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## Mediation in EU countries

### Latvia

Why not try solving your dispute through mediation rather than go to court? Mediation is an alternative dispute resolution (ADR) measure, whereby a mediator helps those involved in a dispute to reach an agreement. The government and legal practitioners of Latvia are aware of the advantages of mediation.

#### Whom to contact?

The use of mediation in the settlement of civil disputes is currently in its initial stages in Latvia. There is no central government body responsible for regulating the profession of mediator.

#### The Mediation Council

The **Mediation Council** (*Mediācijas padome*) is an association founded on 25 July 2011 which brings together a number of associations registered in Latvia that are active in the field of mediation. It aims to develop common training standards for mediators and introduce certification for training programmes, to draft and adopt a Code of Conduct for certified mediators, and also to represent certified mediators, to put its views to national and local authorities, other authorities and officials, and to deliver opinions on legislative matters and legal practice pertaining to mediation.

The Mediation Council was founded by the following associations:

Mediation and ADR (*Mediācija un ADR*);

Integrated Mediation in Latvia (*Integrētā mediācija Latvijā*);

Integration for Society (Victim Support Centre) (*Integrācija sabiedrībai (Cietušo atbalsta centrs)*);

The Commercial Mediators Association (*Komercediatoru asociācija*).

#### Mediation and ADR

**Mediation and ADR** (*Mediācija un ADR*) was established on 7 April 2005. It aims to:

promote the progressive introduction and use of alternative dispute resolution methods (mediation, conciliation, impartial fact-finding, expert reports, arbitration, etc.) in Latvia;

participate in policy-making processes, e.g. in the working groups set up by public bodies;

promote improvement in the standards of its members' professional qualifications and the provision of the highest possible level of mediation and ADR services;

bring ADR professionals together in order to achieve common objectives;

cooperate with international organisations and with other natural and legal persons.

The organisation advises the parties involved in a dispute and their representatives on the choice of a specialist, and also holds lectures and seminars on mediation and ADR. Some members of the organisation are practising mediators specialising in civil and criminal cases. Members have acquired negotiation and mediation skills both in Latvia and abroad in training with experienced mediators and conflict resolvers from the United States, the United Kingdom, Germany and other countries.

#### Integrated Mediation in Latvia

**Integrated Mediation in Latvia** (*Integrētā mediācija Latvijā* — IMLV) was founded on 10 August 2007. It envisions a society that resolves disputes successfully, where the interests of all parties are represented equally and the dispute resolution process is humane, equitable and based on cooperation. IMLV was founded in close cooperation with the *Integrierte Mediation* association in Germany. Cooperation is planned in the fields of education, additional training, supervision, the introduction of mediation services and adoption of good practice.

IMLV aims to promote the development of mediation at a regional, national and international level by integrating it into the dispute resolution process of institutions and organisations and into the work of professionals and society in general.

To achieve this aim, IMLV has set itself the following tasks:

to promote and develop the idea of integrated mediation in Latvia as a modern highquality form of dispute resolution;

to promote cooperation between professionals, organisations and institutions;

to define and advocate the concepts and benefits of integrated mediation;

to inform and educate the public about the concepts and possibilities of integrated mediation;

to make the successes of integrated mediation more widely known;

to organise training on mediation and the potential for its integration into various fields;

to conduct studies and surveys.

IMLV brings together various professionals – including practising mediators – aiming to integrate mediation skills into their activities and promote public awareness of mediation as a viable option in dispute resolution.

#### Integration for Society (Victim Support Centre)

The Integration for Society association's **Victim Support Centre** became operational in 2003. Its main objective is to support the victims of crime. Since 2004 the staff include 20 mediators well-versed in mediation procedures and able to use them in resolving civil and administrative law disputes.

#### In which areas is recourse to mediation admissible and/or the most common?

Mediation is admissible in many areas. The area in which it could be most widely used is that of civil disputes arising in family law and commercial law.

#### Are there specific rules to follow?

Recourse to mediation is entirely voluntary.

Mediation is not a prerequisite to initiating certain types of judicial proceedings or continuing judicial proceedings.

Mediation in Latvia is not regulated by any external laws and regulations.

#### **Information and training**

A website dedicated to mediation: <http://www.mediacija.lv>.

The two associations Mediation and ADR and Integration for Society have trainers who offer a basic course in mediation intended for future mediators and a course on basic conflict resolution skills for use in professional and personal settings.

#### **What does mediation cost?**

The resolution of civil disputes via mediation is not provided free of charge. The cost of mediation depends on several factors: the mediator's qualifications and experience, the complexity of the dispute, the number of mediation sessions required and other factors.

However, in cases concerning children's interests and rights, the Foreign and Conciliation Affairs Board of the Riga Family Court (*Rīgas Bāriņtiesas Ārlietu un samierināšanas pārvalde*) provides services to residents of Riga free of charge. Disputes mostly concern maintenance, arrangements for a child's place of residence, visiting rights, custody and childraising.

#### **Can an agreement resulting from mediation be enforced?**

[Directive 2008/52/EC](#) stipulates that those involved in a dispute may request that a written agreement arising from mediation be made enforceable. Member States are to inform the Commission of the courts and other authorities competent to handle such requests.

Latvia has not yet communicated this information.

#### **Links**

[Mediācija.lv](http://www.mediacija.lv)

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