

## Competency Framework

### 1. Conflictological competence includes (Module 1, days 1-2):

- ✓ conflict identification (cognitive competence),
- ✓ conflict analysis and intervention opportunities (analytical competence),
- ✓ influence on styles (strategies) of behavior in conflict (behavioral competence),
- ✓ determining the method and design of conflict intervention (interventionist competence).

**Knowledge:** A sign of conflict as a resource. Methods of analyzing conflicts by their types, species, subject composition, dynamics, etc. Styles (strategies) of behavior in conflict. Methods of conflict intervention.

**Understanding:** The nature, causes and functions of conflict. Correspondence of methods of analysis to the purpose of analysis. Dynamics of conflict development. The influence of ways of behavior in the conflict on its course, the possibility of its resolution, transformation. The essence, purpose, limits, possible consequences of the intervention.

**Ability:** To explain to the parties the possibilities of transforming the conflict into constructive interaction. Determine the level of conflict escalation. Determine the possibility of intervention in the conflict and choose its method. To ensure the balance of forces of the conflict's parties for their effective interaction. Choose a method of intervention and its design appropriate for a particular conflict.

### 2. Communicative competence includes (Module 1, day 1; Module 2, days 1-3; Module 4, day 1):

- ✓ Active listening.
- ✓ Working with emotions.
- ✓ Summary.
- ✓ Intercultural communication.
- ✓ Paraphrasing and reformulation.
- ✓ Asking questions.
- ✓ Non-judgmental messages.
- ✓ Non-verbal communication

**Knowledge of:** concepts and elements, forms of active listening. Concept of emotions and their functions. Summarizing techniques. Concept of culture and cultural diversity. Techniques of paraphrasing and reformulation. Different types of questions. The concept of judgment. Concepts and types of non-verbal communication.

**Understanding** the functions of feedback in communication. The importance of emotions in the process of communication and decision-making. The nature of stress as a result of repressed emotion and unfulfilled need. Roles and functions of summarizing.

Cultural diversity, cultural features and differences. Roles and functions of paraphrasing and reformulation. Objectives of asking questions, criteria of apt questions. The impact of evaluative messages on communication. Meaning, roles of non-verbal communication.

**Ability to** listen and hear, clarify what is heard and provide feedback in verbal, non-verbal and para-verbal form. Maintain visual contact with the interlocutor. Work with a pause. Recognize, recognize, name, clarify emotions. Transform emotions into a creative resource for the parties. Use a summary appropriate. Communicate with representatives of other cultures; be tolerant of the interlocutor's cultural differences. To realize the essence and meaning of the interlocutor's message, to monitor conflict generators; reformulate the message with the exclusion of conflict generators, clarification of the content and meaning of the message. It is appropriate to ask different types of questions. Formulate questions clearly and simply. Formulate thoughts as valueless messages. Recognize non-verbal messages. Control your own non-verbal messages, convey them in compliance with the principle of neutrality and maintaining the balance of the parties.

### **3. Procedural competence includes (Module 1, day 3; Module 3, days 1-3):**

- ✓ Working with confidential information.
- ✓ Evaluation of the conflict mediability.
- ✓ Parties' involvement in mediation and maintaining their motivation to remain in the procedure.
- ✓ Conducting the mediation procedure.

**Knowledge of:** the concept of confidentiality. The concept and criteria of mediability of a conflict or dispute. Factors affecting decision-making. Resistance techniques. Principles of mediation. Rules of mediation. Stages of mediation and their tasks, forms of meetings, other components of the procedure.

**Understanding** the meaning and importance of privacy. Objective and subjective mediability criteria. Causes of resistance. The goals of the mediator's work with the opposition of the parties. The importance of observing the principles of voluntariness and self-determination of the parties. The importance of following the sequence of mediation stages, goals of various forms of meetings. Variability of mediation results. The role of the mediator, the parties, and other mediation participants. Principles of mediation. Objectives of establishing mediation rules.

**The ability to** pay attention to "sensitive" information in a timely manner, to find out the level of confidentiality of information for the parties, to observe confidentiality. Assess the mediability of the situation before and during mediation. Explain to the parties the essence, principles and rules, possibilities and consequences of mediation, roles and limits of responsibility of the participants in the procedure. Use resistance

techniques appropriate. Contribute to the development and evaluation of choice options. Organize and maintain a safe and comfortable space for constructive negotiations, ensure compliance with the principles and rules of mediation, the sequence of its stages. Manage the process and pace of negotiations. Assist the parties in considering solutions and alternatives to the negotiated agreement (BATNA/ WATNA, etc.).

#### **4. Reflective competence includes (Module 4, days 1-3):**

- ✓ Value-ethical competence
- ✓ Role competence
- ✓ Situational assessment
- ✓ Resourcefulness and safety of professional activity

**Knowledge of:** the Mediator's Values and Standards of Ethics, in particular the Code of Ethics of the Mediator by NAMU. Roles of the mediator in the mediation process. Patterns of communication and signs of its effectiveness, structure of mediation. Methods of checking the realism of the perception of the situation by mediation participants. Objective criteria for assessing the situation, agreements. Mechanisms of self-reflection, feedback, supervision, inspection.

**Understanding** the value and ethical foundations of mediation. The boundary between the mediator's competences and other professional competences (as a lawyer or legal counsel). The logic of structuring mediation as a whole and the purpose of each of its stages. The presence of factors that can affect the course of mediation, the implementation of agreements by the parties. The importance of self-reflection, feedback, supervision, interviews for professional development, prevention of professional burnout and professional deformation.

**The ability to** act in accordance with the mediator's values and ethics. Stay within the mediator's role during the mediation process. Monitor the actual situation in the mediation procedure, forecast its development, direct negotiations according to the stages of mediation. Apply methods of checking the realism of the perception of the situation by the mediation participants. Apply self-reflection, ask for and accept feedback, participate in interviews, undergo supervision, take care of professional development.

#### **5. Legal competence includes (Module 3, day 3):**

- ✓ Orientation in legislation on mediation
- ✓ Working with agreements in the mediation process

**Knowledge of:** the main regulatory provisions regarding the mediation procedure, regulation of the activity of the mediator. Provisions on the main agreements in mediation (agreement on conducting mediation, agreement on the results of mediation).



**Understanding** the legal basis of the interaction of the legal system and mediation, the responsibility of the mediator, the confidentiality of the mediation procedure. The legal essence of agreements in mediation.

**Ability to** find normative legal acts on mediation and obtain information from them. Comply with the law during mediation and registration of its results. Drawing up mediation agreements.