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WAR IN UKRAINE: CHALLENGES FOR MEDIATORS

The research topic is relevant more than ever, in view of the fact that the invasion in Ukraine makes it facing real obstacles in all possible aspects. The alarm raids, the fear of yourself and those who are close to you, the pressure make a huge influence on our minds and psycho. It also affects the development of mediation, however, despite the problems of mediation implementation nowadays this process must be continued, because it holds an important role in the development of legal culture of society and will help to unload the court system of Ukraine and promote the peaceful settlement of public and private law disputes. Mediation is an extrajudicial, voluntary, confidential, structured procedure, during which the parties with the help of a mediator (mediators) try to prevent or resolve a conflict (dispute) through negotiations [1, article 1]. It's always a way to regulate a conflict, one of the methods of alternative dispute resolution (ADR) available to parties. But how it goes in the harsh reality full of cruelty and despise? To make clear the difficulties of being an overpass between people in the conditions of nowadays is the purpose of those theses.

According to Article 55 of the Constitution of Ukraine, every person has the right to go to court to protect his violated, unrecognized or disputed rights, freedoms or legitimate interests. It became even more relevant in Ukraine by the adoption of the Law of Ukraine «On Mediation» on November 16th, 2021 – that was the first important step towards the

development of the institution of mediation in our country. Mediator is a specially trained neutral, independent, impartial individual who conducts mediation [1, article 1]. And these days mediation is more topical than it ever was, because the relations between human beings (parents-children; couples etc.) are getting supplemental with disagreements, misunderstanding and, probably, hate.

Firstly, the main challenge of being a mediator is the impact of the war events on the minds and psycho of the parties. It might be difficult to regulate a conflict, when the people you deal with are not really there, they can't concentrate and realize what is really happening. Researches done by Scholte W.F., Olff M., Ventevogel P. and some other scientists have shown that: «Using of a crosssectional multicenter sample, was conducted in the Nangarhar province of Afghanistan, to estimate the prevalence of psychiatric symptoms, identify resources used for emotional support and risk factors, and assess the present coverage of basic needs. About 1011 respondents aged 15 years and above formed the sample. Nearly half of the population had experienced traumatic events. Symptoms of depression were observed in 38.5 % of respondents, symptoms of anxiety in 51.8 % and PTSD in 20.4 %. High rates of symptoms were associated with higher numbers of traumatic events experienced. Women had higher rates than men. The main sources of emotional support were religion and family» [2, p.585]. Which only proves that war can take away people's sanity.

Secondly, Ukrainians may not trust mental health professionals because of reports of negative encounters from their community members. The high stigma and shame may prevent people from seeking care, or force them to do so anonymously, as they fear being negatively labelled by their communities, and thus reduce their chances of employment opportunities. These barriers to care may be a result of the country's Soviet past: seeking for help to solve your own problems, could be something ridiculous. Mediators face the challenge of reaching clients who need help and retaining clientele long enough for treatment to be effective.

Thirdly, World's health organization showed in its researches that: Ukraine carries a high burden of mental illness and a particularly high prevalence of depression, alcohol use disorder, and suicide. Mental health disorders are the country's second leading cause of disability burden and affect up to 30 % of the population» [3, p. 6]. And, as we know, this is one of the cases a mediator can't continue with.

As a conclusion, we can see, that war contains a disastrous impact on countries; it starts from physical destructions and ends with psychological ones. It causes more mortality and inability than any major illness. War crushes communities and families and regularly disturbs the advancement of the social and financial texture of countries. The impacts of war incorporate long-term physical and mental hurt to children and grown-ups, as well as lessening in fabric and human capital. Other results, other than passing, are not well reported. They incorporate endemic destitution, ailing health, incapacity, financial/ social decline and psychosocial ailment, to specify as it were many. It may seem that the harm done by war-related trauma can never be fixed. Furthermore, to be someone who helps people to reach out their inner needs along with assisting to solve their conflicts, considering the recent conditions – isn't that effortless. It demands much more concentration, much more knowledge in psychology and self-control from the mediator, than it ever has been.

References

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