

White Paper on

The State of Public Conflicts in Korea
Conflict Management at Seoul Metropolitan Government

Conflict Management

Seoul Metropolitan Government's Conflict Management Process
Case Studies on Successful Conflict Mediation

of
Seoul

White Paper
on

Conflict Management

of
Seoul

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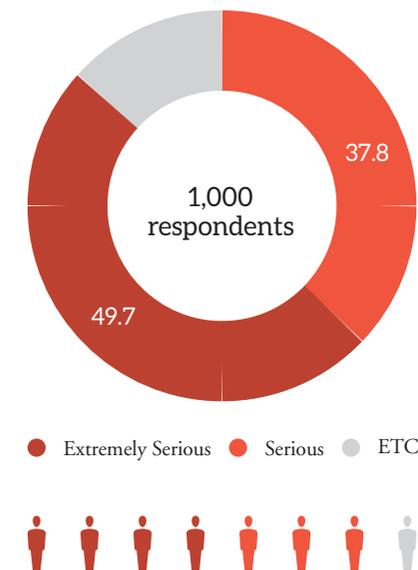
The State of **Public Conflicts** in Korea

Public conflict refers to conflict of interests in the public sphere that arise in the process of the government's implementation of policies with public interest goals.

According to the statistics on public conflict in Korea published by the Committee on Social Integration in 2010, 624 cases of public conflict were recorded from 1990 to 2008 with an average of 33 cases per year. While an average of 30 cases of public conflict occurred each year before the Asian Financial crisis broke out in 1997, the figure increased to 37 cases per year after the crisis.

Conflicts of interest in the public sphere is a growing concern for the Korean public. In 2014, a survey was conducted by a daily newspaper (*MK Business News*) to gauge the public's perception of public conflict in Korea. Among 1,000 respondents, 49.7% replied that the conflict level in Korea was serious while 37.8% said that the conflict level was extremely serious. In other words, 7 out of 8 citizens in Korea or 87.5% feel that public conflict in Korea was a serious problem.

Seoul is not an exception. With 1/5 of Korea's population living in the city, Seoul is susceptible to various conflicts and tensions. Conflicts related to Seoul Metropolitan Government's policies continue to spring up with such conflicts aggravating or lasting for longer periods.



Conflict Management

at Seoul Metropolitan Government

1

Overview of the Conflict Mediation Division

2

Legal Basis

3

Composition and Operation of the Conflict Management Advisory Committee

4

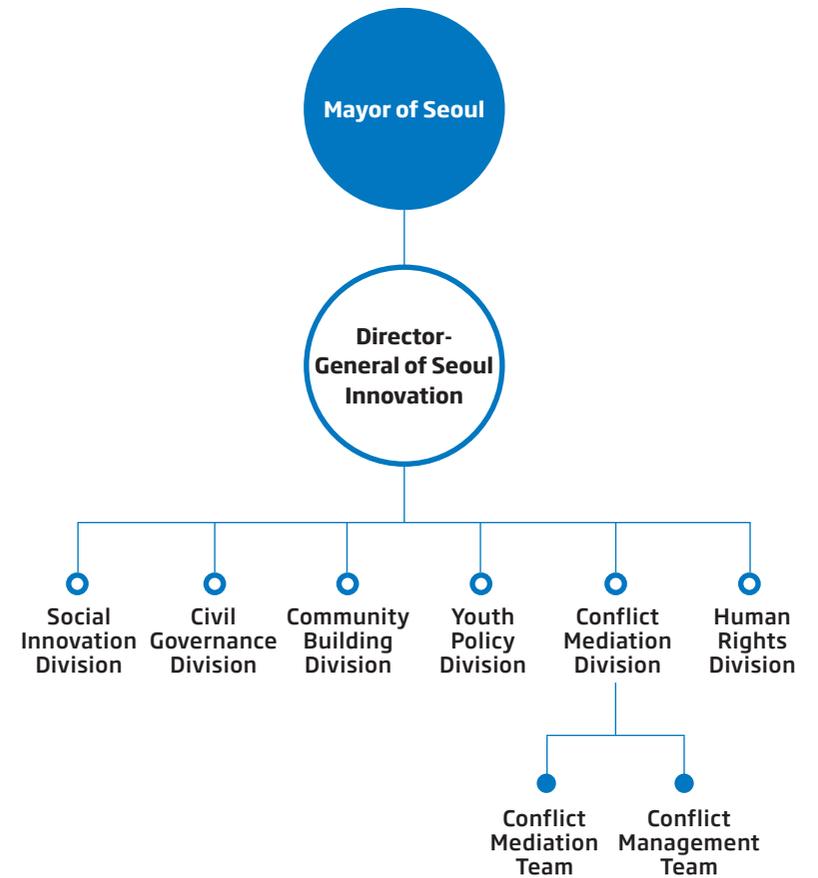
Major Responsibilities of the Conflict Mediation Division

1. Overview of the Conflict Mediation Division

The Conflict Mediation Division was newly established on January 1st 2012. Seoul Metropolitan Government was the first to establish a separate division to support conflict management and appoint a 4th grade public servant to spearhead the division.

With the goal of preventing and managing public conflict, the Conflict Mediation Division was established as part of the Seoul Innovation Bureau which is directly supervised by the Mayor of Seoul. As of 2015, there are nine staff members including the director(4th grade public servant) who is an outside expert with experience and expertise in conflict mediation recruited to oversee the division.

Organization Chart



2. Legal Basis

The Presidential Decree on Conflict Prevention and Conflict Resolution of Public Organizations was enacted on February 12th 2007. SMG enacted the Seoul Metropolitan Government Ordinance on Preventing and Mediating Public Conflict in September 2012 and the enforcement regulations in January 2013.

Laying out the framework for SMG's conflict management efforts, the Ordinance is composed of 20 articles on the purpose of promulgating the ordinance, and definition of terminology used, among others.

Seoul Metropolitan Government Ordinance on Preventing and Mediating Public Conflict ¹⁾



1) Refer to the appendix (58p)

3. Composition and Operation of the Conflict Management Advisory Committee

Pursuant to the ordinance, Seoul Metropolitan Government launched the Conflict Management Advisory Committee in 2013.

The Committee is mainly responsible for providing consultation and deliberation of conflict management policies and conflict resolution measures. 15 members, most of whom are experts, serve on the Committee to provide professional and objective consultation on conflict mediation.

The term of the Committee is two years and the 2nd Conflict Management Advisory Committee is in session as of 2015.

Conflict Management Advisory Committee



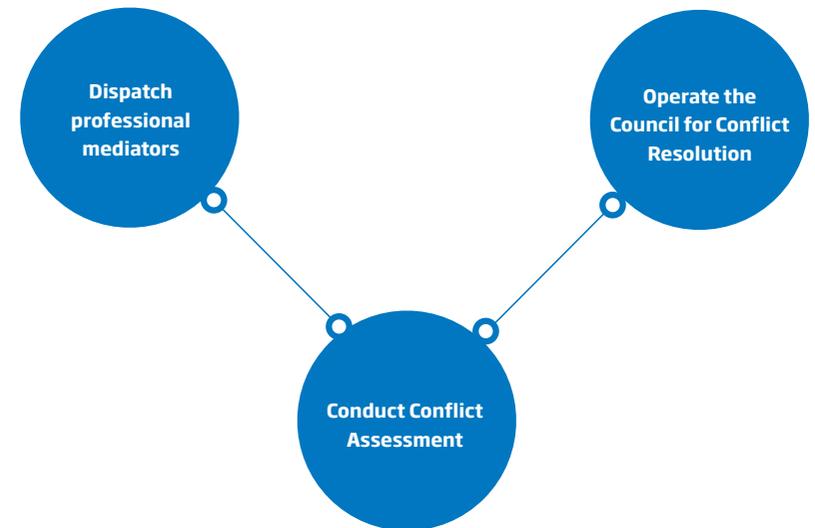
4. Major Responsibilities of the Conflict Mediation Division

The major responsibilities of the Conflict Mediation Division are twofold – activities to prevent conflicts that may arise while implementing the city government’s policies and mediating conflicts that actually occurred.

Responsibilities related to conflict prevention are as follows:



Responsibilities related to conflict mediation are as follows:



To learn the technical know-how of conflict management, SMG concluded an MOU with a professional organization which shares various conflict mediation techniques and case studies and provides conflict-related training programs.

Seoul Metropolitan Government's Conflict Management Process

Step 1

Conflict Diagnosis

Step 2

Formation of a Conflict Resolution Strategy

Step 3

Customized Conflict Mediation

Step 4

Continuous Conflict Management

To systematically manage conflict, SMG laid forth a 4-step process, which is classified into before and after the occurrence of the conflict. Before the conflict occurs, step 1 and 2 are implemented to diagnose the conflict and set up a response plan. Once the conflict occurs, step 3 and 4 are implemented to mediate the conflict.

SMG's Conflict Management Process



Step 1.

Conflict Diagnosis

- Notify projects subject to conflict diagnosis
- Responsible division conducts conflict diagnosis
- Expert review
- Conduct conflict diagnosis & determine conflict level
- Select priority management projects

Step 2.

Formation of a Conflict Resolution Strategy

- Responsible division establishes a response plan
- Expert review
- Engage in comprehensive discussions

Step 3.

Customized Conflict Mediation

- Conflict Assessment
- Council for Conflict Resolution
- Recommend and dispatch professional mediator

Step 4.

Consistent Management

- Offer training programs to boost conflict management competency
- Share offline/online conflict management know-how

Step 1 : Conflict Diagnosis

It is important to identify conflicts in advance and take preemptive action, which is why Seoul Metropolitan Government put in place the Conflict Diagnosis process since 2013.

The Conflict Diagnosis process refers to a process of analyzing all projects of SMG to select at-risk projects that will be managed under special attention.

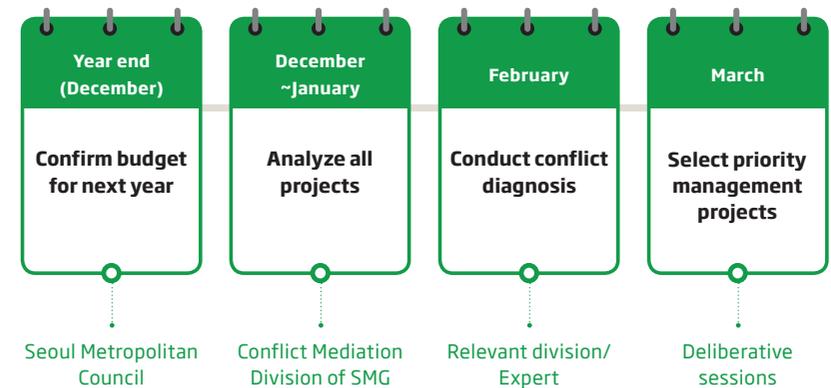
The big advantage of the system is that the Conflict Mediation Division can understand the overall conflict situation of SMG including both existing and potential conflicts to take preemptive action as necessary. The division responsible for at-risk projects can implement preventive measures to prevent the spread of conflict. In fact, from 2013 to 2014, 91 projects were classified as priority management projects and SMG successfully prevented the occurrence of conflict in 80% of the cases.

The Conflict Diagnosis Process is as follows:

Projects subject to conflict diagnosis

- Projects implemented by SMG which require approval from the Director-General level or above
- Projects with allocated budget or projects that are funded through the mid-term fiscal plan
- Projects that require enactment or revision of local laws and regulations (including ordinances and enforcement regulations)
- Other issues that can potentially lead to conflict

Conflict Diagnosis Process



- After the Seoul Metropolitan Council confirms the next year's budget, the Conflict Mediation Division analyzes all the projects of SMG.
- Depending on the analysis result, the Conflict Mediation Division lists up at-risk projects.
- Divisions responsible for the at-risk projects are notified to conduct the conflict diagnosis.
- The responsible division fills in the SMG Conflict Diagnostic Framework and drafts the Statement of Conflict, then submits the documents to the Conflict Mediation Division.
- During this process, professional mediators who specialize in different fields provide consultation to ensure objective and professional diagnose the conflict.
- Deliberative sessions²⁾ to determine the conflict level are held and decisions are made based on the submitted Conflict Diagnostic Framework and Statement of Conflict.
- The list of priority management projects is finalized at the deliberative session.

Conflict diagnosis is conducted on a regular basis in accordance with the abovementioned process and also conducted on an ad hoc basis.

²⁾ The deliberative session will be attended by public servants spearheading major divisions of SMG (Director-General of Innovative Planning, Director of Financial Management division, Director of Inspection & Evaluation division, Director of Complaint Resolution division, Director of Public Communication division, Director of Conflict Mediation division) and professional mediators

Operation of the Conflict Alert System

Although Conflict Diagnosis is conducted on all projects of SMG, some conflicts may not be identified through the process. This is particularly true for conflicts that arise from ongoing projects. Thus, SMG realized the need for a complementary measure and launched the Conflict Alert System in 2014. Under the Conflict Alert System, civil complaints and outputs by the media outlets are monitored to identify civil complaints that need to be addressed early on. Once such civil complaints are identified, the Conflict Mediation Division and the relevant division at SMG work together to come up with countermeasures.

The Conflict Alert System follows a three-stage process:

Monitoring Stage → Analysis Stage → Conflict Management Stage



1

Monitoring Stage



Reviewing all submitted civil complaints to find ones that could potentially lead to conflict

- All civil complaints received through SMG's Civil Complaint Management System will be monitored.
- For effective monitoring, civil complaints will be classified by
 - ① Title & contents
 - ② Civil petitioner
 - ③ Related protests or media coverage
- 'Title & contents':
 - Select civil complaints that include words that imply conflict³⁾ or those complaints that repeatedly deal with the same projects, regions, or facilities
- 'Civil petitioner':
 - Identify collective civil complaints submitted by five or more petitioners or under the same of an interest group⁴⁾
- 'Related protests or media coverage':
 - Monitor media coverage of projects that triggered five or more civil complaints a week and identify related protests or rallies

3) withdraw, oppose, revoke, relocate, suspend, stop, petition, disapprove, petition, appeal, etc.

4) special committee, emergency planning committee, OO association, etc.

2

Analysis Stage

Selecting at-risk civil complaints to be managed under special attention



Not all civil complaints classified under the aforementioned criteria are considered at-risk civil complaints since there could be some civil complaints regarding private interests or ad hoc petitions. Therefore, the following criteria is used to select at-risk civil complaints to be managed under special attention.

<Quantitative criteria>

- 5 or more civil complaints filed in a week
- Conflict covered in the news
- Collective complaint involving 5 or petitioners
- Individual protests lasting more than 3 days
- 5 or more complaints filed for more than 2 weeks
- Collective complaint involving a group of 20 or more people



<Qualitative criteria>

- Possibility of conflict exacerbation
- Seriousness (Severity)
- Persistency
- Possibility of conflict mediation

The selected at-risk civil complaints will be further classified into those subject to "Preliminary alert" and "Conflict alert."

- Preliminary alert:
 - If the civil complaint is submitted by an individual at the early stage of conflict
- Conflict alert:
 - If the civil complaint is about a serious conflict that involves multiple petitioners or collective action such as protests

Finally, the divisions responsible for the project mentioned in the civil complaints that are subject to "Preliminary alert" and "Conflict alert" will be notified.

3

Conflict Management Stage

Relevant division and the Conflict Mediation Division cooperating to manage and prevent the spread of the conflict



Conflict management measures will be taken as follows:

For civil complaints subject to "Preliminary alert," the following measures to prevent conflict will be taken.

- The Conflict Mediation Division will inform the relevant division of the conflict mediation support measures that are available and request that the division pays special attention to the project to prevent conflict in advance.
- The responsible division will prepare objective data to clearly explain the project to the petitioner and continuously communicate with the local residents through both formal and informal channels.

For civil complaints subject to "Conflict alert," the following measures to mediate conflict will be taken.

- The Conflict Mediation Division will hold meetings with the responsible division to set the direction on how to resolve the conflict and come up with alternative solutions, and provide other support measures to mediate the conflict.
- The responsible division will implement various measures according to the response plan and put in place a system to share information with the Conflict Mediation Division to take swift action as necessary.

Step 2 : Formation of a Conflict Resolution Strategy

Process of Establishing a Conflict Resolution Strategy

- **1 Draft a conflict resolution strategy**
Relevant division
- **2 Seek expert consultation**
Relevant division/expert
- **3 Hold comprehensive review meetings with heads of divisions or experts**
Conflict Mediation Division

Through the conflict diagnosis process, priority management projects will be selected. Then, the relevant divisions establish a conflict resolution strategy regarding these priority management projects. The strategy should include detailed and realistic goals to manage conflict. To this end, the relevant division will seek consultation from experts and the Conflict Mediation division will hold comprehensive review meetings.

- The conflict resolution strategy devised by the relevant division should include the overview of the project, the causes of the potential or existing conflict, the scope and position of each disputing party, and conflict mediation direction.
- Professional mediators will provide consultation on the strategy drafted by the relevant division.
- Professional mediators will provide objective feedback about the strategy to come up with alternative solutions.
- The final version of the conflict resolution strategy will be approved at the comprehensive review meeting which will be attended by the head of major divisions of SMG and outside experts.

Step 3 : Customized Conflict Mediation

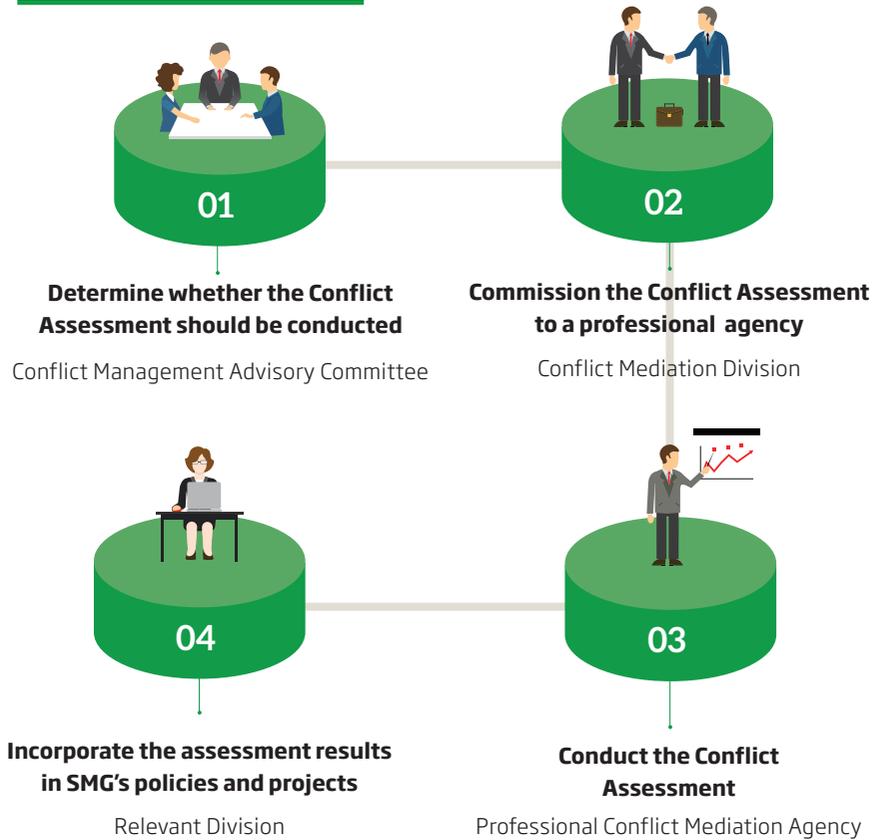
When it comes to existing conflicts, it is important to take swift and systematic response measures as part of a customized conflict mediation process. Depending on the conflict type, different support measures are implemented including the Conflict Assessment, Council for Conflict Resolution, and dispatch of professional mediators.

- **Conflict Assessment:**
Examine the possibility of reaching a settlement, Design the process to draft a settlement

Conflict Assessment refers to a process of analyzing the social impact of a policy before or after its implementation and coming up with a response plan.

Those projects that can induce huge social cost by triggering conflict of interest among different stakeholders are subject to Conflict Assessment.

Conflict Assessment Process



- The Conflict Mediation Division lists up projects that may be subject to Conflict Assessment and delivers the list to the Conflict Management Advisory Committee.
- The Conflict Management Advisory Committee determines whether Conflict Assessment should be conducted for each of the listed projects.
- The Conflict Mediation Division commissions the Conflict Assessment to an outside organization that specializes in conflict mediation.
- The conflict mediation agency(professionals) holds in-depth interviews with interested parties, reviews the causes of conflict and major issues, examines the possibility of reaching a settlement, and designs the settlement drafting process.
- The Conflict Mediation Division informs the relevant division of the assessment results.
- The relevant division incorporates the assessment results when implementing policies or projects.

- **Council for Conflict Resolution:**
Identify the opinions of the interested parties to facilitate negotiations and work out a settlement

If a complex conflict involving multiple stakeholders exacerbates, the Council for Conflict Resolution steps in and dispatches a third party professional mediator who organizes the different opinions in an objective manner and facilitates the negotiation between the interested parties.

Flow of Council for Conflict Resolution



Professional mediators who specialize in different types of conflict are recommended to support relevant divisions aptly manage the ongoing conflicts.

Step 4 : Continuous Conflict Management

In order to resolve conflict, it is important that the public servants at the relevant divisions are competent. If the public servants take proactive measures in advance, conflicts can be resolved in a swift manner. Therefore, the Conflict Mediation Division offers various training programs related to conflict resolution to boost staff competency. Offline training programs are classified into Basic, General, and Advanced courses.

In addition, various publication including the Conflict Management Manual and the Conflict Management White Paper are published for public servants who cannot afford to take time out to enroll in the abovementioned courses. Conflict management techniques and case studies on conflict resolution are some of the topics included in these publication. Also, on the SMG portal site, there is a section for online consulting of conflict management which offers information regarding conflict related laws and regulations, SMG's Conflict Management Manual, various conflict management techniques, and case studies on conflict resolution. In addition, news articles or editorials on conflict resolution and communication techniques are posted to change the perception of conflict among the public servants of SMG.



Training program

Type	Course Title	Details
Basic	Conflict Management Outreach Training	Education on conflict management in general at the venue requested by the relevant division or district office
	On-the-spot Training	Training program offered at the site where a conflict was resolved to gain practical knowledge and knowhow
General	Case Study Workshop	Education on conflict management techniques including ADR, negotiation, mediation and role playing
	Negotiation & Conflict Management	Education program managed by a special agency affiliated with SMG which includes topics such as understanding conflict, case studies on conflict resolution, and finding alternative solutions
Advanced	Professional Mediation Training	Mediation training program commissioned to an outside organization

Case Studies on Successful Conflict Mediation

1.

**Resolving Conflict Sparked from Forced
Tenant Eviction**

2.

Mediating Conflict Over Crosswalk

3.

**Utilizing the Community Mediation
Model by Citizen Participation to Resolve
Conflicts from Inter-floor Noise Pollution**

Case
#1

Resolving Conflict Sparked from Forced Tenant Eviction



In 2011, a conflict arose between the tenant couple and the housing redevelopment association after the couple faced forced eviction from the redevelopment district in Seodaemun-gu. Asking for a more reasonable compensation, the couple staged protests in front of the city hall and the housing redevelopment site. The relevant divisions at the Seoul Metropolitan Government (SMG) and the Seodaemun District Office tried to mediate the conflict but failed, leading to deep-rooted conflict and misunderstanding between the two parties.

In June 2013, the Conflict Mediation Division of SMG took action by dispatching a professional mediator, which led to signs of improvement. After continuous negotiation over four months, the two parties finally reached an agreement. The tenant couple ended their protest on the 717th day and went back to their ordinary life after opening a new restaurant.

For one year and a half, not a single day went by without a man standing in front of the Seoul City Hall gate. A tenant who was evicted due to a housing redevelopment project in Seodaemun-gu staged a one-man protest every day. He held up a wooden picket sign, pleading for support against forced eviction.

On October 25th 2013, the same man was holding a different picket sign that read “Thank you so much for helping an evictee like me return to normal life.” This marked the end of the one-man protest that lasted for 717 days. After signing an agreement with the housing redevelopment association, the protester ended his sit-in and expressed his appreciation to the city government.

In 2006, the tenant couple opened a restaurant after leasing a building in Seodaemun-gu. Although the couple underwent hardship in the initial stage, they made a decent profit as time went by.

However, with the implementation of the Seodaemun-gu housing redevelopment project, they heard that the building they rented was to be demolished. Unrealistic and insufficient amount of compensation was the trigger for the couple's hardship. If the tenant has to relocate the business site due to redevelopment, the tenant was entitled to compensation that covered the operating loss for three months and the relocation cost. However, the compensation amount suggested by the redevelopment association was far from enough. It was impossible for the couple to open a restaurant somewhere else with the compensation that was promised to them.

The tenant couple requested the association to disclose the calculation method for the compensation amount. Despite repeated requests, the association refused to disclose such information and urged the tenant to leave the building while the tenant couple stood against the association, refusing to comply. On November 11th 2011, the association went ahead with forced eviction and in the process, the wife was injured. This incident led the couple to become enraged.

Afterwards, the couple set up a small tent in front of the redevelopment site and started their protest. In addition, they held one-man protests in front of the - Seoul City Hall, the Seodaemun-gu Office, and the association office. Furthermore,

they filed several law suits and submitted dozens of civil complaints.

As the conflict between the tenant couple and the association aggravated, the Seoul city government and the Seodaemun district office tried to mediate by holding negotiations between the two parties from December 2012 to April 2013. However, the negotiations broke down as the emotional battle exacerbated.

On June 13th 2013, the Mayor of Seoul heard the tenant's complaint, which prompted the Conflict Mediation Division to take action. The Conflict Mediation Division commissioned the case to professional mediators and attorneys who specialized in redevelopment compensation.

These professionals conducted individual interviews with the interested parties to get a clear understanding of the facts of the case. Then, they devised a procedure to resolve the conflict, conducted research to find similar cases, and consulted with other experts. Afterwards, they started the negotiations with the disputing parties.

- **Conflict resolution process and negotiation method**

The most effective way to resolve a conflict is by setting up a consultative body. However, it was difficult to apply this method with this specific case because of the deep-rooted hostility and anger between the two parties after sharp disagreement that lasted almost two years. There were also risks that the situation could aggravate.

Therefore, a two-pronged strategy was adopted. First, the commissioned professionals had one-on-one interviews with the disputing parties to find common ground. However, if this was the sole strategy, it would take too long to resolve the conflict. Therefore, the traditional method of conflict resolution involving a mediator was implemented at the same time. In other words, a neutral third party – a mediator – assisted the disputing parties by suggesting a settlement and facilitating the negotiation.

- **Moving towards resolution and searching for alternatives**

Because the tenant couple was enraged at the association, they refused to move an inch until their demands were accepted. The couple argued that the association was entirely responsible for the conflict citing refusal to disclose appraisal method and result and the wife's injury during forced eviction.

However, the association stubbornly rejected the couple's request on the grounds of fairness with other tenants who left the building after receiving their compensation. Against this backdrop, the professional mediators held several meetings with each disputing party and worked hard to change their perspective and attitude. After sustained effort, the association gradually changed their obstinate stance while the tenant couple began to recognize the circumstances they were faced with and eased their requests to a more realistic level.

To swiftly and smoothly conclude the negotiation, the mediator suggested a settlement to both sides. The settlement was drafted based on the direct damages that the couple incurred during the implementation of the redevelopment project and

the ensuing conflict. The association did not accept the initial settlement draft but suggested a higher compensation compared to the amount they originally promised to the tenant couple. This time, the settlement was rejected by the tenant couple who argued that the compensation was not sufficient to open a new restaurant.

- **Finding alternative solutions**

Since the possibility of the association giving in further was a long way off, other measures to help the couple open a new restaurant was needed.

First of all, by utilizing the existing program of SMG, the couple received a special loan to start their business.

Second, since the couple wanted to run a franchise restaurant as they did before the building demolition, the mediators met with the owner of the franchise restaurant and asked for support.

These complementary measures gave new hope to the tenant couple who eventually decided to end their long protest.

- **Final Outcome**

On October 24th 2013, the disputing parties finally signed the settlement. The association handed the compensation to the tenant couple while the couple announced that they will end their sit-ins and withdraw all the civil complaints and law suits that they filed. After signing the agreement, the members of the association expressed their apology and encouragement to the couple, which was what the couple had demanded more than anything.

On the next day, the couple officially ended their sit-in and on December 26th, they opened a new restaurant.

This case was covered in several media outlets as a successful example of conflict mediation by a professional mediator. “After I lost my restaurant to demolition and was evicted by force, no one listened to me. Then, the mediator came and listened to what I had to say and relieved my anger and frustration. I was so thankful for his reaching out” said the tenant in an interview with the local newspaper. This case is meaningful as it reminds us that attentive listening and kind consideration are crucial to resolving conflict.

**Article in The
Hankyoreh:
Oct. 27th 2013**



“Mayor Park, I want to invite you to my new restaurant”

Case
#2

Mediating Conflict Over a Crosswalk



Although conflicts over crosswalks may seem trivial, there are various stockholders involved. In particular, nearby building owners' right to business and safety of the pedestrians are at stake. Also, relocating a crosswalk can lead to serious conflict among the local residents, disrupting the amicable relationship in the neighborhood.

Regarding two conflict situations related to crosswalks which were seemingly trivial but serious, public servants at SMG took action to get involved in the conflict mediation process. By holding several individual meetings with the local residents and suggesting alternatives to each disputing party, SMG public servants successfully resolved the conflict.

Building a crosswalk over Nambu Belt Road in Gwanak-gu Seoul sparked a conflict that began in November 2013.

Due to the location of the crosswalk, pedestrians waiting to cross the street were exposed to the risk of traffic accidents, which was why some of the local residents demanded the relocation of the crosswalk.

However, the majority of the local residents opposed relocating the crosswalk because it would cause changes in the transportation system and inconvenience for drivers in the neighborhood or those driving to the traditional markets nearby.

Nevertheless, the request for crosswalk relocation persisted, leading to heightened conflict with no signs of improvement. Eventually, the Conflict Mediation Division of the Seoul Metropolitan Government took action to resolve the conflict in July 2014. By holding dozens of meetings with the local residents, the Conflict Mediation Division successfully negotiated a settlement in October of the same year.

Crosswalk in front of Bonglim Bridge



Before starting the mediation process, the Seoul Metropolitan Government conducted a field survey to understand the traffic system, traffic flow, and road structure of the neighborhood. Then, several meetings with the District office were held to review the survey results and clearly understand the current situation.

In early August, SMG held separate meetings with those residents who demanded relocation and those who opposed it. The former argued on the grounds of safety whereas the latter could not understand why some residents argued for relocating the crosswalk when it was certain to cause traffic congestion and additional cost. Rather than taking sides or distinguishing between right or wrong, the civil servants of SMG tried to attentively listen to the residents and communicate with them to understand the major issues. In addition, SMG staff met with members of the city council to gather their opinion. City

council members took sides with the majority of the residents and opposed to relocating the crosswalk because of the huge cost it would entail. However, they did understand the risks that the pedestrians faced and the need for some improvement of the existing crosswalk.

Through these meetings, SMG identified that “safety” and “traffic congestion” were the main concerns of the interested parties. Based on such findings, SMG set out to find an alternative solution that would not cause traffic congestion but boost the safety of the local residents.

First of all, relocating the existing crosswalk was found to cause more traffic congestion and other civil complaints according to a joint review conducted with the National Police Agency. Therefore, it was necessary to find an alternative solution. After discussions with the relevant divisions, an alternative solution which involves scaling down the existing crosswalk and separating the crossroad and the pavement was drafted by the SMG, which was then suggested to the local residents.

At first, both sides rejected SMG’s suggestion and held out. SMG reviewed the demands of the disputing parties in detail and explained to each party why some requests were acceptable and some were not based on objective data. Through this process, the local residents gradually changed their stance to finding a reasonable solution to improve on the current situation and eventually, accepted SMG’s plan. Additionally, CCTVs were installed in the neighborhood to ensure safety and detect illegal parking. Seoul city government’s three-month-long effort to resolve the conflict successfully ended on October 30th.

There was another crosswalk in Guro-gu that spurred conflict in the neighborhood.

In January 2014, the majority of the local residents requested relocation of the crosswalk due to traffic congestion, and Seoul city government devised plans to carry out the relocation. However, a building owner in the neighborhood filed a civil complaint opposing to such move.

The mediation process was the same as in the previous case. SMG had separate meetings with the disputing parties and identified that economic loss was the greatest concern of the building owner. Since most of the residents wanted to relocate the crosswalk, SMG realized that persuading the building owner would be more reasonable.

Plan to relocate the crosswalk in Guro-gu



Objective data was needed to persuade the building owner that majority of the local residents wanted the relocation. To this end, a week-long survey (from March 20th to 26th) was conducted targeting 500 residents who lived in the building or lived near by and used the crosswalk. According to the survey, 83.8% of the total respondents agreed to relocate the crosswalk whereas only 8.6% opposed and 7.5% didn't take either side. Even among the building tenants, 54.9% agreed while only 15.7% disagreed and 29.4% took neither side. With this survey result, SMG continuously persuaded the building owner and the minority of the residents who opposed and eventually resolved the conflict.

In both cases, public servants at SMG were directly involved in the mediation process. The public servants held several meetings with the local residents to identify the major issues and come up with an alternative solution.

Persuading the disputing parties was not an easy process. Although the local residents understood the rationale behind the alternative solution, they were reluctant to accept at first. However, the public servants at SMG continuously communicated with the residents through formal and informal channels. They had heart-to-heart communication with the local residents and showed them objective data to earn their confidence. Through this process, the local residents eventually agreed to the settlement and SMG's conflict mediation efforts ended in success.

Case
#3

Utilizing the Community Mediation Model by Citizen Participation to Resolve Conflicts from Inter-floor Noise Pollution



With more citizens living in multi-unit dwellings including apartments, the number of conflicts resulting from inter-floor noise pollution is on the rise. Institutional measures to resolve inter-floor pollution were put in place but were not sufficient. Seoul Metropolitan Government (SMG) needed a different alternative solution. After much contemplation, the city government came up with the Community Mediation Model by Citizen Participation, which refers to conflict mediation and resolution process that involves voluntary discussion and negotiation by the citizens. To get started, SMG selected an apartment complex in Eunpyeong-gu to launch a pilot project. Since it was difficult to implement the project alone, the city government initiated a public-private cooperative network to bring together representatives from the district offices and the private sector, and utilized this network to hold meetings and training programs.

As a result of such concerted efforts, the apartment residents created the Neighborhood Committee for Dispute Resolution and established the Neighborhood Agreement on Resolving Noise Pollution. This led to the revitalization of the neighborhood community where the residents engaged in conversation to resolve conflicts including those arising from noise pollution.

In Korea, more than 65% of the population (or 83.6% of citizens in Seoul) live in multi-unit dwellings such as apartments. Therefore, inter-floor noise pollution is frequently cited as the source of conflict between neighbors. Recently, residential noise pollution has emerged as a serious social problem in Korea, as it has led to an increase in the number of serious crimes out of anger, such as murder and arson. Some citizens file law suits to resolve the conflict but fail to find an efficient solution. In addition, the current legal and institutional framework only applies to new multi-unit dwellings under construction not those apartments that are already built. Therefore, the Seoul Metropolitan Government (SMG) set out to find a new solution by coming up with the Community

Mediation Model by Citizen Participation.

SMG realized that the city government's effort alone would not be sufficient to successfully implement the Community Mediation Model by Citizen Participation. In March 2013, SMG launched a public-private network composed of representatives from the district offices and the private sector. Rather than targeting the entire city, SMG decided to select a certain neighborhood to implement a pilot project and received applications from interested apartment complexes within Seoul. After meeting with the apartment residents to explain the purpose of the pilot project and confirming their interest in participating in the project, SMG selected an apartment complex located in Eunpyeong-gu as the target site at the end of March 2013.

- **Understanding the current situation**

From April to May, several meetings were held to gather the residents of the selected apartment complex. The residents shared cases of noise pollution and discussed how they communicated with each other and how they could prevent or reduce conflicts arising from inter-floor noise pollution. In addition, a survey on noise pollution was conducted among the residents.

- **Creating the Neighborhood Committee for Dispute Resolution and educating the residents**

In order to create the Neighborhood Committee for Dispute Resolution, it was necessary to educate the residents first. To this end, courses selected by the residents were offered during July and held at a place that the residents found to be convenient. By taking

these courses, the residents themselves realized the need for the Committee.

This, in turn, led to the voluntary participation of the residents. After receiving application from the residents, 12 members were selected to participate in the Committee.

The appointed members received professional training on conflict mediation. Since some members worked during the day time, the education sessions were held after 7 pm. Some of the topics covered in the training session included how inter-floor noise pollution aggravates into serious conflict and what measures can be taken to prevent the extreme cases of conflict. Members of the committee engaged in heated discussions to find solutions.

During the process, the Committee members drafted the "Neighborhood Agreement on Resolving Noise Pollution." After receiving the consent from all the apartment residents, the Agreement was finalized and officially released on August 26th 2013.

As the housing culture of Korea changed from single-unit housing to multi-unit dwellings, close ties and bonding between neighbors weakened. Against this backdrop, even the smallest quarrel could spark into a dispute rather than be resolved through communication and concession. The pilot project on the Community Mediation Model by Citizen Participation was meaningful because the residents of the apartment voluntarily participated in the mediation process and took the initiative to find their own solutions to inter-floor noise pollution. Furthermore, the fact that such an achievement was accomplished based on a public-private collaborative network makes this case even more significant.

Major contents of the training program

- Overview of conflict and relevant cases
- Role of the Neighborhood Committee for Dispute Resolution
- Laws and regulations on inter-floor noise pollution
- Overview and significance of projects aimed at revitalizing village communities
- Education on conflict resolution and management
- Mock mediation workshops
- Understanding the importance of the Committee members' activities
- Brainstorming workshop to gather ideas on resolving conflicts arising from noise pollution
- Drafting the Neighborhood Agreement on Resolving Noise Pollution



Appendix

1
—
Conflict Diagnostic Framework

2
—
Statement of Conflict

3
—
Seoul Metropolitan Government
Ordinance on Preventing and Mediating
Public Conflict

Conflict Diagnostic Framework

Project Name: _____

Diagnostic Date: _____ (No. of Diagnostics:)

Division: _____ Name: _____ Contact Number: _____

No.	Question	Answer	
1	Are there multiple stakeholders or a group of stakeholders involved with the project? ('Multiple' refers to 5 persons or more / One or more group of stakeholders)	No	Yes
	If stakeholders exist or are expected to exist, how many are there?		
	How many organized groups of stakeholders are there?		
2	Do you see or expect more collective actions from the stakeholders as the conflict persists?	No	Yes No. of stakeholder groups (Initially: / Currently:)
3	Do you expect that conflicts involving SMG will arise with the progression of the project?	No	Yes If so, when? - At the time of the project announcement? () - After implementing the project? ()
	If there are existing conflicts resulting from the project, are they new ones or consistent ones that occurred before the project was launched? Please indicate when the conflict initially occurred.	New conflict (Date of occurrence:)	Consistent conflict (Duration: From ~ To)
4	If the conflict has surfaced, in what way has it been expressed? Please check all that apply.	Complaint via letter () Complaint filed online ()	Mass protest, Violence () Lawsuit () Angry visit by disputant ()
	Was the conflict covered in the press?	No	Yes
5	If so, by how many media outlets?	Less than 2	More than 3
	If so, how many times?	Less than 2 times	More than 3 times
6	Has there been a solution suggested by any one of the parties?	Yes	No
	What was the suggested solution?		
7	How long do you think it will take to resolve the conflict?	Less than 3 months	More than 3 months
8	Do you expect that a separate budget should be allocated to resolve the conflict?	No	Yes
	If so, how much? Please state the approximate amount of funding that would be needed.		
9	Do you expect that modifications to the laws or institutions would be necessary to resolve the conflict?	No	Yes
10	Is it necessary to cooperate with other government agencies (including the central government, other local governments, or district offices) to resolve the conflict?	No	Yes

Statement of Conflict

Project Name: _____

1. Project Status

- Project Overview
 - Location & Size :
 - Project duration :
 - Project cost : million won
(Funded by central government: , local government:)
 - Completion rate : %

· Progress (Specify by date)

-

2. Conflict Overview

- Details
 - Background & Cause of conflict :
 - (Expected) Time of occurrence :
 - (Expected) Types of conflicts :
 - Interested parties :
 - Issues

Interested parties		Demands (Argument)	
Local residents			
District office			
SMG	Division		
Civic group			

Conflict Mediation & Management

- Plan and/or strategy to resolve or manage conflict :
- Response measures taken (in case of existing conflicts) :
 - ※ Describe the processes or measures taken after the conflict occurred.
- Opinion of the responsible division or request to the Conflict Mediation division

Seoul Metropolitan Government Ordinance on Preventing and Mediating Public Conflict

Article 1. Purpose

This Ordinance aims to lay the institutional foundation to prevent or smoothly resolve conflicts that may arise in the process of Seoul Metropolitan Government's establishment or implementation of public policies in order to minimize excessive social cost incurred from public conflict and contribute to social integration.

Article 2. Definition

Terminology used in this Ordinance are defined as follows.

1. "Public policy" refers to newly established or existing policies, project initiatives, and enactment or revision of local laws and regulations by the Seoul Metropolitan Government (hereinafter referred to as "SMG")
2. "Public conflict" refers to conflict of interests that arise in the process of SMG's establishment or implementation of public policies.
3. "Public conflict management" refers to all activities aimed at preventing, mediating, and resolving public conflict.
4. "Conflict assessment" refers to set of measures to predict and analyze the social impact and potential conflict of a public policy, and devise adequate plans to prevent and resolve public conflict.

Article 3. Responsibilities of the Mayor

1. The Mayor of Seoul Metropolitan Government (hereinafter referred to as "Mayor of Seoul") shall conduct conflict assessment to prevent public conflicts related to administrative work of SMG and boost SMG's capacity to resolve conflict, and establish and implement a comprehensive conflict management plan.
2. Mayor of Seoul shall identify and actively put to practice measures to resolve various types of public conflict in a swift and efficient manner.
3. Mayor of Seoul shall offer training programs for the public servants of SMG to boost their competency in preventing and resolving public conflict.

Article 4. Comparison of Benefits

Mayor of Seoul shall compare and weigh the public interest promoted by the public policy against other public interests or private interests to seek a balance.

Article 5. Relationship to Other Laws

Unless regulated by other laws or ordinances on the prevention and mediation of public conflicts, SMG shall follow the articles of this Ordinance.

Article 6. Conflict Assessment

1. If the establishment, implementation, or revision of a public policy has a significant impact on the citizens' lives or leads to excessive social cost, Mayor of Seoul may conduct the Conflict Assessment.
2. Mayor of Seoul may commission the Conflict Assessment in pursuant to clause 1 to a professional organization.
3. The professional organization commissioned to conduct the Conflict Assessment in accordance with Clause 2 shall submit the Conflict Assessment Report to the Mayor of Seoul.
4. The Conflict Assessment Report delivered to the Mayor of Seoul in pursuant to clause 3 shall include information on the possibility of conflict occurrence or conflict mediation and the recommended process to prevent or resolve conflict.

Article 7. Composition and Operation of the Conflict Management Advisory Committee

1. Mayor of Seoul shall launch the Conflict Management Advisory Committee (hereinafter referred to as the "Committee") to review a broad range of matters related to SMG's conflict management efforts.
2. The Committee shall be composed of 15 members including a chairman.
3. Membership of the Committee includes both appointed and ex officio members. The Director-General of Innovative Planning, Director-General of Management & Planning, Director-General of Public Communication of SMG assume ex officio membership of the Committee.
4. Mayor of Seoul shall decide the appointed members of the Committee among the following candidates who have professional knowledge and experience in conflict prevent and mediation.
 1. 4 members recommended by the Seoul Metropolitan Council (including 1 council member)
 2. 4 members recommended by a nonprofit organization or a corporation that has experience in conflict management and mediation
 3. 4 members recommended by the Mayor of Seoul
5. The Committee shall appoint the Director of Conflict Mediation Division of SMG as the secretary to handle the administrative affairs of the Committee.
6. The Chairman of the Committee shall be elected among the appointed members.
7. The term of the Committee is 2 years and members appointed to fill a vacancy may only serve the remaining term of the predecessor. Ex officio members shall serve on the Committee during their term of office.
8. Members of the Committee shall perform their duties in an unbiased and fair manner.

- ⑨ The Council meeting shall be declared open when the majority of the members are present. The consent of the majority of the members present and voting shall be required for any decision to be taken.
- ⑩ Mayor of Seoul may dismiss members who breach the confidentiality agreement or cannot perform their duties due to illness or acts that demean their dignity.

Article 8. Role of the Conflict Management Advisory Committee

The Committee reviews and provides consultation on the following:

1. Establishment and implementation of a comprehensive plan to prevent and resolve public conflict
2. Identification and implementation of measures to resolve various types of public conflict as stipulated in Article 3, Clause 2
3. Improvement of laws and regulations related to conflict management
4. Decision to conduct the Conflict Assessment in pursuant to Article 6
5. Composition and operation of the Council for Conflict Resolution in pursuant to Article 12 and 13
6. Other issues related to the prevention or resolution of public conflict as deemed necessary by the Mayor of Seoul

Article 9. Coping with Conflict of Interest

- ① Members with conflict of interest regarding the agenda under review or consultation shall not participate in the review or consultation of that particular agenda.
- ② When the member discovers conflict of interest with a particular agenda, the member shall voluntarily refrain from participating in the review or consultation of that particular agenda.

Article 10. Incorporation of Committee's Deliberation Results

Mayor of Seoul shall make efforts to incorporate the deliberation results by the Committee in pursuant to Article 8 in the establishment or implementation of public policies.

Article 11. Utilization of a Participatory Decision Making Process

- ① Mayor of Seoul may utilize a participatory decision making process to allow disputing parties or experts to take part in the decision making of public policies in order to prevent or resolve public conflict
- ② Mayor of Seoul shall strive to reflect the discussions or opinions derived in the participatory decision making process in the public policies of SMG.

Article 12. Council for Conflict Resolution

Mayor of Seoul may hold the Council for Conflict Resolution (hereinafter referred to as the "Council") for a particular conflict situation if the Mayor judges it to be necessary to smoothly mediate and manage the conflict.

Article 13. Composition and Operation of the Council

- ① The Council shall be composed of members more than 5 but less than 20 with 1 Chairman who is elected among the members without conflict of interest regarding the main agenda.
- ② Members shall include public servants of SMG, representatives from the disputing parties, and professional mediators.
- ③ If the Chairman deems necessary, professional mediators or representatives from special agencies may be invited to attend the Council meeting and share their opinion.
- ④ Mayor of Seoul may provide administrative and financial support necessary to launch and run the Council.
- ⑤ The Council shall determine the term of operation. If necessary, the Council can extend the term with the consent of the members.

Article 14. Drafting and Implementing the Settlement

- ① The Council shall draft the settlement to mediate the conflict and recommend the settlement to the disputing parties.
- ② The settlement suggested by the Council shall not violate relevant laws or regulations or hinder significant interests of the public.
- ③ Mayor of Seoul shall actively support the implementation of the settlement stipulated in Clause 1.

Article 15. Commissioning Responsibilities to a Professional Conflict Management Organization

Mayor of Seoul shall designate a professional mediator or a professional organization to perform the following responsibilities.

1. Participate in the Council for Conflict Resolution to provide consultation
2. Draft and utilize the Conflict Management Manual
3. Provide education and training on the prevention and resolution of public conflict
4. Conduct the Conflict Assessment
5. Conduct research and survey on the participatory decision making process
6. Other activities related to the prevention and resolution of public conflict

Article 16. Confidentiality Agreement

Members of the Committee or Council and experts at the professional organizations stipulated in Article 15 shall not disclose confidential information obtained in the process of reviewing or mediating public conflict or use such information for purposes other than to perform their duty.

Article 17. Use of Conflict Management Manual

Mayor of Seoul may utilize the Conflict Management Manual when devising or implementing public policies.

Article 18. Conflict Management Evaluation

Mayor of Seoul shall conduct inspection and evaluation of the state of public conflict management at each division of SMG at least once a year.

Article 19. Payment of Costs, Compensation, etc.

Costs incurred during the operation of the Committee or the Council in pursuant to Article 7 and 12, respectively or activities of the experts or professional organization in pursuant to Article 15 shall be covered within budget.

Article 20. Enforcement Regulation

Details regarding the enforcement of this Ordinance shall be stipulated in the enforcement regulation.



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An aerial photograph of a swimming pool with several people swimming. The water is a vibrant orange-red color. The people are scattered across the pool, some are closer to the center, others are further out. Their shadows are cast on the water, indicating a high sun position.

White Paper
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**Conflict
Management**
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Seoul

