

Mediation and indigenous conflict resolution practices: Lessons from global indigenous communities

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Abstract. The research relevance is determined by an increase in conflicts and tensions related to territorial, cultural and environmental issues affecting indigenous peoples. The research aims to analyse and systematize mediation and conflict resolution practices specific to indigenous peoples to develop more effective conflict resolution strategies that respect their rights and contribute to the sustainable development of indigenous communities. Case studies of conflicts involving indigenous peoples, as well as literature and statistical research to identify successful mediation and conflict resolution practices from different regions and countries, were employed in this research. The specifics of conflicts that arise between indigenous peoples and state or private entities are analysed, as well as the factors contributing to the emergence and escalation of such conflicts. A range of key aspects in the practice of mediation and conflict resolution among indigenous peoples have been identified. The analysis of case studies and literature revealed successful mediation practices, including the use of traditional conflict resolution systems, participation of representatives of indigenous peoples in decision-making, and respect for their cultural and legal characteristics. Challenges and obstacles faced by participants in mediation in the context of indigenous peoples were discussed. Recommendations were made for the development of effective conflict resolution strategies considering the specifics and needs of indigenous communities to promote peace, justice, and sustainable development in this area. Practical cases of successful mediation were analysed, and the main principles and methods used by mediators were considered. Emphasis is placed on justice and respect for the rights of indigenous peoples. Practical lessons from the experiences of the world's indigenous peoples are a valuable guide for diplomats, researchers, and anyone interested in culturally and socially sensitive conflict resolution

Keywords: cultural diversity; international conflicts; cultural specificities; local communities; peaceful neighbourhoods; globalization

Introduction

Traditionally, indigenous peoples have found ways to resolve conflicts within their communities based on their norms, traditions, and religious beliefs. However, globalization, climate change, transnational corporations and government policies are having an increasing impact on their lives and cultures. This has led to conflicts that often go beyond traditional methods of resolution. Mediation, as a means of conflict resolution, can represent a unique approach to addressing the interests, values and needs of indigenous peoples. It can provide a platform for dialogue between different parties and facilitate balanced and sustainable solutions. However, successful mediation among indigenous peoples requires a deep understanding of and respect for their cultures, traditions, and unique perspectives.

G. Pingali (2022) describes indigenous land conflicts and power relations in one of India's most resource-rich states, Jharkhand. He reveals how the land conflict in Jharkhand has affected the development of the community. He points out the causes and consequences of this conflict, and how

firmly rooted it is in the ideological underpinnings of the key players in the region.

D.C. Arbelaez Ruiz (2023) examines the nature of responses of the Nasa indigenous people of North Cauca to mining and how this is linked to peacebuilding, with a focus on how resistance is shaped and enacted to respond to the mineral extraction with violence and peace. The study is exploratory, ethnographic, and interdisciplinary in nature, sitting at the intersection between the anthropology of mining, development studies and peace and conflict studies. The author presents and analyses narratives, participant responses, and her own experiences to illustrate the context and interconnected processes shaping Nasa responses to mining during this transition period.

Illuminating the complex relationships between Maya groups, Spanish-born Yucatecans, and British settlers in present-day Belize, C.A. Kray (2023) shows all sides of the indigenous conflicts and suggests steps that would contribute to their resolution.

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L. Sullivan (2023) analyses the transformations in rural life wrought by the internationalization of agribusiness and contests over land rights by Indigenous social movements. The protest camps, by reclaiming the countryside as a site of residence and not merely one of abstract maximized agribusiness production, call into question the meanings and stakes of Brazil's political model. Researcher discusses the urgent need to link the dual preoccupations of multi-scalar political-economic change and the ethno-racial terms in which Indigenous people in Brazil live today.

Economist R.L. Trosper (2022) shows examples from North and South America, Aotearoa/New Zealand, and Australia to argue that Indigenous worldviews centring on care and good relationships provide critical and sustainable economic models in a world under increasing pressure from biodiversity loss and climate change. He explains the structure of relational Indigenous economic theory, providing principles based on his and others' work with tribal nations and Indigenous communities. Scientist explains how sustainability is created at every level when relational Indigenous economic theory is applied – micro, meso, and macro.

The purpose of this article is to analyse the practice of mediation in indigenous conflict resolution and to highlight key lessons and principles that can be drawn from the experience of global indigenous communities. This study will explore the importance of respecting cultural autonomy, recognizing indigenous peoples' rights to their lands and participating in decisions that affect their future. Analysing the lessons and principles developed by global indigenous communities can serve as a source of inspiration for developing more equitable and sustainable methods of conflict resolution in the world. This article looks at specific examples of successful mediation among indigenous peoples, identifies common trends, and analyses how these lessons can be adapted for application in different contexts.

Mediation processes, including historical and contemporary cases of indigenous conflict, were examined by analysing documents, reports, and archives to identify mediation models in different contexts and regions. Comparative research was conducted to identify common trends and best practices, including many cases from different countries and cultures. This method allowed us to explore and compare different mediation models and identify successful strategies that can be applied in resolving conflicts with indigenous peoples in other countries. In addition, by applying the in-

terviews by other authors conducted with mediators and indigenous people provided background data and insight into their perspectives and needs in the mediation process. Together, these methods revealed new insights and provided valuable recommendations for improving mediation practice in the indigenous context.

The methods used in the article aimed to analyse and compare mediation processes in different contexts. To achieve this goal, a systematic literature review and document analysis method were applied. This method allowed for the collection and systematization of existing data and provided a broad understanding of the topic.

Mediation as a tool for conflict resolution

The modern world faces many complex conflicts and tensions, but for indigenous peoples, these conflicts often have a special character related to their unique cultural, historical, and territorial characteristics. B. Melamed (2022) believes that resolving conflicts that affect indigenous peoples' rights, lands and ways of life requires special attention and adapted approaches. Mediation, as an alternative method of conflict resolution, is a powerful tool to help find just and sustainable solutions. For indigenous peoples in particular, mediation means more than just dispute resolution. It is a process that considers their cultural values, traditions, and needs, ensuring community participation in decisions about their future. Preserving the cultural, territorial, and legal integrity of indigenous peoples in the contemporary world is challenging, as they often face conflicts related to their unique status, history, and relationship with the outside world. These conflicts may arise either within communities or between communities and State or corporate interests. Indigenous peoples' relationships with external actors are often conflictual due to differences in perceptions of land and resource rights, lifestyles, and values (Lundy *et al.*, 2022).

The primary issue is the way to harmonize traditional conflict resolution methods with modern mediation mechanisms to ensure that the rights and interests of indigenous peoples are respected. Lessons and principles can be learned from the experiences of the world's indigenous communities and mediation approaches can be adapted to effectively resolve their conflicts. The study of mediation in indigenous conflict resolution includes several important aspects that can help to understand and effectively manage such conflicts.

Table 1. Key aspects of mediation research

Cultural sensitivity	Understanding indigenous peoples' cultural sensitivities, values, traditions, and customs is critical in mediation. Research should consider what cultural aspects may influence conflict and how they can be incorporated into the mediation process.
Historical context	Research should consider the historical factors that may underlie conflict between indigenous peoples. This may include issues of land rights, colonial legacies, and long-term historical wrongs.
Indigenous peoples' participation	It is important to investigate how actively indigenous peoples participate in mediation and the extent to which their views and interests are considered in the process. Effective mediation requires respect for the autonomy and self-determination of indigenous communities.
Resources and access to information	Research can explore the availability of resources and information that may affect the strength of each party to the conflict. This may include economic development, education, and access to media.
Role of the State and international organizations	Mediation between indigenous peoples can involve the participation of the state and international organizations. Research should explore how these actors can influence the mediation process and how they can support conflict resolution

Table 1, Continued

Effectiveness of mediation methods	Research can assess the effectiveness of different mediation methods in resolving conflicts between indigenous peoples. This could include analysing successful and unsuccessful mediation cases to identify best practices.
Impact on society and the environment	Conflicts between indigenous peoples can have serious impacts on society and the environment. Research can examine the effects of these conflicts and evaluate how mediation can contribute to the preservation of natural resources and socio-cultural values.

Source: compiled by the author

Research on mediation in indigenous conflict resolution is therefore important for developing more effective approaches to resolving such conflicts and for maintaining justice and respect for indigenous peoples' rights. Conflict resolution in the context of indigenous peoples presents unique challenges due to their specific culture, history, and relationship with the outside world. Mediation, as a tool for conflict resolution, requires special attention to cultural and legal aspects to consider the specificities and needs of indigenous peoples in the process of finding just solutions (d'Es-trée & Parsons, 2018).

Cultural aspects of mediation:

- ▶ The cultural characteristics of indigenous peoples can have a profound impact on their perceptions of conflict and conflict resolution methods. Mediators should consider traditional values, rituals, and customs, which can be important in finding compromise solutions.

- ▶ The community plays a central role in decision-making in indigenous cultures. Mediation should ensure the active participation of community representatives in the conflict resolution process to ensure that decisions reflect collective interests.

- ▶ Indigenous mediation can utilize not only formal law but also traditional norms and judicial practices. This may include respect for elders and experts from the community, as well as observance of rituals associated with mediation.

Legal aspects of mediation:

- ▶ The legal framework governing mediation should consider the characteristics and rights of indigenous peoples. Laws should ensure respect for their cultural and traditional norms, as well as guarantee the equality of participants in the process.

- ▶ Indigenous peoples' conflicts often involve land and resource rights. Mediation should consider these rights and how to incorporate them into dispute resolution.

- ▶ The legal framework should consider the rights of communities to participate in decision-making, especially in resolving conflicts that affect them.

Consideration of the cultural and legal aspects of mediation in the context of indigenous peoples creates an adapted and respectful approach to conflict resolution. It also promotes fairness and sustainable solutions that address their unique needs and values. The traditional values of indigenous peoples have a profound impact on the conflict resolution process, representing a key factor in creating balanced and sustainable solutions. In mediation with these communities, consideration of these values becomes an integral aspect of successful dispute resolution (Pingali, 2022). It is important to keep in mind that traditional values vary from one culture to another, but are usually centred on harmony with nature, respect for elders, and preservation of cultural practices.

Initially, traditional values guide the approach to conflict resolution, emphasizing the restoration of balance and harmony between the parties. Mediation guided by these values often includes reconciliation ceremonies, and respectful

dialogue, and focuses on the common interest and the good of the community. Second, they define the forms of participation and roles of different community members, strengthening collective participation in the mediation process and guaranteeing greater acceptance and decision-making. This attentive approach to traditional values enriches the conflict resolution process and contributes to the creation of longer-term and more sustainable solutions that are in line with the needs and interests of indigenous peoples.

The principles of respect for the cultural heritage and specificities of indigenous peoples play a key role in the successful practice of mediation aimed at resolving their conflicts. Understanding and considering cultural sensitivity helps to create an atmosphere of trust and respectful dialogue between mediation participants. A basic principle is to recognize the value and uniqueness of indigenous cultural practices, languages, and beliefs. Mediators should demonstrate deep respect for these aspects by providing space for the expression and preservation of their cultural identity (Arbelaez Ruiz, 2023).

Additionally, the principle of respect includes active listening to and understanding the traditions that shape indigenous peoples' lifestyles and values. It is important to avoid imposing external norms and standards and, instead, cooperate with the community to incorporate their unique approaches to conflict resolution. In such a context, mediation becomes a means of maintaining cultural diversity and strengthening indigenous peoples' self-determination by facilitating the creation of solutions that meet their needs and ensure the preservation of their cultural heritage.

The complex interplay between modern legal structures and indigenous peoples' traditional methods of dispute resolution poses an important challenge for society to find a balance between respecting cultural identity and ensuring justice. To effectively adapt modern legal structures to traditional dispute resolution methods, constructive engagement and integration must be sought.

Above all, this process requires considering and respecting traditional ways of resolving disputes, while preserving the fundamental principles of fairness and equity. E. Villanueva (2021) believes that negotiations between legal authorities and indigenous communities can identify areas of common interest and develop mechanisms that facilitate the integration of traditional dispute resolution methods into modern legal practices. Creating flexible legal instruments that allow for the incorporation of traditions and customs can help build trust between the parties and ensure a fairer and more sustainable resolution of disputes.

Indigenous communities embody a wealth of cultural traditions and unique methods of conflict resolution that are based on a deep respect for community, nature, and tradition. The mediation process in these communities highlights certain special techniques that reflect the unique values and principles of indigenous peoples.

One such technique is circle-based mediation. This approach involves the community meeting in a circle, where each participant has the right to express his or her point of view. By listening to each other and seeking solutions together, the community seeks an agreement that considers the interests of all members. This method strengthens the sense of belonging and responsibility to the community, creating space for a deep understanding of the causes of conflict.

Another unique technique is based on the role of elders and sages in the community. These respected members of the community act as mediators and counsellors based on their experience and wisdom. Their role is to create a harmonious atmosphere and guide the dialogue in a positive direction. This method reinforces respect for cultural heritage and the participation of adult generations in conflict resolution (Kray, 2023).

Circle meetings and traditional forms of discussion play an important role in conflict resolution in indigenous communities. They represent a distinctive approach to dialogue based on a deep respect for the participants and cultural traditions, as well as on the pursuit of harmony and agreement. It is worth agreeing with the opinion of the author (Sullivan, 2022) since circle meetings often act as a platform for expressing opinions and discussing important issues in the community. Participants are seated in a circle, symbolizing equality, and mutual respect. Everyone has the opportunity to speak and listening to each other is considered a valuable aspect of this process. This form of discussion encourages the search for common ground and compromise solutions. Traditional values of unity and harmony influence the atmosphere in circle meetings, where participants strive to reach an agreement that considers the interests and good of the entire community. Such traditional forms of discussion promote mutual understanding, and respect, and maintain strong bonds within the community. Circle meetings may also include elements of ritual and symbolism that reinforce the community's cultural identity and emphasize the importance of cooperation and dialogue. Overall, these traditional methods of deliberation contribute to harmonious conflict resolution and the creation of sustainable solutions that meet the cultural and social needs of indigenous communities.

Elders and wise members play a key role in traditional indigenous communities, especially in the context of dispute resolution. Their role extends far beyond advice and counsel, serving as a bridge between the past and the present, and preserving the values and wisdom of generations. In resolving disputes, elders and sages act as respected mediators and guides with authority and respect in the community. Their role is to ensure justice, harmony, and respect in the community. They listen to both sides, helping to identify the root causes of conflict and find ways to resolve it. Thanks to their experience and knowledge of traditions, they can provide an in-depth analysis of the situation and offer wise solutions that consider both individual interests and the shared values of the community.

Elders and sages also act as mediators between the different parties to a conflict, helping defuse tensions and find compromises. Their participation in the dispute resolution process is based on a deep respect for customs and cultural norms, which creates an atmosphere of trust and facilitates effective conflict resolution (Sher, 2020).

In the mediation process in indigenous communities, the connection with nature and spirituality is also fundamental.

For many indigenous peoples, nature is an integral part of their cultural and spiritual identity. In the mediation process, nature is seen as a living organism with its wisdom and, as such, becomes an important element in conflict resolution. This aspect is manifested in the use of symbols of nature in mediation rituals, which help to bring participants together and guide them in their search for harmony and unity.

Spiritual aspects are also significant in mediation in indigenous communities. Religious and spiritual beliefs often permeate traditional methods of conflict resolution. Rituals and prayers can accompany the mediation process, creating an atmosphere of respect, peace, and creativity. The influence of spiritual aspects also fosters a soulful connection between participants and strengthens belief in constructive dispute resolution. Together, this makes a connection to nature and spirituality valuable and indispensable components of mediation practice in indigenous communities, contributing to sustainable and harmonious conflict resolution. For example, in traditional Aboriginal communities in Australia, known as Aborigines, the role of elders and sages in dispute resolution has played and continues to play an important and valuable role. One interesting example of this role is the practice of Dadirri by the Yolngu people of Arnhemland in northeastern Australia.

In the context of Dadirri, elders and sages serve as mediators and counsellors to help resolve internal conflicts and disputes in the community. One of the methods they use is observation and listening. By standing back, they give participants in the conflict space to freely express their feelings and thoughts. This process allows participants to come to a deeper understanding of the situation and each other.

The next step is to consult with elders and sages who draw on their experience, knowledge of customs and traditions. They help the parties see the broader context of the dispute and offer wise recommendations for resolution. Elders also have a unique authority that can often support a decision based on traditional values and the common good of the community. This example illustrates how elders and sages can contribute to conflict resolution by utilizing their wisdom and knowledge of tradition. Their role in such situations strengthens social ties, and respect for customs and contributes to the harmonious functioning of the community.

The social benefits of mediation encompass building trust and cooperation within the community. The mediation process, based on respect for traditions and unique methods of dispute resolution, contributes to strengthening relationships between community members. This aspect is particularly important as social cohesion is key to preserving cultural identity and overcoming external challenges (Kennell, 2023).

The economic benefits of mediation for indigenous peoples relate to more effective and sustainable conflict resolution, which can promote infrastructure development and investment in the community. Resolving disputes through mediation reduces the time and resources that could be spent on long-term legal processes. Moreover, successful conflict resolution promotes stability within the community, which can be attractive to investors and funders.

Mediation also plays a crucial role in maintaining harmony and harmony within indigenous communities, providing unique tools for resolving conflicts and strengthening social ties. For indigenous peoples, where the community is the centre of their identity and consciousness, maintaining inner peace and cooperation is essential. Mediation within

the community helps create a safe platform where participants can express their comments and concerns, discuss conflict situations, and seek a joint solution. An important aspect is to address cultural norms and traditions to preserve the uniqueness and values of the community. The mediation process can include elements of rituals, symbols and ceremonies that help to create an atmosphere of respect and rapprochement (Trosper, 2022).

The use of mediation in the context of indigenous communities helps to preserve and strengthen traditional relationships and social structures. An important component of the mediation process in this context is respect for the customs, values and roles that play a key role in the lives of indigenous peoples. Mediation addresses existing hierarchies and dynamics within the community, allowing participants to voice their opinions and concerns within traditional structures.

The mediation process also contributes to intergenerational harmony in the community. Elders and wise members, with their deep knowledge of cultural norms and traditions, are actively involved in the conflict resolution process, passing on their wisdom and experience to younger generations. This approach preserves sociocultural continuity and balances the traditional and modern aspects of indigenous communities. Mediation becomes a tool that helps adapt to a changing world while preserving the uniqueness and values of indigenous peoples.

The use of mediation in the indigenous context has the potential to significantly increase the level of community participation in resolving its problems. One of the key features of mediation is its collaborative nature, which includes the participation of all stakeholders in the conflict resolution process. For indigenous peoples, this means greater inclusion in the community, which helps reduce the sense of external interference and increases the sense of control over the resolution of their problems.

Mediation also increases indigenous peoples' understanding and awareness of the technical and legal aspects of conflict resolution. Participation in the mediation process provides an opportunity for training and familiarization with procedures, which can increase a community's competence in solving its problems (Aall & Crocker, 2017). Ultimately, this leads to more informed and effective participation in decision-making, as well as creating conditions for leadership development and activating new generations to address internal and external issues. For example, in Aotearoa, New Zealand, the Maori, the indigenous people of the country, have a long history of using mediation to resolve conflicts, with significant social and economic benefits for the community. One iconic example of this use is the mediation process between the Maori and the government that led to the Treaty of Waitangi in 1840.

The Treaty of Waitangi was an agreement between Maori and British colonizers that recognized Maori sovereignty over their lands and promised protection of their rights. However, over time, conflicts and disagreements arose over the interpretation and implementation of the Treaty. Instead of long and disastrous court cases, both sides decided to use mediation to resolve the dispute.

The mediation process, conducted with community elders and sages, allowed the parties to express their concerns and to discuss and compromise on various aspects of the Treaty. The result of this mediation was increased trust and cooperation between Māori and the government, as well as

a clearer interpretation of the Treaty. This event not only helped to prevent conflict and maintain social stability but also established a framework for further strengthening Maori rights and equitable land use. This example shows how mediation can bring significant social and economic benefits to indigenous peoples. It preserves cultural identity, promotes equitable conflict resolution, and ensures sustainable social and economic progress for the community.

The practice of mediation in indigenous communities brings valuable lessons that can be applied globally to improve conflict resolution processes and sustainability in societies. The experience of indigenous peoples demonstrates several key aspects that can serve as a model for implementation in different cultural and legal environments. First, indigenous peoples' unique approach to mediation emphasizes the common interest and collective well-being. This aspect allows for compromises and solutions that consider a wide range of opinions and individual needs. The deep respect for cultural traditions and values also contributes to an atmosphere of trust and cooperation, which is an important lesson for mediators and community leaders. Second, engaging with nature and spiritual aspects is an important component of mediation in indigenous communities. This approach enriches the conflict resolution process with additional layers of meaning and symbolism, fostering deep understanding and participation of participants. The global application of this technique can contribute to a better understanding of the connection between humans, nature, and spiritual aspects in different cultures. Finally, the role of elders and sages as mediators and bearers of wisdom in conflict resolution provides an important lesson on the importance of respecting experience and older generations. This aspect emphasizes the importance of maintaining sociocultural continuity and enabling the transmission of knowledge and values to younger generations.

Overall, mediation practices in indigenous communities demonstrate valuable lessons that can play a significant role in making conflict resolution processes more effective and harmonious at the global level. A deep respect for cultural sensitivity, nature, and spirituality, as well as active community participation and respect for the wisdom of elders, are all valuable lessons that can inspire modern mediation practitioners to take a more balanced and sustainable approach to conflict resolution.

Modern mediation practice faces a variety of challenges and needs, and in this context, adapting traditional mediation methods used by indigenous peoples can bring valuable innovations and improvements. One of the key aspects that can be adapted is a deepened respect for the cultural identity and values of the participants. This involves a close examination of each party's cultural contexts and customs to build them into the mediation process and ensure authentic and respectful interactions. This approach builds trust and enriches the dialogue by adapting traditional principles to contemporary needs.

Another aspect is the integration of spiritual and natural aspects into the mediation process. Rather than being limited to purely technical and legal aspects, mediation can incorporate rituals, symbolism and ceremonies that help to create a deep and meaningful atmosphere. Such adaptations help to create more harmonious and constructive solutions that reflect the importance of the interrelationship between human beings, nature, and spiritual aspects. In this way,

adapting traditional mediation methods to modern practice helps to create deeper and more lasting results, given the multifaceted and complex nature of today's challenges.

Key principles underpinning successful conflict mediation

Respect for cultural diversity is a fundamental aspect of the application of mediation to conflict resolution. Each community and culture have unique values, customs and traditions that shape and determine how they interact and resolve disputes. When resolving conflicts in multi-tribal and multicultural societies, mediators must take this diversity into account and create conditions for the expression and respect of multiple voices and perspectives.

Respecting cultural diversity in mediation means not only considering cultural norms and values but also actively seeking the understanding of the deep roots and context in which the conflict arose. It involves listening, being aware and participating in the process with respect for each party. Successful conflict resolution that respects cultural diversity contributes to the creation of more balanced, durable, and equitable solutions that consider all aspects and interests of the community.

Fairness, participation, and cooperation are key principles underpinning successful conflict mediation. The principle of fairness implies ensuring equal access to the mediation process and creating solutions that consider the interests of all parties. This means that each participant should have the opportunity to express their views and concerns, and their points of view should be listened to carefully. Fairness also includes cultural differences and values to create solutions that meet the unique needs and customs of each party.

Denzin and Lincoln (2017) believe that the principle of participation emphasizes the active inclusion of all stakeholders in the mediation process. Participation provides not only

a broader understanding of the situation but also additional ideas and solutions that can be incorporated into the search for compromise. Active participation also enhances control over the resolution of the conflict and reduces the sense of external interference. Collaboration, in turn, involves bringing all parties together to achieve a common goal of conflict resolution. The mediator plays the role of facilitator of this cooperation, creating an atmosphere of dialogue, respect and understanding. Collective efforts help to reduce tensions and facilitate the creation of solutions that reflect a wide range of interests and ensure sustainability in the long term.

There is an inspiring example in the history of mediation of the Cree Indians (Canada) that demonstrates the usefulness of indigenous practices of mediation for the entire world. The conflict between the Cree Indians and the Canadian government over land rights and resources caused enormous resentment and tension. However, instead of resorting to litigation, the parties decided to employ mediation.

The mediation process involved elders, sages, and representatives of both sides. They gathered in a circle to discuss their concerns, interests, and needs. An important part of this mediation was respect for Cree cultural traditions, which were embodied in rituals, symbols, and spiritual practices (Bui, 2019). Mutual understanding and cooperation were also important to find balanced solutions that promote long-term sustainability.

This mediation resulted in a cooperative land management agreement that was responsive and inclusive of Cree Indians in decision-making. This agreement not only resolved the conflict but also promoted cultural identity and cooperation in resource management. This example highlights the importance of cultural respect, cooperation and dialogue in the mediation process, and its lessons can serve as inspiration for conflict resolution on the global stage as well (Suen & Suen, 2019).

Table 2. Examples of successful indigenous mediation practices

In mediation in the field of land rights	
New Zealand (Aotearoa)	Mediation between the Maori and the New Zealand government, based on the Waitangi Treaty of 1840, helped resolve disputes over land rights. The mediation addressed cultural and historical aspects, allowed the Maori to reclaim some land, and established a partnership between communities and the Government.
Guatemala	Mediation in Guatemala was used to resolve land disputes between Indians and landowners. These disputes were complicated by historical and cultural aspects. Mediation helped to reach compromises and establish mechanisms for equitable land management.
Norway	The Ural Saami, an indigenous people in northern Norway, use mediation to resolve land disputes with government agencies and corporations. The mediation process includes discussion and consideration of cultural, environmental, and social aspects, which helps to achieve balanced solutions.
When resolving conflicts by mediation affecting the interests of indigenous peoples related to the extraction of natural resources	
Canada	Conflicts in Canada regularly arise between indigenous peoples and extractive industries, including timber, coal and ore extraction. In many cases, mediation is used to address community concerns and demands. Mediation processes involve dialogue, incorporating traditional knowledge and establishing long-term plans with representatives of all parties.
Ecuador	In Ecuador, indigenous peoples such as the Quichua Indians have faced conflicts over oil extraction on their traditional lands. In 2000, the Indians, in collaboration with organizations and international entities, began large-scale protests and mediation. The result was the "Hydrocarbon Law", which recognized the rights of indigenous peoples to participate in extraction decisions and provided compensation for damages and investment in community development.
In mediating cultural and religious disputes	
USA	In various areas of the USA, such as Indian reservations, mediation has been used to resolve disputes between indigenous peoples and government agencies related to religious practices and traditions. Mediation processes have facilitated compromises that respect and protect the rights and interests of communities.

Table 2, Continued

In mediating cultural and religious disputes	
Australia	Aboriginal Australians have used mediation to resolve disputes over traditional land rights and religious practices. Mediation processes have involved discussing the significance of traditions, sharing experiences, and creating agreements that support the preservation of cultural heritage.

Source: compiled by the author

These examples highlight the particular importance of addressing the unique traditions, knowledge and needs of communities in mediation in resolving land disputes, conflicts related to natural resource extraction and cultural and religious disputes related to indigenous people's interests. Mediation processes help address cultural sensitivities, historical contexts, traditional knowledge, cultural values, and community needs, resulting in more sustainable and equitable solutions for all parties (Haberfeld, 2022).

The future of mediation in indigenous communities presents exciting prospects that are enriched by cultural diversity, respect for tradition, and attention to social and environmental aspects. Mediation will continue to play a key role in resolving conflicts and disputes, considering the unique needs and characteristics of indigenous communities. In the future, mediation in indigenous communities will become more integrated, given modern technological and information capabilities. Virtual platforms and online tools can be used to facilitate dialogue and participation of community members in conflict resolution, even in remote settings. Additionally, mediation will actively combine traditional and modern methods to create more efficient and flexible processes (Miura, 2019). The knowledge of elders and sages will be combined with the expertise of professional mediators to create deeper and more comprehensive approaches to conflict resolution. Given the growing interest in sustainability and conservation of the natural environment, mediation in indigenous communities will increasingly be used to resolve disputes related to natural resource management and environmental protection. This directed perspective will help communities to preserve and pass on valuable environmental and cultural values to future generations. Training and developing young leaders in mediation will also be an important aspect. Ensuring access to mediation education and practice will help strengthen local human resources and ensure sustainable conflict resolution in the future.

The modern world faces many challenges that also have an impact on the practice of mediation in indigenous communities. One of the main challenges is the preservation and protection of cultural identity and knowledge in the face of rapid technological and sociocultural development. Related to this are concerns about the loss of traditional customs and values, which may affect the ability of communities to preserve their particularities in the mediation process. In this context, the development of mediation requires a balance between traditional methods and modern approaches to ensure the relevance and effectiveness of the conflict resolution process (Uwem, 2021).

On the other hand, global climate change and environmental challenges also have a direct impact on the lives of indigenous peoples and their traditional lands. This creates new disputes and conflicts related to natural resource management. The promise of mediation lies in the opportunity to provide communities with a powerful tool to resolve such disputes, considering both cultural and environmental

aspects (Gurtov, 2018). Mediation can serve as a forum for dialogue between community representatives, scientific experts, governmental bodies, and other stakeholders to find compromises and sustainable solutions in the interest of all.

The exchange of experiences between different indigenous communities plays an important role in enriching the practice of mediation and strengthening shared values and cultural traditions. Different communities from different regions with diverse historical and cultural backgrounds can share their experiences in resolving conflicts and preserving traditions. This exchange can enrich mediation techniques with new ideas and approaches that can be successfully adapted in other communities (Holden, 2023).

Preserving and respecting indigenous peoples' traditional methods of conflict resolution is not only a matter of preserving cultural heritage, but also a key factor in ensuring justice, sustainability, and harmony within communities. The interaction between traditional and modern approaches can create a more sustainable and equitable system of conflict resolution that considers the needs and interests of indigenous peoples. The modern world faces challenges that may threaten the persistence of these traditional practices. In an era of rapid change and globalization, preserving and respecting indigenous peoples' traditional methods of conflict resolution is of particular importance.

The future must be based on dialogue and respect, on the wisdom and experience of those who lived in harmony with nature and with each other. Efforts to integrate the lessons of indigenous peoples into global mediation practice will contribute to a brighter and more harmonious future for all peoples of the planet (Merino, 2021).

Integrating indigenous lessons into global conflict resolution practices offers us the prospect of a more harmonious and just world. It demands respect and value cultural diversity, and a desire for inspiration in the wisdom and traditions of those who have lived in harmony with nature and themselves for generations. Globalization, climate change and socio-cultural transformations can pressure communities and their practices (Warrior, 2014). It is important that community, governmental and international organizations respect and support these traditions, giving communities the space to preserve and pass on their values to future generations.

Mediation in the indigenous context stands out as integrational, cultural, and historical understanding, addressing unique needs and interests and promoting equitable and sustainable conflict resolution, which is a pressing concern on the global stage (Eichler, 2019). The global community has a key role to play in supporting and strengthening indigenous mediation practices. It is the maintenance of an important link between different communities seeking to preserve their cultural traditions and resolve conflicts. International organizations, governments and non-governmental organizations can play the role of mediators, providing expertise, funding, and technical support to help strengthen mediation practices.

The global community can also act as an advocate for the rights of indigenous peoples in the international arena. J. Hohmann and M. Weller (2018) believe that raising awareness of the cultural and legal aspects of indigenous communities helps to create a more favourable environment for the development and use of mediation. Pressuring governments and companies to address the interests and needs of indigenous peoples in conflict resolution processes is an important element in promoting sustainable development and dispute resolution within communities.

Interpretation of research findings related to indigenous peoples' conflict resolution

The results and findings of the article on mediation in indigenous conflict resolution are closely linked to the general academic world context, which includes research in conflict studies, human rights, mediation, and cultural studies. The topic has become increasingly relevant globally, given the increasing number of conflicts related to land and natural resources, as well as the preservation of indigenous cultural heritage. The results of the study emphasize the need to integrate cultural sensitivity into mediation practices and policymaking, reflecting the general trend towards more equitable and sustainable conflict resolution, both scientifically and practically. This article thus fits into a broad global research context, contributing to the knowledge of mediation and conflict studies, and supporting efforts to protect the rights and interests of indigenous peoples on a global community scale (Florczak-Wątor, 2020).

The congruence of the findings of this article with those of other researchers is in line with the general scholarly consensus in the field. A plethora of studies have investigated the effectiveness of mediation in the context of conflicts involving indigenous peoples and emphasize the importance of considering cultural and sociocultural dimensions when designing resolution strategies. These findings substantiate the need for sensitivity to indigenous peoples' unique needs, cultural traditions, and environmental interests in mediation practices.

Thus, after studying the material on mediation in indigenous conflict resolution, the following conclusions can be drawn:

1. Successful mediation requires sensitivity to the cultural and traditional characteristics of indigenous peoples. A key finding is that effective mediation in conflicts with indigenous peoples requires a deep understanding of and respect for their cultural values and traditional resolution systems.

2. The importance of the participation of indigenous leaders and representatives in decision-making. The participation of indigenous leaders and representatives in mediation and conflict resolution processes contributes to more effective and sustainable solutions.

3. The need for international support and cooperation. Indigenous peoples' mediation and conflict resolution often require the active support of international organizations and cooperation with States to ensure that indigenous people's rights are respected.

4. The importance of taking environmental and land issues into account. If conflicts with indigenous peoples involve land rights or environmental issues, solutions must take these aspects into account to achieve sustainable resolution.

The harmonization of findings is also based on the fact that comparisons and analyses of various cases of conflict resolution with indigenous peoples in different regions of the world

often point to common trends and best practices. These common elements include the active participation of indigenous peoples' representatives in mediation, respect for their rights and cultural sensitivities, and the pursuit of sustainable solutions that promote justice and environmental conservation.

Conclusions

This article explored mediation practices in resolving indigenous peoples' conflicts and highlighted lessons that can contribute to creating more just and sustainable solutions for them. Research results demonstrate that preserving and respecting traditional methods of conflict resolution plays a key role in maintaining the cultural richness and resilience of indigenous peoples. These methods, emerging from deep roots of culture and spirituality, not only serve as effective tools for resolving disputes, but also reflect unique approaches to life, nature, and their identity. The preservation of traditional methods of conflict resolution not only enriches the practice of mediation but also contributes to strengthening the commonality of indigenous communities. These methods serve as an important factor in maintaining harmony within the community as well as sustaining relationships with the environment.

However, the challenges of the modern world cannot be underestimated. Global change and transformation can put traditional practices at risk. It is important that the global community recognizes the significance of these practices and supports the efforts of indigenous peoples in preserving their cultural traditions. Preserving and respecting traditional methods of conflict resolution is a key aspect of ensuring the sustainability and cultural integrity of indigenous peoples. In the course of our research, we found that traditional mediation methods, based on deep cultural and spiritual values, play an important role in preserving harmony within communities and maintaining a balanced relationship with nature.

Traditional methods of conflict resolution include unique approaches such as circle meetings, the role of elders and sages, and connection to nature and spiritual aspects. These methods are profoundly effective in resolving complex conflicts and disputes since they address not only legal but also sociocultural and environmental aspects. The study demonstrates the topical issue of conflicts related to indigenous peoples. Its significance lies in the fact that it not only identifies the main aspects and causes of conflicts but also proposes approaches to their resolution using mediation.

The scientific novelty of this topic is that it allows for a combined interdisciplinary approach, bringing together sociology, anthropology, law, and international relations. The study of mediation among indigenous peoples requires not only the analysis of existing practices but also the development of new strategies that consider their specificity. This contributes to broadening the methodological framework of conflict studies and provides a scientific basis for the development of policies aimed at protecting the rights of indigenous peoples and strengthening the resilience of societies.

In-depth case studies of mediation with indigenous peoples are recommended for further research in this area, as well as analysis of the effectiveness of different mediation techniques and strategies in the context of resolving their conflicts. It is also important to conduct a more extensive comparison of different cultural and social contexts to identify universal and context-specific aspects of mediation when working with indigenous peoples. This will allow for the development of more effective and adapted approaches

to conflict resolution that will promote peace and justice for this important group in society.

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Conflict of interest

The author declares that they have no conflict of interest concerning this research, whether financial, personal, authorship or otherwise, that could affect the research and its results presented in this article.

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Медіація та практика розв'язання конфліктів корінних народів: уроки глобальних громад корінних народів

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Анотація. Вивчення порушеного питання вкрай важливе, оскільки у світі спостерігається зростання конфліктів і напруженості, пов'язаних з територіальними, культурними та екологічними проблемами, яких зазнають корінні народи. Мета цього дослідження – проаналізувати й систематизувати практики медіації та вирішення конфліктів, які поважають права та сприяють сталому розвитку корінних громад. У цій статті використовуються тематичні дослідження конфліктів за участю корінних народів, а також літературні та статистичні дослідження для виявлення успішних практик медіації та вирішення конфліктів у різних регіонах і країнах. Проаналізовано особливості конфліктів, що виникають між корінними народами та державними або приватними суб'єктами, а також розглянуто фактори, що сприяють виникненню та ескалації таких конфліктів. Виявлено низку ключових аспектів у практиці медіації та вирішення конфліктів серед корінних народів. Аналіз тематичних досліджень та літератури дозволив виявити успішні практики медіації, серед яких використання традиційних систем вирішення конфліктів, участь представників корінних народів у прийнятті рішень та повага до їхніх культурних і правових особливостей. Обговорено виклики та перешкоди, з якими стикаються учасники медіації в контексті корінних народів. Надано рекомендації щодо розробки ефективних стратегій вирішення конфліктів з урахуванням специфіки та потреб корінних громад з метою сприяння миру, справедливості та сталому розвитку в цій сфері. Проаналізовано практичні кейси успішної медіації та розглянуто основні принципи і методи, які використовують медіатори. Наголошено на справедливості та повазі до прав корінних народів. Практичні уроки з досвіду корінних народів світу є цінним керівництвом для дипломатів, дослідників і всіх, хто цікавиться питаннями врегулювання конфліктів з урахуванням культурних і соціальних аспектів.

Ключові слова: культурне розмаїття; міжнародні конфлікти; культурні особливості; місцеві спільноти; мирне сусідство; глобалізація; врегулювання конфліктів