case analysis by the mediator, supervisor assessments, videos, satisfaction statements, etc.).
 - Role-plays or mediation observation (in person, via Skype, recording).
 - Interviews by an independent body (examination), e.g. with a check-list.
- A test of basic knowledge (Short Answer Questions / Multiple Choice Questionnaire. For example, on the international legal framework)
- Confirmation of proven experience in mediation, and of personal motivation, ethical attitude and clean criminal record (e.g. during a basic knowledge exam).
- A positive assessment/examination of the applicant would lead to the granting of IFM certification, and enrolment on an international roster.

Subjects for further discussion:

- Some participants considered simulations or role-plays too artificial; an interview and a co-mediation with certified mediators might be more appropriate than an examination.

Opinions/proposals shared by some participants:

- Applicants should be aware of their role/responsibilities as future mediators, and should perhaps write an “opening statement speech or essay” presenting and analysing a case.
- Regarding the development of the assessment procedure, support should be sought from psychometricians and training experts.
- Knowledge and understanding of international law and judicial procedures in cases of international child abduction should be part of the assessment, but not examined as a specific legal question.

- A discussion on third-party review raised a number of questions, such as: how to organise a third-party review in a global context, who will assess the review, how is it possible to ensure confidentiality, what would be the cost of such reviews, etc.
- A number of participants agreed that ways to ensure mentoring and coaching of specialised mediators should be explored.

3) Recertification / Practice Control: Mechanisms to verify the qualifications of certified mediators

During the workshop, participants discussed criteria and mechanisms for maintaining the mediators on an international roster over time. The main question about re-assessment was how competence/certification could be guaranteed.

Consensus:

- Agreed that practice control and re-certification should not be too frequent, perhaps every 5 years, through:
 - submitting a questionnaire and conducting an interview; or
 - the submission of a video of the mediator conducting a mediation; or
 - a second exam.
- Agreed that continuing training is an important part of re-certification (e.g., modular training).
- Agreed that peer-review / peer-group opinion can carry weight in the re-certification process.
- Agreed that mediators should be able to present three independent positive feedbacks (from supervisors and participants) and have conducted at least one cross-border family mediation a year. It is noted that some participants thought that this criteria may be a high bar for many mediators.
- The re-certification process can also include references from an administrative body (dealing with cross-border cases), or a specialised IFM network.

Subjects for further discussion:

- Some participants reacted strongly to the idea of being supervised, preferring co-mediation with a certified/experienced internal family mediator or inter-vision (peers-review) as a means to assess skills for re-certification.
- One participant raised the issue of the potential difficulty in assessing competency in role-plays with professionals from other cultural backgrounds.

Opinions/proposals shared by some participants:

- The importance of having a reporting system, including monitoring and evaluation, to guarantee a fair and efficient re-certification process and ensure the credibility of the whole certification process was highlighted. It was agreed that accurate monitoring and evaluation strengthens professionalism, motivation to take continuing training, and sharpens cultural sensitivity.
- Self-evaluation (reflective practice) was proposed to be part of the re-certification process.
- Satisfaction questionnaires for clients were mentioned as complementary to the re-certification dossier.
- The establishment of a procedure for lodging complaints (when mediators do not respect *The Charter & Code of Ethics*, or in case of a lawsuit) was discussed.
- The added value of having regional networks in charge of regional practice control (in accordance with national/regional criteria) was discussed. It was emphasised that the creation of regional IFM networks could strengthen the legitimacy of a global network.

❖ International Family Mediation Training

Specialised IFM Training is a serious challenge considering the needs of specific competencies in the handling of cross-border family disputes and cases of parental child abduction throughout regions and continents. ISS wanted to dedicate a session to this important question, raising and tackling the following issues:

- ✓ A discussion on training content: highlighted the specific theoretical and methodological skills for professional family mediators, and promotion of specialised training.
- ✓ A discussion on supervision, review by peers, incl. cross-regional possibilities: established that mediators favour peer review (inter-vision), rather than supervision.
- ✓ A discussion on the creation of an International Group of Trainers: explored ways to rally and find competent trainers and experts on demand.

The content of IFM specialised training was initially discussed during the 2015 Geneva meeting of the *Collaborative Process*. These discussions formed the basis for further and complementary discussions during this meeting. ISS proposed to validate the content for specialised training, organised under three categories: 1) theoretical aspects, 2) methodological aspects and 3) mediation skills.

1) Theoretical aspects of specialised IFM Training:

- International legal framework, understanding and knowledge of national law;
- Consideration of the child's best interests;
- Cultural awareness and sensitivity;
- *The Charter for International Family Mediation Processes* – adherence, implementation and promotion.

2) Methodological aspects:

- Co-mediation;
- Drafting agreements to mediate, and mediation agreements;
- Dealing with domestic violence;
- Mediation at a distance;
- Child focused and child inclusive mediation.

3) Mediation skills:

- Continuing training and professional development: flexible modular offers;
- Supervision & review by peers at a distance, online.

During the session, one participant suggested adding content items regarding ethical issues, awareness-raising and advocacy to the theoretical aspects.

Mediation and negotiation skills, as well as skills specific to cross-border mediation (e.g. cultural awareness, languages), were considered essential and should be added to methodological aspects. One participant noted that the list of methodological aspects didn't apply specifically to IFM and suggested that they could be re-evaluated and/or specified.

Regarding continuing training to enhance skills, the group considered the possibility of developing an on-line component such as a Webinar (online seminar) and a MOOC (massive open online course). There was also a discussion on supervision versus inter-vision, highlighting the differences between “vertical” feedback from an “international supervisor”, and, on the other hand, mentoring and/or peer review bringing about “horizontal” sharing of experience and advice. While some participants deem both, supervision and inter-vision, as necessary, others clearly favour a horizontal approach to the appreciation of mediation skills.

At the end of the session, participants discussed and questioned the opportunity to set up an international group of trainers. This idea stems from the 2015 Meeting. The objective would be to create a group of trainers and experts from across the world, to facilitate access to competent trainers and trainers with specific skills. Such an initiative could serve

training organisers from across the world looking for specific experts to give all kind/levels of training, as well as administrative and legal authorities seeking to familiarise professionals from the legal field to mediation and its relationship with the law and international conventions. The added value of such an organised group clearly is an easy check of availabilities, and a global diversity of trainers working towards professionalization of cross-border family mediation practice. Such a group would also be a useful tool for the promotion of IFM within administrative and legal bodies in charge of cross-border family disputes.

There were dissenting views on having an international group of trainers. While some participants deemed the training of trainers across the world a key element, others considered that in the present context existing frameworks are adequate and sufficient, and that current training initiatives have the capacity to intervene on demand across regions.

The question of access to training content and tools, e.g. online via *The Platform*, was of interest to practitioners working in countries or contexts where resources are scarce. It was noted by some participants that the development of training content is time consuming and represents a value, as well as “a market”. They considered that the future *Platform* will fulfil an important function of information and access by posting information on all IFM trainings offers on-line.

The general opinion was that the objectives and roles of *The Network* and *The Platform* should be the focus of discussions, while the formation of an international group of trainers can be contemplated later.

DAY 3: FEASIBLE APPROACHES TO BUILD A GLOBAL NETWORK

❖ Presentation of the PHAP Professional Accreditation Programme

The *International Association of Professionals in Humanitarian Assistance and Protection (PHAP)* has recently launched a credentialing programme for a professional network across different regions. Angharad Laing, Executive Director, gave a presentation on their experiences and highlighted the opportunities and challenges encountered in setting up a global network which gathered professionals with very different backgrounds and education:

- ✓ The creation of a certification programme is the establishment of a body of knowledge.
- ✓ Clarity of scope and target audience is paramount in staying consistent over time.
- ✓ Participation of professionals from the field and collaboration with external experts (e.g. psychometricians, partner institutions) is essential for the process. A motivated professional group with shared responsibilities, helps to ensure the continuity of the process.
- ✓ The verification of the demand – is there a market place for such an endeavour – is a definite factor in motivation to participate and commit to the endeavour, and in its success.
- ✓ Such a process needs different experts at different stages (practitioners, consultants, institutional partner). For defining the assessment, inclusiveness is useful, and balanced representation strengthens the practice analysis.
- ✓ The process is lengthy and requires adequate financial resources.

ISS invited PHAP to present their experience of developing a global network of qualified professionals from different backgrounds and from different regions. PHAP gave a detailed description of their process of establishing a certification programme through extensive consultations with interested professionals, external experts (psychometricians, credentialing experts etc.) and institutional partners from the field.

PHAP's credentialing programme offers certification in various indispensable areas of competency for humanitarian fieldwork (e.g. International Legal Framework for Humanitarian Action, Understanding of the Humanitarian Ecosystem, Applying Humanitarian Principles). They developed fair and inclusive ways to assess professional knowledge, skills, and experience, on the basis of research and interviews in various regions, and following international standards (ISO 17024 - Certification of professional and ANSI⁴). An online costless simulation for the assessment is available to help potential candidates clarify if their profile is suitable.

Since foundation in 2010, PHAP has grown from a community of ~ 23 professionals to a large network of a couple of thousand members, reaching 40,000 professionals (out of 400,000 humanitarian workers worldwide). PHAP cited some of the important challenges they faced, and outlined consequent lessons learnt, and recommendations for, the mediation professionals in the room:

Regarding the Certification Procedure, she suggested clearly distinguishing the different phases in developing a certification programme: 1) definition of all elements encompassed in a certification “scheme” (criteria for eligibility, kinds of assessment, validity period, etc.); 2) pre-testing; and 3) establishment of an operational procedures through different bodies (governance, administrative hub, assessors etc.). She recommended having reference to other certification bodies and different kinds of assessments, speaking with specialised consultants, and researching ISO Standards.

The determination of the “practice analysis” – i.e. which professional skills qualify a professional – needs to be based on evidence from the field. To avoid arbitrary decisions on what is expected from a humanitarian professional, it was imperative to gather substantial and practical knowledge on the competencies needed in practice, and in different countries.

Regarding Organisational Challenges, she recommended keeping in mind the principles of flexibility and transparency. Offering a streamlined certification process managed by a specifically created credentialing body could avoid conflicts of interest. She emphasised the importance of establishing strong partnerships with stakeholders from all relevant professional sectors. This could start with promotion and partnerships upstream. Finally, she stated that

⁴ American National Standards Institute

even though the biggest challenge was the recognition of PHAP and the certification programme at the international level, it certainly now facilitates cooperation and referrals.

N.B.: Please note that those interested can receive the PHAP presentation upon request.

❖ Participatory Workshop “Imagine the global network”: Part II – Explore feasible approaches to building a global network

A second moderated participative workshop was organised by ISS. Participants were invited to share views and opinions on the creation of a global network of qualified international family mediators. Additionally, participants were asked to formulate ideas of what should constitute the goals of such a network, how it should be set up, and preparatory work:

- ✓ **Vision and goals of *The Network*:**
 - To be a leading IFM network composed of specialised family mediators and family mediation organisations with an operational hub to promote IFM and facilitate queries;
 - To set up a pool of reliable mediators across the world;
 - To prevent, support and protect children from harm related to cross-border family disputes.
- ✓ **Outcomes of discussions:**
 - **Strategy:** *The Network* should be operational over an electronic platform;
 - Agreed to have ISS and a group of independent and regionally representative professionals work on the functioning of *The Network*, membership criteria and content of the online tool;
 - **Conditions for membership:** low bar for eligibility and high bar for the assessment;
 - **Promotion of *The Network*:** information dissemination amongst all actors involved in cross-border family conflicts (central authorities, courts, mediators, professional organisations).

The objective of these participatory workshops was to conceptualise, in three groups, the formulation and establishment of an effective global network of specialised family mediators and IFM organisations. All groups were asked to give their vision of such a network and their thoughts on the preparatory work. Three themes were identified as crucial: 1) *Network Strategy and Operation*, 2) *Recognition and Networking* and 3) *Financing*.

1) *Network Strategy and Operation*:

The group considered the main scope of a global IFM network is to gather groups of professionals solving family problems. The main objectives are to share experience and knowledge, and to easily identify competent professionals around the world.

Ideas/Proposals:

- To meet such objectives, an IFM network should be organised around an online platform. As an online platform has already been created by ISS, it was proposed that ISS develop and manage it.
- Admission to the network: criteria for membership to the network should be inclusive, based on competence and experience; different types of membership can be defined, e.g. basic membership, qualified members (specialised mediators) and certified members (if a certification process is put in place in the long term).
- Management of the network:
 - a small group of individuals should manage this network, e.g. a Steering Committee who would also be responsible for the preparatory work (e.g., determine network access, level of competence for entry, qualification evaluation, work processes, members’ role, network development, organisation of conferences, annual fees to support administration cost, etc.).

- A working group, recommended by ISS, representing various regions could draft (in one language) an outline of: 1) the proposed functioning of the Steering Committee; 2) criteria for membership; and 3) content of the online tool.
- All participants of the *Collaborative Process* would receive the proposal in two languages for comment and feedback. Subsequently, a webinar or videoconference could be organised to discuss the draft proposal. The final decision should be taken during a conference.
- The Steering Committee of 7 members, including ISS, should act as a rolling board, which secures the institutional memory of the network.

2) Recognition and Networking:

This group considered that the main concern was the creation of a pool of reliable mediators across the world. The creation of a network provides a great “opportunity”, as membership to an organisation or an established structure is usually a driver in ensuring effective qualification and competence.

Ideas/Proposals:

- The creation of a central contact point – a hub - holding a list of reliable mediators for referrals and answering general queries.
- Mediators who wish to feature on the list should provide personal characteristics such as profession, language, culture, etc.
- A neutral coordinating body should be considered, as well as an Advisory Board for the hub. It was proposed that ISS appoint the Advisory Board.
- Queries can come from central authorities, courts, professional organisations, and of course, from the general public.

Recognition and promotion:

- The group considered the principal need in terms of promotion is better informing judges, lawyers, parents, central authorities, high courts, social services, and professional organisations on IFM practice.
- In addition, the group considers it crucial to make relevant information accessible, in particular on ISS websites, mediators’ websites, and Central Authorities’ websites.
- Given the challenges posed by advocacy and dissemination of information at the national level, the group discussed the possible creation of regional groups of mediators, perhaps operating under regional hubs in charge of the promotion and recognition.
- The group considered in person meetings, and conferences should be organised, and are necessary to allow peers to meet, strengthen collaboration, and facilitate interpersonal contact.

3) Financing:

The group’s vision is to be a leading IFM network for specialised family mediators and organisations, and to act as a hub that promotes IFM practice and facilitates access to qualified mediators. The group considered the mission of the IFM network would be to prevent, support, and protect children from harm related to cross-border family disputes.

Ideas/Proposals:

- The group considered that it was premature to address financial issues, before fully discussing the structure of such a network. At this stage, it was preferred to focus on the articulation between governing bodies, membership structures, principles and policies.
- A practical approach should be taken in setting up the network. It was proposed that a group of volunteers from the *Collaborative Process* should design the network, its structure and governance. This group would be mandated as an Interim Steering Committee for a 12-month period.
- The Interim Steering Committee should be a small group, operational, and representative of regions and cultures. For example, a decision-body with 7 members, including the Chair (individuals or representatives of IFM

organisations, and ISS). Interim Steering Committee membership, as well as Terms of References should be discussed during the Plenary of this meeting.

- The group then focussed on network functioning and, as a working assumption, chose to draw a wheel. The centre of the wheel is a hub; inside this hub, we find the Steering Committee, small working groups (on issues of network coordination and membership, finances, certification, etc.) and ISS. The spokes of the wheel represent participating organisations and individuals. The articulation between the hub and the spokes makes the combined parts of the wheel (the IFM Network) move on its journey.
- The group pointed out the coordinating role of ISS in making IFM a global phenomenon in solving conflict and creating access to credible and protected information. Hence, the group thought that ISS should have a coordinating function, or host the network.

❖ Feedback and discussion in larger group

To quote a participant, “similar spirit and similar ideas were shared by various groups”. Indeed, all participants agreed that the momentum should not be lost, and that the *Collaborative Process* should continue with clear objectives.

A number of participants would like to see ISS ensure that a well-balanced and representative *Interim Steering Committee* be established to work on a broader vision, but also on technical cooperation. *The Interactive Platform on IFM Practices* should be developed to support the work of the *Interim Steering Committee*.

Discussions, on several occasions, referred to the full group composing the *Collaborative Process* and the importance of integrating those not present during this meeting in the discussions, decisions, and the work.

Finally, the importance of first taking small steps, and then replicating them on a larger scale was highlighted. Pilot projects were considered very useful for both a multiplying factor and multiplied impact, and for their potential to support fundraising.

❖ Closing Plenary of the Meeting

The Closing Plenary decided on the *Collaborative Process*' next steps, and the design of a practical and effective global network:

- ✓ It was agreed to create an IFM Network to strengthen IFM Practice. Its scope will be to facilitate and professionalise access to competent mediators, and to promote cooperation between IFM structures and other organisations.
- ✓ It was decided that ISS appoint, among volunteers from the *Collaborative Process*, an *Interim Steering Committee* to work for 12 months and draft the Terms of References for the global network, along with an Action Plan for 2 to 3 years.
- ✓ It is anticipated that a hub will be put in place to facilitate the operation of *The Network* and support its activity. It is envisioned that *The Hub* will be composed of several “bodies” – the *Steering Committee*, perhaps an *Advisory Board*, supporting thematic sub-groups from the *Collaborative Process*, and potential partners with ISS as a focal point.
- ✓ It was decided that participants to the *Collaborative Process* test the consolidated interactive *Platform* over a period of one year and assess its functioning.

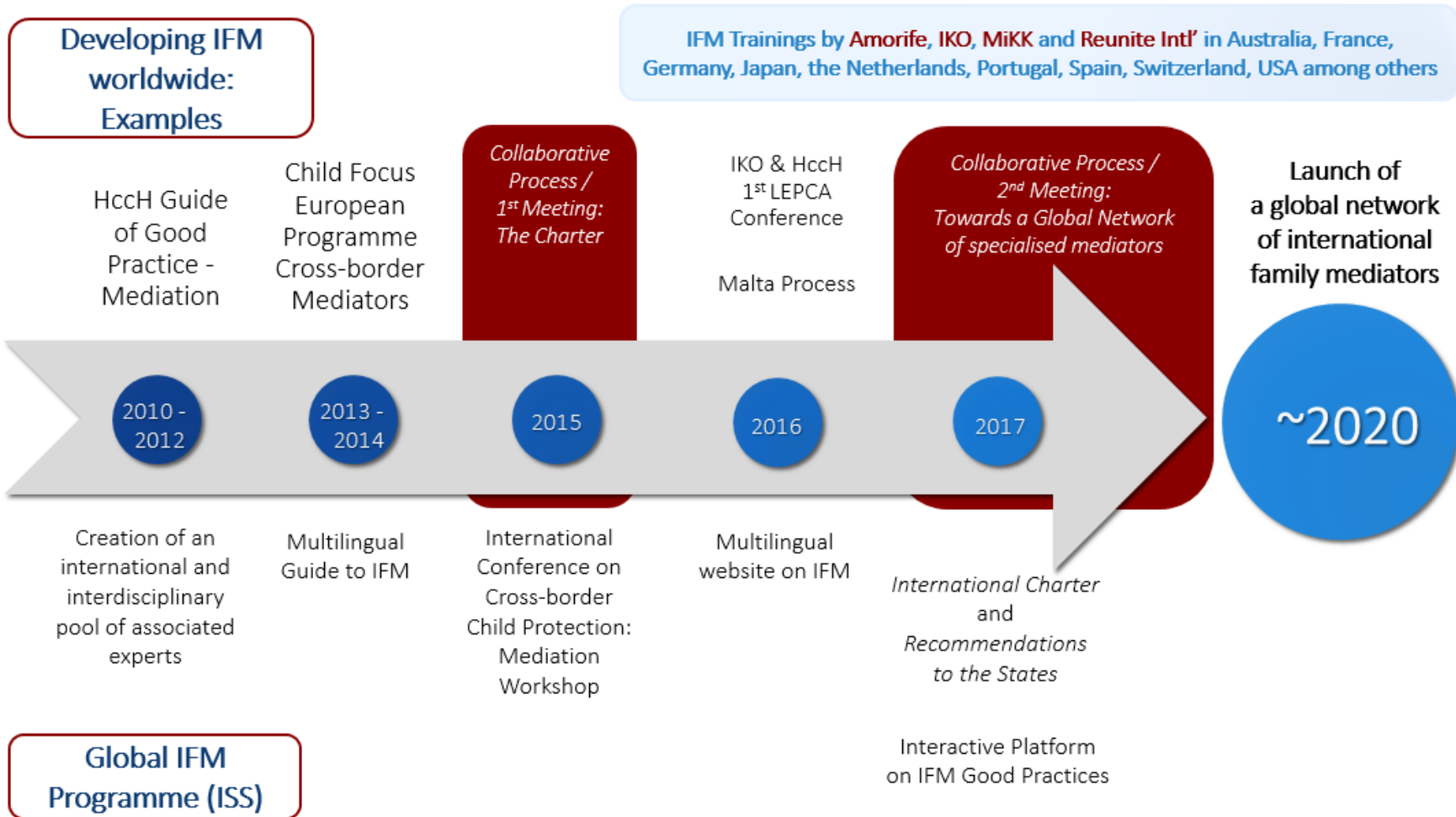
The Closing Plenary clarified and reaffirmed the participants' interest in the *Collaborative Process* and their commitment towards the creation of a global network, with a practical and structured step-by-step approach. This interactive decision making session closed the meeting by setting the next steps for cooperation. The following key points should be mentioned:

- An *Interim Steering Committee* will be established to coordinate the creation of *The Network* with a primary mission of facilitating networking and sharing information.
 - The members of the *Interim Steering Committee* will be appointed by ISS (who is a member by right) drawn from a list of volunteers from the *Collaborative Process*. This Committee can be composed of individual members and representatives of organisations. All members will have a joint-responsibility. Regional representation must be taken into account.
 - Two working languages were proposed, i.e. English and French. It was suggested that the work in the two languages happens consecutively, not simultaneously. It was also noted that efforts will be made to continue the process in Spanish and other relevant languages.
 - The *Interim Steering Committee's* task is to develop Terms of References regarding governance, competencies and partnerships, criteria for membership, and a Plan of Action with a 2 to 3 year mid to long-term vision. These preparatory documents will be submitted to the *Collaborative Process* for consultation and approval.
 - A work timeline was discussed. The first draft of the Terms of References and Membership Criteria will be submitted to the *Collaborative Process* after 8 months. The *Interim Steering Committee* will then finalise the draft within 4 months. The use of technologies is recommended to facilitate the consultation process and to take account of comments.
 - It was proposed that the *Interim Steering Committee* have supporting sub groups who will provide observations on issues of training & accreditation, pilot programmes, joint events, advocacy and fundraising, *The Platform*, and research.
- It is anticipated that the implementation of the Action Plan would launch an operational hub to strengthen the working processes, with ISS as focal point. *The Hub* will encompass the future (non-interim) *Steering Committee*, other governing consultation bodies (e.g., an *Advisory Board*) and partners. It will facilitate individual and general consultations, ensure neutrality over the content of discussions and make sure that *The Network* is effective and cooperating with institutional structures and other organisations in related fields.
- Participants considered the *IFM Practice Community*, known as *The Platform*, useful. It will be assessed over the following one year period by all participants in the *Collaborative Process*. Its usefulness will be evaluated in parallel to the work of the *Interim Steering Committee*. All participants in the *Collaborative Process* will be consulted and can provide feedback on the way forward.

ANNEX 1 – PARTICIPANTS LIST

Name	Country
ALVAREZ Gladys	Argentina
AUERBACH Stephan	Switzerland
CARDIA VONÈCHE Laura	Switzerland
CHRETIENNOT Nelly	France
D'ÁLESSIO Damian	Argentina
DEMARRÉ Hilde	Belgium
FENN Sandra	United Kingdom
FERNANDEZ DE CASTILLEJO Isabel	Germany/Spain
FILION Lorraine	Canada
GONZÁLEZ MARTÍN Nuria	Mexico
GRINE Fadila	OIC
HIRSCH Juliane	Germany
JACOB Claudio	France
KANGA Loukou	Ivory Coast
KASSAM Shainul	United Kingdom
KESHAVJEE Mohamed	Canada
KHALAF-NEWSOME Ishtar	Germany
KUCINSKI Melissa	USA
LAING Angharad	PHAP
LAU Martin	China (Hong Kong)
MIZUNO-TADA Taeko	Japan
SALBERG Anne Catherine	Switzerland
SEGAL Peretz	Israel
SHAMJI Rahim	United Kingdom
SHAMLIKASHVILI Tsisana	Russia
SULEYMANOGLU Asiyen	Turkey
SULTAN Mai	Jordan
VILLEGAS ASTORGA Consuelo	Spain

Global vision: past & future



ANNEX 3 – PLATFORM LEAFLET

International Family Mediation Practices:
an Interactive Platform

Pratiques de médiation familiale internationale:
une Plateforme interactive



PURPOSES

- Create an online IFM Practice Community
- Discuss, Substantiate and Disseminate Good Practices
- Promote structures specialising in IFM, incl. their visibility
- Offer guidance for the implementation of Good Practices

WHAT IS THE PLATFORM?

- A multilingual and user-friendly online tool (Moodle)
- A collection a valuable insight/feedback
- Open to everybody (but with restricted access for participants)
- Updated on ongoing basis

WHY INTERACTIVE?

- Documents (papers, video, etc.) to upload/download
- Events/trainings/workshops posting
- Private messaging service and list of all project participants with contacts
- Search engine if useful
- Access to relevant websites and other platforms
- Discussions on practices country by country and comments on specialised trainings
- Possibility to conduct enquiries (IFM practice, Collaborative Process, research, etc.)

LES OBJECTIFS

- Créer une communauté de pratique en MFI en ligne
- Offrir des orientations pour la mise en œuvre des bonnes pratiques
- Discuter, étayer et disséminer les bonnes pratiques

QUELLE EST LA PLATEFORME ?

- Outil en ligne convivial et bilingue (Moodle)
- Réunir des perspectives/feedback
- Accessible à tous (mais accès limités aux outils interactifs)

POURQUOI INTERACTIVE?

- Documents (documents, vidéos, etc.) à télécharger
- Diffusion d'événements / formations / ateliers
- Service de messagerie privée et la liste de tous les participants du projet avec leurs contacts
- Moteur de recherche si utile
- Accès aux sites Web pertinents et d'autres plates-formes
- Discussions sur les pratiques pays par pays et sur les formations spécialisées
- Possibilité de mener des enquêtes (pratique en MFI, processus de collaboration, recherche, etc.)

PLATFORM STRUCTURE / STRUCTURE DE LA PLATEFORME

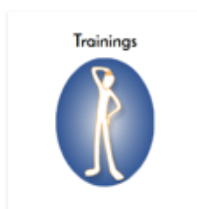
Four main entries

Five groups of practices:

- 1) Facilitate the mediation process
- 2) Take into account the best interests of the child!
- 3) Nurture cross-cultural awareness and sensitivity
- 4) Ensure qualification for mediators
- 5) Work with legal and administrative bodies



The possibility to post all upcoming trainings related to international family mediation & to keep track of past trainings and feedback from trainees.



A documentary base presenting all sorts of documents, templates, videos and literature on IFM.



The International Charter containing the 10 Core Principles formalising cross-border mediation practice globally.



EVENTS EVENEMENTS

IFM Practice Community may post information on upcoming events related to IFM and cross-border family conflicts.

La Collectivité de pratique de MFI pourra publier en ligne de l'information sur des rencontres professionnelles liées à la MFI et aux conflits familiaux transfrontières.

Quatre entrées principales

Cinq groups de pratiques :

- 1) Faciliter le processus de médiation
- 2) Prise en compte du droit et du meilleur intérêt de l'enfant
- 3) Favoriser la sensibilisation et la sensibilité interculturelle
- 4) Assurer la qualification des médiateurs
- 5) Travailler avec les structures juridiques et administratives

La possibilité de publier en ligne toutes les formations liées à la médiation familiale internationale & de garder une trace des formations passées et de leur appréciation.

Une base documentaire présentant toutes sortes de documents, modèles-types, vidéos et littérature sur la MFI.

La Charte internationale contenant les dix principes-clés qui formalisent la pratique de la médiation familiale internationale à l'échelle mondiale.

HOW IT WORKS?

This Interactive Platform is an informal, multilingual and collaborative virtual workplace. The Community is available to all IFM practitioners who hope to extend their scope of work and are willing to share their experiences with their peers.

Participation to the public community upon request and approval by the administrators. In order to reach our objectives, we ask all members of the IFM Practice Community to respect certain rules. If the rules are not followed or if administrators consider some posts as inappropriate, they will not publish them.

The administrators' role is to ensure that this Platform remains a friendly and cooperative environment. Administrators are neutral and carry no political agenda. It is administrated by ISS in the framework of the Collaborative Process.

The Platform lists the participants to the Community including logos of structures with hyperlinks.

COMMENT ÇA MARCHE ?

Cette Plateforme interactive en ligne est un lieu de travail virtuel multilingue et collaboratif. La Collectivité est à la disposition de tous les praticiens de la MFI qui souhaitent élargir leur champ de travail et sont disposés à partager leurs expériences avec leurs pairs.

La participation à la collectivité publique est demandée et approuvée par les administrateurs. Afin d'atteindre nos objectifs, nous demandons à tous les membres de la Collectivité de pratique de MFI de respecter certaines règles. Si les règles ne sont pas suivies ou si les administrateurs considèrent certains messages comme inappropriés, ils ne les publieront pas.

Le rôle des administrateurs est de veiller à ce que cette Plateforme reste un environnement amical et coopératif. Les administrateurs sont neutres et n'ont aucun agenda politique. Elle est administrée par le SSI dans le cadre du Processus Collaboratif.

La Plateforme liste les participants de la Collectivité, tout en publiant les logos des structures assortis d'hyperliens.

ACCESS TO THE PLATFORM

www.ifm-mfi.org/testmediation

ACCES A LA PLATEFORME



Contact: mediation@iss-ssi.org

ANNEX 4 – QUESTIONNAIRES ON THE INTERACTIVE PLATFORM

QUESTIONS FOR PARTICIPANTS - ONLINE PLATFORM

I. GENERAL QUESTIONS:

1. On a scale of 1-5, with 1 being “poor” and 5 being “excellent,” would such a platform meet your **needs/expectations** as an IFM practitioner or specialised structure?

1 2 3 4 5

2. On the same scale of 1-5, how would you rate the **knowledge sharing** of such a platform?

1 2 3 4 5

3. On the same scale of 1-5, how would you rate the **networking opportunities** of such a platform?

1 2 3 4 5

4. On the same scale of 1-5, how would you rate the **community management arrangements** where we distinguish the structures and ISS respective roles within such a platform?

1 2 3 4 5

5. How regularly would you use such a platform and participate in its interactive activities (such as posting events and comments, taking part in discussions, uploading documents, etc.)?

not at all every 2-3 month once a month once a week every 2-3 days

II. QUESTIONS ON VISIBILITY:

For visibility of your structures on *The Platform*, we would like to ask your opinion regarding the following issues:

1. “**IFM Practice Community**” is a Section that presents structures participating in IFM and other organisations participating in the *Community*⁵. *What kind of information you would like to present under this Section (please keep in mind that we are quite limited in space here)?*

- a) Structure organisation (charity, non-profit, etc.) yes no
- b) Geographical coverage yes no
- c) Services provided yes no
- d) Do you want to remove your structure from the list of structures? yes no
- e) Would you find useful to have a third group⁶ in the IFM Practice Community called “Individual Mediators taking active part in the Community”? yes no

⁵ For your information, you can access this page by clicking on this icon  visible on the entire Platform in the upper right corner as well as under “Structures participating in IFM” on the bottom of the front page. You can also find the logos of your structures appearing on the

page “About the Platform” when clicking on this icon: .

⁶ To complete group 1 “Structures participating in IFM” and group 2 “Organisations participating in the Community”.

f) If you have any additional comments or ideas for this Section, please specify:

2. **“Trainings”** is a Section that aims to increase the visibility of those of your structures that offer specialised training and to provide information and access to more trainings related to IFM Practice (e.g. modules on the child perspective or international legal framework).

a) Do you find this Section useful? yes no
If no, please explain:

b) Do you deem the possibility to “Comment on the training” useful to gather feedback on passed trainings and to promote upcoming ones?

yes no

c) If you have any additional comments or ideas for this Section, please specify:

3. **“Documents”** is a Section that provides a data base with all documentation related to IFM practice.

a) *Would you agree to give permission to upload your templates and documents on The Platform?* yes no

b) *If yes, would you agree to share it with all Internet users (without restricted access to Community participants only)?*

yes no

c) *Do you find useful to share the following documents:*

– International Conventions: yes no

– International Recommendations: yes no

– Codes of conduct for mediators in your country: yes no

– Videos: yes no

– Documents related to mediation process (e.g. templates of MoU’s, consent to mediate, protocols for conflict of interest, satisfaction questionnaires, mediation report, etc.):

yes no

4. If you have any general and/or specific suggestions/comments on *The Platform*, please do not hesitate to specify :

FOLLOW-UP QUESTIONNAIRE

2ND MEETING OF THE COLLABORATIVE PROCESS

TOWARDS A GLOBAL NETWORK OF INTERNATIONAL FAMILY MEDIATORS

7-9 May 2017

QUESTION 1 – Interactive Platform

The Online Interactive Platform is initially designed by ISS to present best practices in an accessible and easy-to-use format while providing visibility to IFM structures. At present, the tool presents three sections which are under development, namely: 1. "IFM **practices**", 2. "Upcoming **events**" and 3. "IFM practice **documents**". However, we noticed a specific interest of participants in the sections "events" and "documents".

a) Do you see a problem in publishing IFM practices identified during the 2015 Geneva meeting?
 yes no

b) Do you think that the section on IFM Practices is interesting and relevant?
 yes no

c) If yes, would you take time to comment on IFM practices as they are used in your practice context?
 yes no

N.B.: The answers to these questions will allow us to appropriately direct our efforts on The Platform to meet the needs and the expectations of the participants.

QUESTION 2 – Interim Steering Committee

The Plenary Conclusion of the *Collaborative Process* allowed to pursue a concrete next step with the setting up of an *Interim Steering Committee*. The Committee's task is to develop Terms of Reference (governance, competence, partnership) and a Plan of Action with a long-term vision within 2-3 years. The Committee will prepare a first draft of the Terms of Reference and will meet to discuss it before finalising them within 12 months, by May 2018.

As agreed during the Plenary, ISS reserves the right to select the members of the *Interim Steering Committee* on the basis of a complete list of volunteers belonging to the *Collaborative Process*.

Would you as an individual and / or as a representative of an organisation agree to become a voluntary member of the *Interim Steering Committee* for a period of one year minimum?

yes no

ANNEX 5 – EXAMPLE OF A CERTIFICATION PROCESS

3 WORKING GROUPS

- **Network with certification mechanism** (working on the strategy, governance, coordinating body, independent assessment / examination committees, etc.)
- **Certification conditions** (ensuring reliability & fairness of the procedure, and working validation of eligibility criteria, testing of assessment examination and recertification)
- **Partnerships** (working on fundraising, as well as recognition third bodies parties & networking with other professional groups)

