

## Cross-Border Family Mediators Network Principles and Criteria January 15<sup>th</sup>, 2015

Mediators, registered on the Cross-Border Family Mediators (CBFM) Network and recommended by the Network as mediators in international conflicts involving children, must provide evidence of training, certification and ongoing further training, showing that they uphold the principles, standards and high quality requirements demanded of mediation in international conflicts involving children. In particular, they must observe the following principles and meet the following professional requirements:

### I. Principles

CBFM Network mediators share the philosophy that international conflicts involving children should as a rule be dealt with in co-mediation. Normally the mediators together should master the languages spoken by the clients, be familiar with their cultures and be well versed in the legal and psycho-social context of this type of family mediation.

The general aim of the CBFM Network is to prevent, support and protect children from harm related to cross-border family disputes, in particular in cases of international parental abductions. The CBFM Network acts in accordance with the UN Convention on the Rights of the Child, in particular art. 3 on the best interest of the child and art. 9 on the right to contact with both parents.

CBFM Network mediators respect ethical standards and observe the EU Code of Conduct (2004), the most important provisions of which are cited below in brief:

1. Prior to accepting a mediation, the mediators make certain that they meet the requirements of the mediation at hand and that they have the necessary competence.
2. In their demeanour and in their actions, the mediators maintain independence and impartiality and are obliged to serve all parties equally in the mediation process.
3. The mediators make certain that all parties are involved in the process voluntarily and in an appropriate manner.
4. The mediators must explain the mediation process and their role in the process to the parties. In particular, they draw attention to the mediators' and the parties' obligation to secrecy and confidentiality, unless compelled by law;
5. Prior to mediation, a written "Agreement to Mediate" is to be concluded.
6. The mediators always give full information to the parties with regard to the costs, and accept a mediation only after all the parties have agreed to the principles of their remuneration.

7. The final agreement, the so-called Memorandum of Understanding, reached through the mediation, will be fixed in writing and can be shared with the parties' lawyers and third parties, if explicitly agreed upon.
8. The mediators may terminate the mediation process prematurely if any rules laid down in the contract are violated or if no agreement is to be expected;
9. The parties may withdraw from the mediation process at any time without having to give reasons.
10. The mediators observe the confidentiality of all information from the mediation process and from all other activities connected with it.

## II. Membership of the Network

In order to join the Cross-border Family Mediators Network, mediators must

- have successfully completed training as mediators according to the standards in their country and obtained national accreditation if required;
- have completed the advanced 50-hour cross-border family mediators training course conducted by MiKK in conjunction with the CBFM network or, alternatively, if they have completed an equivalent course with equivalent content elsewhere, then they must attend a minimum of two CBFM Network face-to-face Advanced Trainings within the subsequent two years before their registration in the CBFM Network can be validated.

## III. Training

Cross-border family mediators must have:

- 1) successfully completed mediation training according to the respective national standards in their country
- 2) completed 50 hours of further training in Cross-border Family Mediation (CBFM) (see Point II. above)
- 3) oral and written command of English and at least two languages (ability to negotiate in the language - usually C2 competence in accordance with the criteria of the Common European Framework<sup>1</sup>)
- 4) credible proof of intercultural experience (e.g. studies, descent, foreign experience).

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<sup>1</sup> Self-assessment in accordance with the criteria of the Common European Framework / CEF

- C2 both oral and written negotiation ability in the language
- C1 oral and written fluency in the language
- B2 fluency in the language
- B1 conversational skills in the language
- A2 good basic knowledge of the language
- A1 basic knowledge of the language

#### IV. Further training

Members must provide proof of at least 30 credit points (see below) of further training and/or supervision in the field of CBFM within a period of 2 years. Proof becomes effective through registration and digital submission of relevant certificates of attendance in the online platform of the CBFM Network.

One credit point equals 60 minutes. The further training can be completed in different categories which are sub-divided into categories a) - h). At least 25% of the further training must be completed in category a) and 50% of the required credit points must be completed in categories a) to c); the remaining 50% of the further training credit points can be completed in any of the categories from a) to h).

#### Categories:

a	CBFM Network further training / advanced training (face-to-face)
b	CBFM supervision or peer supervision
c	CBFM conferences and/or international family law seminars
d	Intercultural mediation or family mediation
e	CBFM webinars and/or online courses
f	Online mediation training
g	Mediation tools or workshops
h	Mediation-related congresses or conferences

The CBFM Network will set up a digital system that allows CBFM Network mediators to register their further training points on the CBFM Network platform and submit their evidence themselves.

In addition, Members are expected to participate in the annual online survey asked of CBFM Network members.

Membership will be valid for two years.

#### V. Accreditation Policy

CBFM Network mediators who make use of the above mentioned further / advanced training and participate in the annual online written survey will be accredited.

The CBFM Mediators who are in violation of the principles under I will be suspended from membership



**Cross-Border  
Family  
Mediators**



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## VI. Benefits of joining the CBFM Network

- Accreditation to the CBFM Network
- Access to further / advanced training for members
- Advantages of being part of an international network
- Registration on the CBFM Network internet platform
- Supervision opportunities with international cross-border family mediators
- Use of the CBFM Network logo

## VII. Taking effect

This provision will take effect as from January 2016.




With financial support from the "Rights, Equality and Citizenship 2014-2020" Programme of the European Union

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