

## Conflict Resolution Mechanism- A Grower's Perspective.

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All forms of conflict, regardless of their intensity and scale, will have some level of adverse impact on the affected parties, especially on the economic front. Conflict needs to be managed and the approach is to establish - through consensus - a mechanism for resolution that is acceptable by both parties. Before any form of conflict resolution can be established, both parties must be clear on the object of conflict; the claimant or complainant must be able to demonstrate the validity of their claims either through demonstrable legal, customary or user rights. The parties concerned must be prepared to engage in dialogue and negotiation. The first step is to agree on the model of conflict resolution mechanism, whether it should be consultation, mediation, arbitration, adjudication or a stepwise approach. Both parties must follow the due process of the conflict resolution mechanism, as well as respect and honour the agreement or decision made by the negotiating teams who should have a written mandate from the community/individual and company party to this conflict to represent them. The timeline for the negotiation, the observers and even the mediator/arbitrator (if necessary) should all be pre-determined prior to the commencement of the negotiation. If the conflict is related to land /customary rights, the involvement of the relevant local government in the conflict resolution process is highly recommended. And during the course of negotiation, it is important that there should not be any parallel process of negotiation (involving one or both parties) going on simultaneously. Both parties also need to understand that there may be limitations on what they hope to achieve. They should appreciate the goodwill of all involved parties who are committed to trying to find a win-win solution. Both parties should strive to work on finding common grounds towards mutually satisfying outcomes. If an agreement cannot be reached or the conflict cannot be resolved, the mediation or arbitration by an independent or neutral party who has no vested interest in the case or in the parties involved, is highly recommended.