

# FUTURE-READY MEDIATION:

STRENGTHENING THE  
SKILLS AND EXPERTISE OF  
AN EFFECTIVE MEDIATOR

Since the inception of the national mediation program, The Asia Foundation (the Foundation) has supported the Mediation Boards Commission's capacity-building efforts, continuously adapting its technical approaches to meet evolving needs. Through the European Union-funded 'Supporting Effective Dispute Resolution' (SEDR) project implemented with the British Council, the Foundation continued its decades long capacity building support as a key strategy to ensure effective community mediation services.

## Creating an 'effective' mediator: A reflective and practical approach to mediator training

Over the years, the Foundation has supported the design and makeup of the standard five-day training program for mediators. This is a training on the mediation process

and key principles of mediation aligned with international standards for mediator training given to newly appointed mediators<sup>1</sup>. Collaborative Decision Resources (CDR) Associates, an organization based in Boulder Colorado, has been engaged in designing and updating the standard training on mediation with the Foundation over the past 30 years, with the last update to the training program done in 2011. Current global trends in the use of mediation for effective alternative dispute resolution brought into sharp focus the need to update the five-day training program to align with evolving international standards.

With SEDR assistance, the five-day training program was redesigned to focus on learning outcomes that directly contributed to the creating of "an effective mediator". To achieve this, the training focused on practice to enhance the skills of a mediator. Resolving a dispute through interest-based mediation is dependent on a skilled mediator who effectively facilitates disputing parties to come to a mutually acceptable settlement. Through discussions with Mediator Training Officers (MTOs), the delivery of the five-day standard training was updated to ensure a better flow between topics, and integrated reflective learning approaches. More time was allocated for practice, developing skills, and observation and evaluation, facilitated by interactive activities such as group discussions, feedback sessions, roleplaying, self-assessment, peer feedback, and journaling as tools to ensure an effective mediation process.

During the training, MTOs clearly mentioned that mediators required ongoing engagement to refine their skills, prompting the Foundation to introduce a range of activities designed to foster reflective learning, cross-learning, and continuous knowledge enhancement.

## Building a Culture of Reflection and Improvement: Expanding learning opportunities for mediators beyond the Five-Day Skills Program



Figure 1: Group photograph of MTOs (standing), and seated right to left, Jonathan Bartsch (CDR Associates), Thilini Ratnasuriya (Secretary, Mediation Boards Commission), Dinesha deSilva Wickramanayaka (Former Country Representative, The Asia Foundation), and Dr. Ramani Jayasundere (Senior Technical Advisor, The Asia Foundation)

The initiatives acted as value additions that supported the standard five-day skills training program, to enhance the effectiveness of mediation.

The Foundation designed and delivered '**Advanced Training Programs**' and '**Specialized Training Programs**' for MTOs to equip them with updated knowledge to handle diverse and complex disputes ranging from victim offender mediation to financial dispute resolution. The trainings supported MTOs to navigate multiparty mediations and introduced ideas to mediate disputes of a restorative justice nature involving juvenile offenders. Specialized training was also introduced to strengthen the cornerstones of impartiality and neutrality that define an effective mediator, and these concepts were woven around the need for mediators to recognize the social and structural barriers that

<sup>1</sup> In Sri Lanka a mediation board once appointed is reappointed every three years and the five-day mediator training is conducted for reappointed boards

marginalized and vulnerable communities encounter when seeking to resolve disputes. This awareness was to ensure that, within the boundaries of neutrality and impartiality, mediators are sensitive to the underlying disadvantages certain parties may face and facilitate equal voice and negotiating power using specialized skills to ensure effective mediation. These specialized sessions included topics such as sexual and gender-based violence, including violence perpetrated online, social inclusion, disability, LGBTQIA+ issues, income inequality, designed in delivery to help mediators build both competence and awareness in handling complex, sensitive cases.

**Enhancing cross learning: ‘In-country Exchange Visits’** were designed to foster collaboration and knowledge sharing among mediators from different regions. Two visits were carried out involving over 100 mediators from the Eastern, Northern, and Uva Provinces. These visits facilitated discussions on resolving unconventional or challenging disputes, best practices on record keeping, overcoming common challenges and promoted cultural exchange, and dialogue. Participants appreciated the experience, noting that many challenges were shared across mediation boards, and felt motivated to strengthen the effectiveness of their own mediation boards.

Another key approach used to foster cross-learning was the introduction of a **‘Mediation Community of Practice.’** The primary actors directly driving the mediation process on the ground — MTOs, Development Officers, and Mediators — have limited opportunities to interact with, learn from and share experiences with each other beyond their routine work. To address this gap, the Centre for Poverty Analysis, in collaboration with the Foundation, convened both a Mediation Community of Practice and a Mediation Research Forum. The Mediation Community of Practice was a dedicated space for mediation actors in Sri Lanka to share experiences, discuss challenges encountered in the field, collectively strategize solutions, and strengthen their motivation and commitment to the mediation profession.

**‘On-the-Job Mentoring’:** Recognizing that continuous professional development does not always depend on formal training, the Foundation and LIFE Consultancies introduced alternative approaches to support skill-building with the aim of promoting reflective learning. MTOs and Chairpersons of Mediation Boards were equipped with mentoring skills to guide and support mediators in their work as mediators. A key distinction was made between the role of a mentor, differentiating the same from a trainer, coach, or teacher—encouraging MTOs and Chairpersons to shift from an instructional role to one of facilitation and support during mentoring sessions. It was developed as a process where mediators would receive on-going advice and guidance to successfully mediate between disputant parties



Figure 2: In Country Exchange Visit to the Community Mediation Board (Thellippalai Division, Jaffna District)

and also prepare for challenges. While traditional mentoring includes goal setting tied to professional growth, this model was adapted for mediation to focus on skills refinement, case reflections, adherence to interest-based mediation principles, active listening and to promote self-care. It was perceived that through listening and providing guidance during difficult or stressful times created by intervening in disputes would play a vital role in supporting the well-being of mentees.

Mediation plays a critical role in resolving disputes that emerge within communities while fostering healthier and more harmonious relationships among community members. Despite their dedication, mediators who serve voluntarily, face a range of challenges — from managing the steadily increasing number of disputes referred to Community Mediation Boards to navigating the lack of adequate infrastructure and resources needed to carry out their work effectively. Despite these obstacles, nearly 200,000 disputes are mediated each year. The initiatives introduced under the SEDR project were designed in direct response to requests from mediators and MTOs, aiming to expand opportunities for skill-building, cross-learning, and engagement with emerging trends in the field.

The Foundation is confident that these efforts will continue, ensuring that mediators’ knowledge and skills are regularly updated so that Sri Lanka’s national mediation program will adapt, evolve, and remain relevant within an ever-changing social landscape.

Part of the programme



Funded by  
the European Union

Implemented by



The Asia Foundation