



**AMANI COMMUNITIES AFRICA**

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# **AMANI COMMUNITIES AFRICA**

## **IMI CMTP COURSE CONTENT**

	8.00 am -10.30 am		11.00am-1.00pm		2.00 pm - 5.30 pm
D A Y 1	<b>Commencement</b> ✓ Welcome ✓ Introductions ✓ Expectations ✓ Objectives ✓ Ground Norms ✓ Overview of Course <b>A blend of short lectures, a creative PowerPoint presentation, a personal assignment and plenary discussion.</b>	T E A B R E A K	<b>Background</b> ✓ Understanding Conflict ✓ Dispute Resolution Mechanisms (DRM) or ADR ✓ The Legal and Institutional Framework of mediation  <b>A blend of a short lecture, a creative PowerPoint presentation, a personal assignment, group work and a plenary discussion.</b>	L U N C H B R E A K	<b>Introduction to Mediation</b> ✓ Philosophy of mediation ✓ Overview of Process  <b>A blend of a short lecture, a creative PowerPoint presentation and a plenary discussion.</b> <b>An assignment (watch 2 mediation simulation videos and highlight the process ) is issued to help trainees revise day 1 and in preparation for day 2.</b>

D A Y 2	<b>Pre- Mediation Stage</b> ✓ Initiating the Process ✓ Agreement to Mediate A blend of a short lecture, creative PowerPoint presentation, group work, personal assignment, a plenary discussion and, <u>role plays that take up most of the time</u> to assess: <ol style="list-style-type: none"> <li>1. The participants understanding of mediation</li> <li>2. The ability of participants to carry out the two steps in the mediation process</li> </ol>		<b>Key Mediation Skills &amp; Techniques</b> <b>Setting off</b> ✓ Preparation & Set- up ✓ Ground Rules ✓ Opening statements ✓ Information Gathering A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and <u>role plays that take up most of the time</u> to assess: <ol style="list-style-type: none"> <li>1. The participants understanding of conflict and mediation</li> <li>2. The ability of participants to conduct the mediation process up to the information gathering stage</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol>		<b>Key Mediation Skills &amp; Techniques</b> <b>Intensifying the Process</b> ✓ Identifying Issues ✓ Negotiating Issues ✓ Problem-Solving A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and <u>role plays that take up most of the time</u> to assess: <ol style="list-style-type: none"> <li>1. The participants understanding of conflict and mediation</li> <li>2. The ability of participants to conduct the mediation process up to the problem solving stage</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol> <p>A practical assignment is issued to continue practicing the mediation process and a personal assignment to revisit the mediation skills and techniques in preparation for day 3.</p>
	✓ <b>Key Mediation Skills &amp; Techniques</b> A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and a lot of time spent in <u>role plays up to</u> to assess: <ol style="list-style-type: none"> <li>1. The participants understanding of conflict and mediation</li> <li>2. The ability of participants to conduct the mediation process up to the problem solving stage in different set-ups</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol>		<b>Closing the Process</b> ✓ Drawing the Mediation Settlement Agreement ✓ Closing ritual A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and <u>role plays that take up most of the time</u> to assess: <ol style="list-style-type: none"> <li>1. The participants understanding of conflict and mediation</li> <li>2. The ability of participants to conduct the mediation process up to the last stage in different set-ups</li> <li>3. The participants' understanding and drafting of the the Mediation Settlement Agreement</li> </ol>		<b>The Effective Mediator</b> ✓ Qualities ✓ Ethical & Professional Standards ✓ Self-care A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and <u>role plays that take up most of the time</u> to assess: <ol style="list-style-type: none"> <li>1. The participants understanding of conflict and mediation</li> <li>2. The ability of participants to conduct the full mediation process in different set-ups</li> <li>3. The participants' understanding of the qualities and standards of an effective mediator</li> </ol> <p>A practical assignment is issued to practice the full mediation process, practice self-care, identify your qualities and those you need to work on and a group assignment in preparation for day 4.</p>

	8.00 am -10.30 am	T E A B R E A K	11.00am-1.00pm	L U N C H B R E A K	2.00 pm - 5.30 pm
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D A Y 4	<p>Factors that hinder or foster effective mediation</p> <p>A blend of group work presentations from group assignment, plenary sessions and a lot of time spent in <u>role plays that take up most of the time</u> to assess:</p> <ol style="list-style-type: none"> <li>1. The ability of participants to conduct the full mediation process in different set-ups</li> <li>2. The manner in which the participants navigate the factors that hinder effective mediation</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol>		<p>Culture, Power, Gender, Age, Religion and Emotions dynamics in Mediation</p> <p>A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and a lot of time spent in <u>role plays that take up most of the time</u> to assess:</p> <ol style="list-style-type: none"> <li>1. The ability of participants to conduct the full mediation process in different set-ups</li> <li>2. The manner in which the participants navigate the various dynamics that play out in mediation.</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol>	<p>Advanced mediation settings Multiparty Diplomacy and Tact Consensus Building Online Mediation</p> <p>A blend of a short lecture, a creative PowerPoint presentation, a plenary discussion, group work and a lot of time spent <u>in role plays that take up most of the time</u> to assess:</p> <ol style="list-style-type: none"> <li>1. The ability of participants to conduct the full mediation process for advanced mediation settings</li> <li>2. The manner in which the participants navigate the various dynamics in mediation and factors that hinder effective mediation</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol> <p>A practical assignment is issued to practice the full mediation process and personal assignment to draft the Mediation Settlement Agreement for the advanced mediation settings role plays.</p>
D A Y 5	<p>Mediation practice areas and Trends in mediation Private Mediation Practice Court Annexed Mediation</p> <p>A blend of a short lecture, a creative PowerPoint presentation, group work, plenary sessions and role play to assess:</p> <ol style="list-style-type: none"> <li>1. The ability of participants to conduct the full mediation process for a private mediation and court annexed mediation.</li> <li>2. The manner in which the participants navigate the various dynamics that play out in mediation.</li> <li>3. The participants' understanding and applicability of the mediation skills and techniques</li> </ol>		<p>Post-training steps ( Including Setting up Mediation Practice, Mentorship &amp; Coaching), Continuous Professional Development &amp; Accreditation )</p> <p>A blend of a short lecture, a creative PowerPoint presentation, group work, a plenary session with at least 2 practicing and experienced certified mediators and a personal assignment to come up with one's plan after the training.</p>	<p><b>Closing</b></p> <ul style="list-style-type: none"> <li>✓ Evaluation</li> <li>✓ Final Remarks</li> <li>✓ Issuance of Certificate of completion</li> </ul> <p>A blend of personal evaluation(verbal and written), group evaluation and feedback, and a plenary session.</p> <p>A practical post-training assignment is issued to do a case study, conduct two full mediation simulations and draft a report as per the assignment guidelines.</p>

## COURSE CONTENT

The course will cover the following key topics:

### Module 1: About the Course

- ❖ Introduction to Course
- ❖ Course Objectives and Expectations
- ❖ Course Methodology

- ❖ Overview of the Program
- ❖ Training Activities
- ❖ Course Assessment

## **Module 2: Understanding Conflict**

- ❖ What is Conflict
- ❖ Causes of conflict
- ❖ Needs, Interests and Position
- ❖ Types of Conflict
- ❖ Dynamics of Conflict
- ❖ Responses to Conflict

## **Module 3: Dispute Resolution Mechanisms (DRM)**

- ❖ Definitions, parties involved and applicability ( Negotiation, Mediation, Conciliation, Facilitation, Arbitration, Adjudication, Litigation and Traditional Dispute Resolution Mechanisms and of all DRMs)
- ❖ The Dispute Resolution Mechanism (DRM) Continuum
- ❖ The Legal and Institutional Framework of Mediation

## **Module 4: Overview of Mediation**

- ❖ What is mediation
- ❖ Philosophy of Mediation
- ❖ Types of Mediation
- ❖ Nature of mediation
- ❖ Roles of a mediator, parties, legal counsels and other supporting parties

## **Module 5: The Mediation Process**

- ❖ Stage 1: Mediation Information and Assessment Meetings (MIAM)
- ❖ Stage 2: Room Setting
- ❖ Stage 3: Mediator Opening Statement
- ❖ Stage 4: Guidelines on Parties' Opening Statement
- ❖ Stage 5: Information Gathering
- ❖ Stage 6: Agenda Setting/ Characterization of Issues
- ❖ Stage 7: Problem Solving
- ❖ Stage 8: Reaching Settlement & Termination
- ❖ Stage 9: Debriefing

## **Module 6: Mediation Skills**

- ❖ People Skills
- ❖ Process Skills
- ❖ Problem Solving Skills

People Skills	Process Skills	Problem-solving
Active Listening	Summarising	Brainstorming
Relationship building	Clarifying	Negotiating
Speaking	Reframing	Partializing
Empathizing	Questioning	Prioritising
Mutualizing	Caucusing	Strategizing
Encouraging	Power balancing	Shuttling
Silence	Drafting	Reality checking
Normalising	Closing	Caucusing
Role reversal	Management skills	
Ignoring		
Emotional Intelligence		

### **Module 7: The Effective Mediator: Qualities of a Good Mediator and Self-care Practices**

- ❖ Values of a Good Mediator
- ❖ Qualities of a Good Mediator
- ❖ Attributes of a Good Mediator

### **Module 8: Ethical & Professional Standards of a Mediator**

- ❖ Ethical Standards of a Mediator
- ❖ Professional Standards of a Mediator

### **Module 9: Factors that hinder or foster effective mediation**

- ❖ Situation Factors
- ❖ Procedural Factors
- ❖ Interventional Factors
- ❖ Emotional Factors

## **Module 10: Culture, Power, Religion and Gender Dynamics in Mediation**

- ❖ Culture
- ❖ Power; Sources of Power
- ❖ Religion
- ❖ Gender
- ❖ Age
- ❖ Emotions

## **Module 11: Advanced mediation settings**

- ❖ Multi-Stakeholder Mediations
- ❖ Online Mediation
- ❖ Court Annexed Mediation

## **Module 12: Mediation practice areas and Trends in mediation**

- ❖ Private Mediation Practice
- ❖ Court Annexed Mediation

## **Module 13: Post-training steps**

- ❖ Setting up Mediation Practice
- ❖ Mentorship & Coaching
- ❖ Continuous Professional Development
- ❖ Plugging into a network
- ❖ Accreditation with the Kenya Judiciary

## **Module 13: Closing**

- ❖ Evaluation and Feedback
- ❖ Final Remarks
- ❖ Awarding of Certificate

