



Contract Law Enforcement (CLE) Program

Mediation: Settle Disputes Without Going to Court



Photo: USAID Contract Law Enforcement (CLE) Program

The USAID Contract Law Enforcement (CLE) Program serves to improve the rule of law and create a better business environment for economic development and investment.

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Overview

One does not have to go to court to settle one's disputes. If conflict arises one can turn to Alternative Dispute Resolution (ADR) mechanisms in order to settle that conflict in a more rapid and cost-effective manner than going to court. Mediation is an ADR procedure which settles disputes more efficiently, and it is a service available to the citizens of Kosovo. The Contract Law Enforcement (CLE) Program supports and manages three mediation centers, one located in Gjilan, and the other two in Peja and Prizren. The Contract Law Enforcement (CLE) Program also assists the Kosovo Institutions, such as the Ministry of Justice, to prepare the necessary legislation and to build the essential infrastructure for empowering Mediation, and guaranteeing its sustainability.

Mediation

Mediation is one of the options for seeking Alternative Dispute Resolution (ADR) (the other option is Arbitration). In Mediation procedures the disputants select one or more neutral persons ("mediators") to assist them in reaching their own decisions in the process of settling the dispute. In contrast to court litigation and arbitration, mediation is a non-binding procedure which allows the parties to remain always in control of the procedure. No decision can be imposed on the parties by the mediator. Mediation has been strongly supported by the Government institutions, and by the Courts: the Gjilan Mediation Center is now located inside the Gjilan Basic Court's building. Currently in Kosovo, the Contract Law Enforcement (CLE) Program manages the Mediation Centers in Gjilan, Peja and Prizren, and supports other Mediation activities throughout Kosovo.

Mediation Entities

The Contract Law Enforcement (CLE) Program supports the Kosovo Judicial Council and the Ministry of Justices' Commission for Mediation in preparing and implementing regulations. The Contract Law Enforcement (CLE) Program continues to support the further development of sustainable and growing Mediation services in the entire territory of Kosovo by also supporting the creation and empowerment of the Association of Mediators, a non-governmental organization which will represent mediators and the institution of mediation in public institutions.