

Sri Lanka's Community Mediation Programme

A CDR Case Study | September 2024

CDR has long enjoyed strong relationships with mediators and other stakeholders in Sri Lanka, where a well regarded national mediation program supports communities through local challenges. Our team recently worked with local organizations to update the program's training approach and is proud of our continued role in its further development and expansion.



A Brief History

Throughout the history of Sri Lanka, mediation has served as an essential form of dispute resolution. The small island nation's relationship with mediation dates back millennia—from village councils addressing disputes between neighbors to village tribunals, rural courts, and conciliation boards. In 1988, the Sri Lankan Parliament passed the **Mediation Boards Act No. 72**, creating a new legal framework for the administration and implementation of dispute resolution across the country and establishing an independent **Mediation Boards Commission**. Since then, the Commission's role has been to appoint and oversee a network of mediators across the island. The Commission and the Ministry of Justice, in close partnership with [The Asia Foundation](#), have trained and supported these mediators to resolve hundreds of thousands of disputes across Sri Lanka over the past 30+ years.

Current Framework

The Community Mediation Programme functions at the local level, employing principles of interest-based negotiation to address a variety of conflicts. Trained mediators are appointed to **Community Mediation Boards (CMBs)**, which each serve a particular administrative area and receive disputes from local communities within that area. Mediators are appointed to the CMB that serves their particular community, and are individuals that are often already respected within their own communities.

CMBs mediate different types of civil disputes and criminal offenses, which are brought before the board as either mandatory referrals or voluntary referrals. Legislation outlines which disputes must be referred to mediation before action can be filed in a court of law. Each CMB assigns a panel of three mediators to hear a particular case. These assignments may be based on each mediator's experience with types of conflicts, professional and subject matter expertise, or social characteristics like age and gender.

Interest-based mediation remains a cornerstone of Sri Lankan society today and forms the basis of CMBs' approach to community-based dispute resolution. This is true across many important contexts: economic hardship, evolving social norms, conflicts arising in the aftermath of the civil war, and continued ethno-religious friction, among others. As such, each mediator is trained in fundamental principles of interest-based mediation and other skills essential to the professional and effective mediation of community disputes.

The program has demonstrated adaptability and resilience through the creation and implementation of special boards (SMBs) to address pressing issues surrounding the 2004 tsunami disaster, land disputes following the civil war, and commercial disputes. CDR has supported the flagship mediation program with The Asia Foundation for decades, which involved the development of Special Land Mediation Boards in 2014.



Updated Training Approach

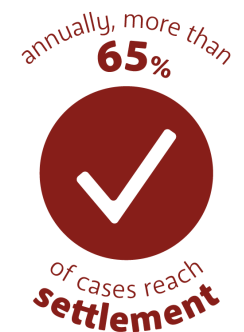
Recognizing opportunities for an improved and updated training program, the Mediation Boards Commission and The Asia Foundation contracted with CDR to design a more advanced curriculum and, ultimately, update the mediation training process.

In the Spring of 2023, CDR Principal Jonathan Bartsch and Program Associate Patrick Teese worked closely with The Asia Foundation, The British Council, and other stakeholders to design workshops with the goal of strengthening the existing mediation program and infusing creativity and energy into current Sri Lanka mediation training and practice. In May, Jonathan traveled to Colombo to deliver a five-day **Advanced Mediation Training** and a seminar on Global Trends in Mediation. The Mediation Training Officers participating in the training received a refresher on the foundations of third-party assistance and an introduction to a range of mediation applications and approaches that move beyond the individual resolution of disputes. The seminar served as an opportunity to reinforce the success of the mediation program in Sri Lanka and introduce the idea of developing a renewed vision and approach to integrating mediation and conflict engagement strategies into other areas of practice.

Following this advanced training, CDR engaged with stakeholders in Sri Lanka to re-imagine many aspects of the appointed mediators' introductory training program, known as The Mediation Process. This included a week-long workshop with the **Mediation Training Officers (MTOs)** responsible for delivering this foundational training and preparing mediators to join a CMB. Workshop discussions focused on identifying improvements to content, sequencing, phasing, delivery methods, evaluation methods, and training materials and guided further discussion with additional stakeholders. This will lead to an updated trainer's manual and trainee handbook for the Community Mediation Programme incorporating new conflict analysis tools, updated simulations reflective of current mediation challenges, and a reorganized sequence of information that is more responsive to the needs of trainers and trainees alike.

Towards the Future

Mediation for community disputes is integrated into the fabric of Sri Lanka and it is critical to continue to find ways to support further development of the program, which currently stands at a crossroads. With 30+ years of experience in building and supporting mediation programs and through the development of a long-standing relationship with Sri Lanka's background, context, and mediation system, CDR is proud to help create a revised plan and approach needed for the program to continue to thrive. We look forward to continuing our relationship with the Sri Lanka Community Mediation Programme, The Asia Foundation and its partners, and aim to apply the latest expertise and lessons learned to future updates to the programme as well as in other national contexts.



About CDR

CDR facilitates collaboration: for over 45 years, we have provided multiparty problem-solving and stakeholder engagement processes for natural resource, infrastructure, land use, and community projects.

We bring together diverse stakeholders—government agencies, community organizations, businesses, interest groups, and members of the public—to build enduring partnerships and develop tangible solutions. Our experts specialize in participatory process design including: identifying and convening parties; focusing on equitable and inclusive dialogue; moderating and mediating stakeholder groups; facilitating interest-based negotiation; and supporting collaborative problem-solving.

Our team of practitioners is also a team of trainers. CDR develops and delivers workshops and training programs that build other organizations' engagement and consensus-building skills, drawing on our own project experience to incorporate real-world scenarios that reflect current challenges.

4696 Broadway, Ste. 1, Boulder, CO 80304
303-442-7367 | info@cdrassociates.org | cdrassociates.org

CDR ASSOCIATES
COLLABORATIVE DECISION RESOURCES

