

Mediation – The most desirable practice of dispute resolution in the world!

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In this article, we will explore the unique advantages of mediation as a dispute resolution method. We'll outline a specific procedure designed to optimize these benefits, offering a model that can transform the way conflicts are resolved.

Introduction:

Frustration with the traditional litigation process has sparked a growing interest in alternative dispute resolution (ADR) mechanisms. Today, a rich variety of ADR options—including negotiation, mediation, conciliation, and arbitration—has emerged, each offering distinct advantages over conventional court proceedings.

Mediation made its debut in India through the introduction of Section 89 into the Civil Procedure Code of 1908, effective July 1, 2002, thanks to the CPC Amendment Act of 1999. This pivotal section allows cases pending in courts to be referred to various ADR methods such as:

- **Arbitration**
- **Conciliation**
- **Judicial settlement, including Lok Adalat**
- **Mediation**

The methods of arbitration and conciliation are further governed by the Arbitration and Conciliation Act of 1996. Moreover, the Supreme Court, in *Salem Advocate Bar Association v. Union of India* (2005), endorsed Model Civil Procedure Mediation Rules, instructing 25 high courts across the country to frame their own Mediation and Arbitration Rules.

Among these ADR methods, negotiation stands out as the most accessible technique. Its high level of confidentiality allows disputing parties to engage without outside interference, fostering an environment where differences can be addressed and resolved. The beauty of negotiation lies in its flexibility; even if it doesn't yield an immediate resolution, parties can easily pivot to other modes,

such as mediation—an assisted negotiation that retains a cooperative spirit.

But what Sets Mediation Apart?

While various ADR methods exist, mediation shines as particularly advantageous due to its informality, flexibility, and completely voluntary, non-binding nature. These characteristics make it not only a preferable alternative to litigation but often a more effective choice than other ADR methods.

What is mediation really?

So, what exactly is mediation?

Mediation is a structured process designed to facilitate communication and help resolve conflicts. An impartial third party, the mediator, guides the disputing parties toward a common understanding, promoting collaboration and negotiation. This approach, endorsed by the United Nations for educational and conflict resolution purposes, empowers the parties to craft their own solutions rather than having a decision imposed upon them by a court.

In essence, mediation allows parties to engage in a cooperative process that focuses on finding mutually acceptable resolutions, liberating them from the constraints of pre-existing legal frameworks. This empowers them to take charge of their disputes and work toward a resolution that truly meets their needs.

Mediation: A Timeless Tradition

Throughout history, mediation has been a cornerstone in humanity's quest for peace and justice. Long before legal systems or formal courts existed, people turned to mediation as a means to settle disputes. At its core, mediation involves one or more impartial third parties who assist the participants in negotiating a consensual and informed agreement.

Mediation can be defined as a confidential and facilitative process where a neutral mediator helps the parties navigate their differences. Unlike judges or arbitrators, mediators do not possess the authority to impose binding decisions. Instead, their role is to enhance communication, encourage focus on core issues, and generate options that align with each party's interests.

The essence of mediation lies in its ability to produce solutions that both parties can embrace, rather than handing down a verdict from a court. It relies on the voluntary cooperation and genuine participation of all involved. While a mediator cannot compel resolution, they can facilitate a pathway toward mutual agreement. If the parties reach an understanding, the resolution is documented in writing and signed by all.

As we delve deeper into the world of mediation, it becomes clear that this method is not just a way to settle disputes—it's a transformative process that fosters communication, understanding, and ultimately, resolution. So, let's explore how we can harness the power of mediation to redefine conflict resolution for the better.

The Heart of Mediation

At its core, mediation is a dynamic negotiation process enhanced by the guidance of a neutral third party. Unlike an arbitrator or judge, a mediator lacks the authority to impose a decision on the disputing parties. Instead, their primary role is to facilitate open communication, helping both sides focus on the real issues at hand and explore options that align with their individual interests and needs.

What truly sets mediation apart is its capacity to yield solutions that are mutually acceptable, steering clear of the one-size-fits-all verdicts often handed down in court. In this collaborative environment, both parties are encouraged to actively propose solutions to their conflict, fostering a sense of ownership over the outcome.

Mediation thrives on the principles of voluntary cooperation and genuine participation from all involved. While a mediator cannot compel the parties to resolve their differences, they can skillfully guide them toward a solution that works for everyone. Once an agreement is reached—whether it addresses all or just some of the issues at stake—it is documented in writing and signed by both parties, solidifying their commitment to the resolution.

Why Chartered Accountants Should Dive into Mediation

Chartered accountants have a unique opportunity to explore the field of mediation, and for good reason. Unlike judges or arbitrators, mediators do not impose decisions or pass judgment; their role is to facilitate a dialogue that leads parties to a mutually acceptable solution. This distinction makes mediation an attractive avenue for professionals who excel at navigating complex commercial disputes.

Successful mediators of commercial conflicts require a diverse skill set—strong listening abilities, collaborative skills, and hands-on experience in commercial problem-solving. Chartered accountants naturally embody these qualities. With their extensive backgrounds in analyzing financial issues and resolving conflicts, they bring a non-adversarial, analytical approach to the table.

Importantly, mediation doesn't demand rigid formalities; anyone with a sound mind can assist in resolving disputes. In India, where alternative dispute resolution (ADR) often occurs through court referrals or private arrangements, accreditation becomes essential for those wishing to join court and tribunal mediation panels. By completing the necessary training, chartered accountants can become certified dispute resolution providers, qualifying as mediators, conciliators, or arbitrators.

By venturing into mediation, chartered accountants can leverage their expertise in a new and impactful way, enriching their professional journey while helping others find effective resolutions to their disputes.

Scope for Mediation

There are about 3 crore cases pending with the Indian courts out of such 3 crore at least 30% are civil cases that has capacity to be resolved in amicable way. If each chartered accountant decides to explore the mediation fields there are at least 100 disputes available for them.

Time and again the judiciary has been pressing upon the mediation as a way out in resolving the pendency issues. And significant steps have taken towards it.

The Mediation Bill, 2023 was passed by both houses of Parliament and was signed into law by the President of India, making it the Mediation Act, 2023. The Mediation Act is intended to create a strong mediation system in India, and to promote mediation as an alternative to litigation.

It is aimed to:

- Make mediation more efficient and less expensive than litigation
- Reframe how people understand access to justice in India

About the enactment – the long await has ended!

The Mediation Act 2023 marks a significant advancement in the landscape of dispute resolution in India. Designed to streamline and formalize the mediation process, this legislation aims to enhance accessibility, efficiency, and effectiveness in resolving disputes outside of traditional litigation.

Key Features of the Mediation Act 2023

1. **Definition and Scope:** The Act provides a clear definition of mediation and outlines its applicability to various types of disputes, ensuring a broad reach across civil, commercial, and family matters.
2. **Mandatory Mediation:** In certain cases, the Act mandates mediation before parties can approach the courts. This aims to reduce the burden on the judicial system and encourage parties to resolve their issues amicably.

3. **Qualified Mediators:** The Act sets standards for mediator qualifications and accreditation, ensuring that only trained and competent professionals facilitate the mediation process. This enhances trust in the mediation system.
4. **Confidentiality:** A crucial feature of the Act is the emphasis on confidentiality. Any discussions or agreements made during mediation remain private, encouraging open communication between parties without fear of repercussions.
5. **Enforceability of Mediation Agreements:** The Act establishes that mediation agreements, once signed by the parties, are legally binding and enforceable in courts, giving them the same weight as court orders.
6. **Role of Technology:** Recognizing the importance of technology in modern dispute resolution, the Act promotes the use of digital platforms for conducting mediation sessions, making the process more accessible.
7. **Mediation Centers:** The Act encourages the establishment of mediation centers to facilitate sessions, providing a structured environment for resolving disputes and ensuring professional oversight.
8. **Training and Development:** It mandates training programs for mediators, fostering a culture of continuous improvement and skill enhancement within the field of mediation.

Impact and Implications

The Mediation Act 2023 is poised to transform dispute resolution in India by promoting a more amicable and efficient approach. By emphasizing mediation, it aims to:

- **Reduce Court Backlogs:** By diverting disputes to mediation, the Act seeks to alleviate the pressure on the judicial system.
- **Encourage Collaborative Solutions:** It fosters a culture where parties are incentivized to work together towards mutually beneficial outcomes.
- **Enhance Legal Certainty:** The enforceability of mediation agreements strengthens the legal framework around alternative dispute resolution.

The Mediation Act 2023 represents a progressive step toward modernizing dispute resolution in India. By prioritizing mediation, establishing clear guidelines, and promoting professional standards, it seeks to create a more efficient and amicable way for parties to resolve their conflicts. As stakeholders adapt to these changes, the future of mediation in India looks promising, offering a viable alternative to litigation for countless individuals and businesses.

The legislative framework of the act -

The Mediation Act, 2023, lays down the legislative framework for mediation to be adopted by disputing parties, especially institutional mediation where various stakeholders have been identified to establish a robust and efficacious mediation ecosystem in India. The key/main provisions of the Mediation Act, 2023, inter-alia, includes

- provisions relating to voluntary pre-litigation mediation in matters of civil or commercial dispute before parties approach a court or Tribunal;
- matters or disputes not fit for mediation, process of mediation to be completed within a maximum period of 180 days;
- procedure for appointment of mediator and conduct of mediation; functions of Mediation Service Providers and Mediation Institutes;
- Mediated Settlement Agreement resulting from mediation being final, binding and enforceable in accordance with the provisions of Code of Civil Procedure, 1908, in the same manner as if it were a judgment or decree of a Court;
- challenge to Mediated Settlement Agreement to lie on limited grounds of fraud, corruption, impersonation etc.;
- community mediation for reference of disputes with consent of parties which are likely to affect peace, harmony and tranquillity amongst the residents or families of any area or locality;
- online mediation; establishment of the Mediation Council of India and power to make rules and regulations inter-alia for conduct of mediation.

We have been mediator without knowing it:

We often come across to a situation where we at least for once have acted as a mediator.

- Situation 1: Imagine a situation where you are sitting in your office canteen having lunch with two of your colleagues who are couple and they start arguing over petty reasons so either you let them continue arguing or you try to make them help each other out.
- Situation 2: Another situation where your children are fighting over a TV remote and you instantly hand over your mobile to the elder child so that the other one can have the remote and watch cartoons as per his choice.
- Situation 3: You are heading to work and saw two people arguing over who pushed whom and liable to damage and you help them in letting go of such small things you just acted as a mediator.

Therefore every person in his life have performed the role of mediator at least for once bethat as a friend between quarrelling couple or parent between two arguing siblings, or a passerby solving arguments between two stranger on his way to office.

Community mediation:

Other than this it also talks about community mediation covered in part II. So Community mediation can be any dispute likely to affect peace, harmony and tranquility amongst the residents or families of any area or locality may be settled through community mediation. The persons listed below are eligible for the panel of mediator notified by authorities such as the State Legal Service Authority, District Legal Service Authority or Taluka Legal Service Authority, to resolve such mediation.

- (a) persons of standing and integrity who are respected in the community.
- (b) Any local person including a state awardee whose contribution to the society has been recognised by the State
- (c) Representative of area/resident welfare associations
- (d) Any other person deemed appropriate.

The famous Ayodhya dispute is a classic example of community mediation. It was the first time that court-monitored mediation was ordered by the five-judge constitution bench of the Supreme Court on the hope of permanent resolution of long standing dispute of about 500 year old.

The relevant sections in the Mediation Act, 2023 which specifically provide for Community Mediation are mentioned below:

Section 3 (b) "community mediator" means a mediator for the purposes of conduct of community mediation under Chapter X;

Chapter X of the Act deals with Community Mediation.

43. (1) Any dispute likely to affect peace, harmony and tranquillity amongst the residents or families of any area or locality may be settled through community mediation with prior mutual consent of the parties to the dispute.

(2) For the purposes of sub-section (1), any of the parties shall make an application before the

concerned Authority constituted under the Legal Services Authorities Act, 1987 or District Magistrate or Sub-Divisional Magistrate in areas where no such Authority has been constituted, for referring the dispute to mediation.

(3) In order to facilitate settlement of a dispute for which an application has been received under sub-section (2), the concerned Authority constituted under the Legal Services Authorities Act, 1987 or the District Magistrate or Sub-Divisional Magistrate, as the case may be, shall constitute panel of three community mediators.

(4) For the purposes of this section, the Authority or District Magistrate or the Sub-Divisional Magistrate, as the case may be, shall notify a permanent panel of community mediators, which may be revised from time to time.

(5) The following persons may be included in the panel referred to in sub-section (4)—

(a) person of standing and integrity who are respectable in the community; (b) any local person whose contribution to the society has been recognised; (c) representative of area or resident welfare associations;

(d) person having experience in the field of mediation; and

(e) any other person deemed appropriate.

(6) While making panel referred to in sub-section (4) the representation of women or any other class or category of persons may be considered.

44. (1) Any community mediation shall be conducted by the panel of three community mediators referred to in sub-section (3) of section 43 who shall devise suitable procedure for the purpose of resolving the dispute.

(2) The community mediators shall endeavour to resolve disputes through community mediation and provide assistance to parties for resolving disputes amicably.

(3) In every case where a settlement agreement is arrived at through community mediation under this Act, the same may be reduced into writing with the signature of the parties and authenticated by the community mediators, a copy of which be provided to the parties and in cases where no settlement agreement is arrived at, a non-settlement report may be submitted by the community mediators to the Authority or the District Magistrate or the Sub-Divisional Magistrate, as the case may be, and to the parties.

(4) Any settlement agreement arrived at under this Chapter shall be for the purpose of maintaining the peace, harmony and tranquillity amongst the residents or families of any area or locality but shall not be enforceable as a judgment or decree of a civil court.

(5) The provisions of section 20 shall, mutatis mutandis apply, in relation to the registration of mediated settlement agreement under this section.

Online mediation:

Giving due consideration to the present time the act also speaks about the provision of online mediation.

Section 30: Online mediation.

(1) Online mediation including pre-litigation mediation may be conducted at any stage of mediation under this Act, with the written consent of the parties including by the use of electronic form or computer networks but not limited to an encrypted electronic mail service, secure chat rooms or conferencing by video or audio mode or both.

(2) The process of online mediation shall be in such manner as may be specified.

(3) The conduct of online mediation shall be in the circumstances, which ensure that the essential elements of integrity of proceedings and confidentiality are maintained at all times and the mediator may take such appropriate steps in this regard as he deems fit.

(4) Subject to the other provisions of this Act, the mediation communications in the case of online mediation shall, ensure confidentiality of mediation.

Points to be consider for conduct of Online dispute resolution via mediation

The outbreak of covid19 that resulted in mandatory maintenance of social distancing age have necessitated the need of virtual professional, adapting to the new normal every professional forums worldwide have started virtual life of their respective profession/business.

At this juncture the ADR mechanism has certainly become the ODR – online dispute resolution. The ADR forums/platforms/institution has to follow certain protocol for online conduct of process.

Such in nutshell have provided as below:

- i. The facilitator may first contact both parties, and brief over the process of downloading/use of digital platform
- ii. Subsequently he must explain over the flow of session and discuss the issue arisen in matter very briefly
- iii. He may make available the concern parties of consenting letters stating the permission of conduct of online hearing and terms & conditions of the same
- iv. The facilitator may make available credentials of hearing such as meeting ID and password, and provide them to the parties or their authorized representatives
- v. A reminder must be send day before the conduct of process
- vi. As a precautionary measure the mediator may join the virtual meet in advance and facilitate assistance if any technical difficulties arise or cause to the parties
- vii. Before starting the process he must remind the parties of agreed terms and condition, flow of session and their rights in between the process
- viii. He must be available or provide breakout sessions whenever time needed to think upon or general break in the virtual meet.
- ix. A virtual white board may be created to brainstorm ideas when the phase of decision making is reached
- x. Once the process is concluded he may provide the parties the mutual agreement to sign through E-signature in case a final decision is reached

Interestingly the disputing parties are permitted to appoint more than one mediator so far the number is odd. Therefore in such cases of co-mediators the responsibilities of them in

virtual proceedings are certainly many. They must organize in a manner to establish a successful system of communication with each other and with the parties.

It is recommended that co-mediators:

- i. Should familiar with each other, or have previously worked with each other
- ii. They should have an understanding of strategy, vision in resolving the concerned disputes so that the collaboration would be easier and it would be easier to arrive at a conclusion.
- iii. It is requires that they must understand case in brief manner before proceeding to the session in respect of platform, by mail, telephone or video conference they are going to use
- iv. Facilitate the division of task between themselves and set strategy prior to session, harmony and cooperation is certainly very important in the process
- v. They must restrain the amount of confusion to the parties take steps in the manner
- vi. The absence of physical presence may create problem in flow of discussion as two person might try to speak at the same time, the collaborators must ensure that every person in the dispute may get their fair chance and must maintain discipline throughout the process

HOW TO ACE THE ROLE OF MEDIATOR?

As a neutral facilitator, the mediator is uniquely placed to assist with, or do, the following:

- a) Win the trust of all parties;
- b) Facilitate communication;
- c) Focus the parties on the problem;
- d) Overcome emotional blockages;
- e) Help one party to understand the other party's case;
- f) Probe each party's case for interests, positions, strengths and weaknesses;

- g) Help parties realistically assess their own cases;
- h) Suggest new avenues to explore;
- i) Overcome deadlock and help save face;
- j) Explore settlement proposals in depth;
- k) Assess realistically the chances of settlement; and
- l) Win approval for settlement proposals.
- m) check (and re-check) confidentiality;
- n) let the parties own the problem and the solution;
- o) resist imposing the mediator's own solution;
- p) be neutral and do not offer an opinion;
- q) be impartial and give equal value to everyone;
- r) avoid stereotyping;
- s) check own assumptions;
- t) always show respect;
- u) develop and demonstrate understanding;
- v) be open and honest (with oneself and with others); and
- w) be flexible.

Not all mediations proceed smoothly. Several factors, such as anger, position, plain misunderstanding or a simple miscommunication could lead to an impasse in the mediation. In this circumstance the mediator could apply before strategies for peaceful process:

1. Take a break from the mediation: Relaxing to reconsider a point sometimes leadsto fresh thinking on a problem.
2. Emphasise the areas of agreement: This enables the parties to see the commonalityof their interests and the futility of walking away from the table.

3. Use humour: Appropriate humour is always a good move for relaxation.
4. Explore settlement in incremental stages. If a partial agreement is feasible, harp on it.

5. Adjourn to another day.
6. Encourage the parties. Encouragement is a good motivator to further movement and action. The mediator should acknowledge whatever progress has been made, to reinforce it.
7. Change the focus of the mediation: If one topic bogs down the discussion, move to another issue and address the difficult one later
8. Use silence as a weapon: Silence is an unusual condition in a mediation. Someone may feel compelled to break it
9. Validate the parties' interests: When people feel validated in their own interests, they are more willing to listen to the interests of others.
10. Avoid generalisations.
11. Point out similarities.
12. Learn about the parties' culture/cultures.
13. Share your experiences.
14. Demonstrate familiarity.
15. Show a desire to learn.
16. Be open to individuality.
17. Practice active listening.
18. Stress the positive.
19. Figure out what is 'fair'.
20. Admit mistakes.
21. Do not trick or be overly greedy.
22. Be respectful of the parties.
23. Try to improve the deal after making it.
24. Recognise common goals.

25. Discuss difficulties/constraints.
26. Use a caucus. This allows the mediator to hold separate meetings with the parties.
27. Establish a personal rapport.
28. Disclose relevant information.

29. Be honest.
30. Find out what each party wants/needs.
31. Look for ways to add value.
32. Create options.
33. Prepare.
34. Have open communication.
35. Try to improve the relationship between or amongst the parties.

Legislation prescribing mediation for amicable solution:

Under the Commercial Courts Act, 2015 that provides chapter III-A which brought in by way of amendment act 2018 effective from 3rd May 2018 inserted a provision of “Pre- institution Mediation under section 12-A in the act

The provision makes it mandatory for a party to exhaust the remedy of mediation before initiating court proceedings under the Commercial Courts Act, with the limited exception of cases where urgent relief is being sought. It should be noted the Patent infringement disputes, being disputes of a commercial nature, are governed by the Commercial Courts Act and, therefore, the mandatory pre-institution mediation provision applies to such disputes.

The time bound mediation procedure envisaged in this provision allows a patentee to not only bring a possible infringer to the negotiation table under the threat of future litigation but also allow patentees to resolve disputes in a timely manner by avoiding long-drawn litigation in Indian courts.

The procedure to be followed in such mediation proceedings is set out in **the Commercial Courts (Pre-Institution Mediation and Settlement) Rules, 2018**

As per the Rules, the plaintiff must file an application with the State Legal Services Authority or the District Legal Services Authority constituted under the Legal Services Authorities Act, 1987 (“Authority”) to initiate mediation.

Once an application is received, the Authority will issue notice to the opposing party to appear within 10 days of receipt of notice and give consent to participate in the mediation proceedings.

The Rules provide for issuance of a final notice if the Authority does not receive a response within 10 days of the initial notice. If the opposing party fails to appear following the final notice or refuses to participate in the mediation proceedings, the Authority will treat the mediation process as a non-starter and prepare a report to that effect. If the opposing party agrees to participate, then the mediation process begins. Following negotiations and meetings with the mediator, if the parties arrive at a settlement, it will be recorded in a settlement agreement.

What is the difference b/w conciliation and mediation?

Conciliation	Mediation
<ul style="list-style-type: none"> • 'a non-binding arbitration' 	<ul style="list-style-type: none"> • 'assisted negotiation'
<ul style="list-style-type: none"> • involves a third party's trying to bring together disputing parties to help them to reconcile their differences, 	<ul style="list-style-type: none"> • goes further by allowing the third party to suggest terms on which the dispute might be resolved.
<ul style="list-style-type: none"> • role of the 'conciliator' in India is pro-active and interventionist 	<ul style="list-style-type: none"> • role of the 'mediator' must necessarily be restricted to that of a 'facilitator'.

The section 30 of the Arbitration and Conciliation Act 1996, which is in Part I, provides that an arbitral tribunal may try to have the dispute settled by use of 'mediation' or 'conciliation'. The provision is explained as below:

- Sub-section (1) of sec. 30 permits the arbitral tribunal to “use mediation, conciliation or other procedures”, for the purpose of reaching settlement.

Further the Civil Procedure Code (Amendment) Act, 1999 which introduced section 89, too speaks of ‘conciliation’ and ‘mediation’ as different concepts. Order 10 Rules 1A, 1B, 1C of the Code also go along with sec. 89.

Mediation – order of the day

Mediation has become an order the day. In a civilized nation, settlement of dispute via amicable way is always a priority. Interestingly, the mediation has a capacity to be such an amicable way of resolving dispute.

The solution given in mediation is not simply black and white or there is no clear winner or loser as there is no time to find out who is legally right or wrong. More emphasis is given on solving the dispute amicably with certain conditions put forth by parties. In other word there is win-win situation for both the parties to the dispute. It truly allows the parties to speak their mind and leaving everyone satisfied by the end.

Recommending few books on amicably resolving dispute resolution:

1. The Intelligent Negotiator – what to say, what to do, and How to get what you want – Every time – by Charles Craver
2. Negotiation Genius –By Deepak Malhotra and Max Bazerman
3. Win – Win Negotiations – Developing the mindset, skills and behaviours of Win-win Negotiators –By David Goldwich
4. Negotiations with Assymetrical Distribution of Power –By klaus winkler
5. Getting past no –by William Ury
6. Getting to YES – Negotiating agreement without giving in –by Roger Fisher and William Ury
7. Brilliant negotiations – what the best negotiators know, do and say –by Nic peeling

Professional Services in the Area of Mediation

The field of mediation offers a wide array of professional services designed to facilitate conflict resolution and foster effective communication between parties. Here's a breakdown of key services that professionals can provide in this area:

1. Mediation Services

- Facilitative Mediation: Acting as a neutral third party to help disputing parties communicate effectively and reach a mutually agreeable solution.
- Evaluative Mediation: Providing assessments of the merits of each party's case and offering guidance on potential outcomes to encourage settlement.
- Transformative Mediation: Focusing on empowering the parties and improving their relationship through understanding and mutual recognition.

2. Training and Certification

- Mediator Training Programs: Offering courses that teach the skills and techniques necessary to become an effective mediator, including conflict resolution strategies and communication skills.

- Specialized Workshops: Conducting workshops on specific topics such as family mediation, commercial mediation, or cross-cultural mediation.
- Certification and Accreditation: Providing pathways for mediators to become certified, enhancing their credibility and professional standing.

3. Consultation Services

- Pre-Mediation Consultation: Advising parties on the mediation process, what to expect, and how to prepare for a successful session.
- Conflict Assessment: Evaluating the nature and dynamics of the conflict to tailor the mediation approach accordingly.
- Post-Mediation Follow-Up: Assisting parties in implementing agreements and addressing any lingering issues after mediation.

4. Organizational Mediation Services

- Workplace Mediation: Helping resolve conflicts within organizations, enhancing workplace harmony, and improving employee relationships.
- Team Mediation: Facilitating discussions among team members to address group conflicts and enhance collaboration.
- Policy Development: Assisting organizations in creating mediation policies and procedures to integrate mediation into their conflict resolution strategies.

5. Online Mediation Services

- Virtual Mediation Sessions: Offering mediation services through online platforms, making the process more accessible and flexible for parties.
- Digital Tools and Resources: Providing technology solutions that support online mediation, including document sharing and communication tools.

6. Legal Support Services

- Legal Advice and Representation: Offering legal insights on the mediation process and helping parties understand their rights and obligations.
- Drafting Agreements: Assisting in the creation of formal mediation agreements that outline the terms and conditions agreed upon during mediation.

7. Community Mediation Services

- Public Awareness Campaigns: Promoting the benefits of mediation within communities to encourage the use of alternative dispute resolution.
- Community Mediation Programs: Establishing programs that provide mediation services

for neighborhood disputes, family conflicts, and local issues.

The array of professional services in the mediation field underscores its versatility and effectiveness as a dispute resolution mechanism. By offering tailored support—ranging from facilitative mediation to training and organizational consultation—professionals can help individuals and organizations navigate conflicts more effectively, fostering healthier relationships and promoting collaborative solutions.

Mediation certainly provides you the accessible, affordable, quick, confidential and flexible solution allowing you to get back to your business sooner. The greatest advantage that it brings on the table is allowing the disputing parties to work cooperatively.

WEBSITES

1. ODRways (Online Mediation) - <http://odrways.com>
2. Mediate India - www.mediation.com
3. Indian Institute of Arbitration and Mediation - www.arbitrationindia.com
4. Camp Mediation - www.campmediation.in
5. ASSOCHAM International Council of Alternate Dispute Resolution (AICDR) - www.assochem.org
6. Bangalore International Mediation, Arbitration and Conciliation Centre (BIMACC) - www.bimacc.org
7. Centre for Advanced Mediation Practice - www.ciac.in

8. Delhi Dispute Resolution Society (DDRS) Department Law Justice & LA
Government of Delhi -
http://delhi.gov.in/wps/wcm/connect/doiit_ddrs/DELHI+DISPUTES+RESOLUTION+SOCIETY/Home
9. International centre for Alternate Dispute Resolution (ICADR) - <http://icadr.nic.in>
10. ODRways (Online Mediation) - <http://odrways.com>
11. Online Consumer Mediation Centre - <http://onlinemediationcenter.ac.in>
12. Algeria Centre de conciliation et d'arbitrage de la Chambre algerienne decommerce et d'industrie Contact: cabinetharoun@yahoo.f
13. Australia Australian Centre for International Commercial Arbitration (ACICA),
Website: www.acica.org.au
14. Australian Commercial Disputes Centre (ACDC) Website: www.acdcltd.com.au
15. Institute of Arbitrators & Mediators Australia (IAMA) Website: www.iama.org.au
16. LEADR Association of Dispute Resolvers Website: www.leadr.com.au
17. Austria Anwaltliche Vereinigung fur Mediation und cooperatives Verhandeln(AVM)
Website: www.avm.co.at
18. Argentina Comision de Arbitraje, Camara Argentina de Comercio,
www.cac.com.ar
19. Bahrain Bahrain Chamber for Dispute Resolution (BCDR) Website: www.bcdr-aaa.org
20. Belgium Brussels Business Mediation Center (BBMC) Website: www.bbmc-mediation.be
21. Cepani Belgian Centre for Mediation and Arbitration Website: www.cepani.be
22. Chambre d'arbitrage et de Mediation, Website: www.arbitrage-mediation.be
23. Benin Centre d'Arbitrage de Mediation et de Conciliation du Benin
24. Brazil Camera de Arbitragem Empressarial, Website: www.camarb.com.br
25. IBRAMAC, Recife, Website: www.ibramac.org

26. Burkina Faso Centre d'Arbitrage, de Mediation et de Conciliation de Ouagadougou de la Chambre de Commerce, d'Industrie et d'Artisanat, Website: djibobintou@yahoo.fr
27. Canada ADR Chambers, Website: www.adrchambers.com
28. ADR Institute of Canada, Website: www.adrcanada.ca
29. Canadian Commercial Arbitration Centre (CCAC), Website: www.ccac-adr.org
30. Cameroon Association pour la promotion de l'arbitrage en Afrique (APAA), www.apa-afrique.org
31. Chile Arbitration and Mediation Center of the Chilean-American Chamber of Commerce, Website: www.amchamchile.cl
32. Santiago Chamber of Commerce, Website: www.camsantiago.com
33. China Beijing Arbitration Commission, Website: www.bjac.org.cn
34. China Council for Promotion of International Commerce (CCPIT)
35. China International Economic and Trade Commission (CIETAC), Website: www.cietac.org
36. Shanghai Commercial Mediation Centre, Website: www.scmc.org.cn
37. Colombia Centro de Arbitraje y Conciliacion Camara de Comercio de Bogata, Website: www.ccb.org.co
39. Congo Centre national d'arbitrage, de conciliation et de mediation (CENACOM), Website: cenacomdr@yahoo.fr
40. Croatia Croatian Chamber of Trade and Crafts, Suzana.Kolesar@hok.hr
41. Croatian Mediation Association and Mediation Centre, Website: humanrights.uconn.edu
42. Cyprus Cyprus Mediation Association, Website: www.cymedas.com
43. Cyprus Arbitration & Mediation Centre, Website: www.cyprusarbitration.com.cy
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96. Amsterdam ADR Instituut, www.adrinstituut.nl
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101. Regional Centre for International Commercial Arbitration, Website: www.rcicalagos.org
102. Northern Ireland Mediation Northern Ireland, Website: www.mediationnorthernireland.org
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105. Philippines Philippine Mediation Center (PMC), Website: www.pmc.org.ph
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www.dubaichamber.com

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