



International Mediation Institute

PROFESSIONAL MEDIATION WORLDWIDE

Promoting Consensus and Access to Justice

[www.IMImediation.org](http://www.IMImediation.org)

## Beyond Conflict

IMI INTER-CULTURAL QUALIFYING ASSESSMENT PROGRAM (ICQAP)

### I. GENERAL REQUIREMENTS

*Any ICQAP must meet the following general criteria in order to be able to qualify mediators for IMI Inter-Cultural Certification:*

#### A. Methodology

*All ICQAPs must implement a performance-based assessment methodology for assessing whether each candidate's performance meets each of the Substantive Criteria in Section II below.*

Beyond Conflict Ltd will use two qualified and experienced mediators, one of which will be independent from the Beyond Conflict Ltd and its subsidiary 'nrm network' to assess candidate's performance based assessments to make sure they meet the required criteria.

Each candidate will be required to complete an experience questionnaire and provide evidence that they have undergone at least 40 hours training in intercultural mediation, either from a pre-approved training provider's registered program or by supplying details of the curriculum and a copy of their certificate of attendance.

Once this is satisfied they will be assessed in three ways:

#### 1. Written assignment

- 3000 word assignment
- Additional backup documentation in appendix format if required
- Fully referenced
- Containing a case study of an intercultural or cross-border mediation this mediator was involved in

- The written assignment should contain a detailed outline of the case study and the parties involved. This will include a description of the setting, issues, the cultural background and the positions / interests / needs each party bring to the mediation
- The candidate should provide a descriptive account of how they as the mediator applied theory and knowledge to overcome and counter the influencing factors and cultural considerations (CFAs). They should explain how they adapted to using appropriate interventions based on this, thus identify the (CFA's) that impact a mediation.

## 2. Skills Demonstration

- The candidate will be required to mediate in a recorded role play scenario.
- They will be assessed according to the prescribed marking criteria by an assessor in the room and a verifier (working from the video recording).
- The skills demonstration will be 60 minutes in duration
- The case will be based on one of our intercultural role play case studies.

## 3. Self-reflection Pre Skills Demo & Post Demo write-up

- Once the candidate receives the skills demo brief (45 minutes prior to the assessed skills demonstration), they will document possible cultural patterns and preferences they may face, drawing on their knowledge of specific cultural focus areas. They will also document a planned strategy to establish processes to facilitate communication
- At the conclusion of the skills demonstration the candidate will write up a self-reflective analysis of the mediation.
- They are to identify their own cultural influences and their positive effect on the mediation, how their cultural influences effect the way they interpreted the behaviours of others.
- The candidate should also be able to analyse and identify any negative discordances when facing cultural differences and show how they have or plan to adapt strategies for re-establishing balance.
- The candidate must achieve an 80% pass rate or higher to gain the IMI Inter-Cultural Certification.

## B. Transparency

*The benchmarks and criteria applied by an ICQAP must be published and be openly accessible on the organization's website.*

The program and criteria along with the requirements of the training curriculum to be covered will be published on the 'nrm network' website ([www.nrm.ie](http://www.nrm.ie)) and the Beyond Conflict website ([www.beyondconflict.ie](http://www.beyondconflict.ie))

## C. Integrity

*Each Assessor must have substantial experience of evaluating the performance of mediators and in working in inter-cultural situations. At least one of the Assessors on each Program must be independent of the ICQAP training faculty for Inter-Cultural Certification.*

The 'nrm network' does not offer training; rather its purpose is to promote quality and best practices among industry professionals and trainee mediators. The network works in partnership with a range of mediation training providers and helps support their students gain experience and mentoring. The Network is a community of experienced and novice mediators working together. Beyond Conflict Ltd offers qualified and experienced assessors to training providers as independent contractors. Both assessors used by Beyond Conflict Ltd to assess candidates to the ICQAP will be independent from the candidates training provider and one will not be a direct employee of Beyond Conflict Ltd or the 'nrm network'. The external assessors may at times be joined by the principal mediator at Beyond Conflict Ltd as part of our on-going monitoring and Quality Management Systems (QMS).

Each assessor used must have shown documented evidence of their Inter-Cultural mediation experience, certification, current affiliations and memberships to approved mediation organisations. Assessors should also have academic qualifications in educational assessments. Each assessor will be interviewed and approved by the principal of Beyond Conflict Ltd.

Assessors will grade the candidate's application and assessment based on the criteria laid down in the 'IC Assessment Framework Document'.

## D. Diversity

The ICQAP must be accessible on an equal basis to experienced mediators regardless of their professional affiliations, gender, race, ethnicity, age, religion, sexual orientation or other personal characterization. This should be clearly stated on each ICQAP's website.

Barriers have been removed to allow any sufficiently experienced mediator to enrol in our QAP. Candidates can be trained by a pre-approved training course, or they can submit the details of their mediation education and training for it to be approved on a case-by-case basis. The 'nrm network' welcomes members from a cross-section of affiliations, certifications and other membership organisations. Our commitment is to the promotion of mediation regardless of gender, race, ethnicity, age, religion, sexual orientation or other personal characterisation.

## II. SUBSTANTIVE CRITERIA

*Any training program that offers IMI Inter-Cultural Certification must meet these minimum substantive criteria when teaching mediators inter-cultural elements:*

### A. Knowledge

**1. Cultural Framework(s):** Ability to apply at least one recognized cultural theory in order to identify relevant Cultural Focus Areas for facilitating inter-cultural mediations ([See Appendix 1](#)). The theory and approach shall include an appreciation of similarities and differences among cultures.

In the described 3000 word case study assignment the candidate will be expected to document a recognised cultural theory and show how this was seen in practice during the mediation. They must also show what knowledge and theory they applied in order to overcome the inter-cultural challenges faced. The candidate could show an understanding of how the similarities and differences in culture affected the mediation and how they adapted their style in an appropriate way to meet the needs of both cultures.

**2. Self-awareness. Ability to recognize one's own cultural influences and their possible effect on the mediation.**

The candidate must show an ability to understand how their own culture impacts the mediation process. To accurately show this the candidate should give a detailed description of their culture and describe where this can show through in the mediation and with what effect.

**3. Multi-Cultural Perspectives: Ability to recognize each participant's culturally-shaped perspectives of behaviors or events. Ability to understand and appreciate participants' similar and different cultural perspectives, and possible imbalances between them. Ability to manage ambiguities and mistakes that may emerge in multi-cultural situations. Ability to**

use the mediator's understandings of these possible differences and similarities to create a workable environment for all participants, including one that optimizes communication among them.

Within the written assignment the candidate must clearly show a description of each parties culture. They should also show how the different cultural behaviours came through in interactions between the parties and the mediator, thus highlighting the different cultural focus areas that impacted this mediation being described.

## B. Skills

**4. Communication: Ability to adjust one's own communication style to the preferred styles of participants from other cultures, and to help participants communicate optimally with each other, including establishing suitable processes to facilitate communications.**

During the Skills demonstration role play the candidate should show their adaptability and heightened awareness when mediating. This will include being able to adjust their communication style to meet the needs of the parties styles. It should be clearly shown that they can overcome differences by carefully facilitating communication processes.

**5. Preparation: Ability to prepare for a mediation by identifying possible cultural patterns and preferences (e.g., identifying specific Cultural Focus Areas for each mediation) and designing potentially appropriate processes and possible interventions.**

The candidate will show how they have prepared for the assessed skills demonstration mediation scenario, showing how they plan to initiate and facilitate communication bearing in mind specific cultural focus areas. They will document their thought process in planning strategies to overcome possible challenges they will face due to cultural differences.

**6. Managing the Process. Ability to detect whether, when and how cultural considerations (e.g. Cultural Focus Areas) may be impacting on the mediation process as the mediation progresses including abilities to adapt the process accordingly and design appropriate interventions, that also encompass any settlement and compliance phases.**

During the assessed skills demonstration the candidates must show their ability to manage the mediation process while taking into account cultural focus areas. They must show that they can adapt the process and design appropriate interventions to keep the process moving forward.