

THE COLLABORATIVE LAW ASSOCIATION OF THE BASQUE COUNTRY: A new way of reaching agreements



Almost 4 years ago now, in June 2014, the Basque Parliament paid tribute to the efforts of the private entities that work with Collaborative Law in the Basque Country and called on the Basque Government to continue with the regional activities that were being carried out in order to promote and develop Collaborative Law.

The Basque Country has been a pioneering force on a national level and acts as an international reference in terms of its methods of introducing Collaborative

Law and Practices in different areas (companies, families and in the government itself). To this end, on 20 November the Collaborative Law Association of the Basque Country appeared before the Basque Parliament's Justice and Labour Commission, at the former's own request, to show its appreciation, share its experiences, hear the vision of its impact on Basque society and explore possible collaborations.

The representatives of the Association focused their presentation on emphasising the mobilisation and training activities of over 1000 people throughout the years in addition to actions carried out with the aim of "aligning, incorporating and connecting" the area of Collaborative Law and Practices with different national strategies that are being driven by the Government. Also included were the establishment of "new models for applying alternative methods for conflict resolution" in other areas such as enterprise, the workplace, the family and more, in this way helping to prevent conflict and improve competitiveness in addition to boosting sustainable economic and social development in the Basque Country. Above all, the Association has aimed to "avoid losing touch in these changing times, and to be on the cutting edge in these areas" and to "understand that Collaborative Law and Practices represent a new method of understanding legal defence and justice based on certain principles and values".

It is important to note that the initiative was well received, as were the activities carried out by the Basque Parliament's Justice and Labour Commission, which called for these initiatives to continue to be developed. However, if I had to highlight some specific parts of this appearance, there are three elements that I would like to pick out:

- The first is the importance of the Collaborative Law Association's appearance before the members of the Commission, which featured questions about how Collaborative Law and Practices could be useful to these members in the heart of Parliament, whether these were seen as being necessary and, if so, in which areas. As the members of the Commission pointed out, paradigms were broken in the sense that this was the first time that in an appearance which normally involves listening to guests, in this case the guest posed questions as part of the collaboration process.
- The second element is the recognition on the part of the relevant members of parliament of the innovative nature of proceedings: they were intrigued by the use of methods linked to the world of innovation management in business, which are usually heard in the commission for economic development rather than in the commission for justice and labour. In particular, there was an interest in learning more and in exploring the connection with Basque traditions, with the culture of consensus and with ancestral values.
- Thirdly and finally, I would like to highlight that launching this type of innovative practice in the field of justice is an important initiative that can help us to reduce the level of resources used by courts, and one which implies (among other benefits) a significant saving in costs compared to those currently borne by the field of justice, in addition to having a positive impact on social cohesion and, of course, representing a marked change in the way in which we have addressed conflict in our society up until now.

For those of you that are interested in the appearance, I attach the link to all of the Parliamentary Commissions proceedings:

http://www.legebiltzarra.eus/BASIS/izaro/webx/cm_scomisc/DDW?W=sco_clave='2017112009000003'&R=N

And I could not end this post without thanking Carmen Aja, Alkain Oribe, Maria José Anitua and Joanes Alkorta for their excellent presentation, and for the important work that they are undertaking in the area of Collaborative Law and Practices in the Basque Country. All the best, and let's continue to move forward.

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