IUL School of Social Sciences
Department of Social and Organizational Psychology

Intercultural Competence in Conflict Mediation: A mixed-methods approach on training design and outcome assessment

Nuno Vladimiro Pereira Ramos

Thesis submitted in partial fulfillment of the requirements for the degree of
Doctor in Psychology
Specialty in Social Psychology

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Resumo

O papel da diversidade cultural tem sido recentemente considerado como potencialmente desafiador do processo de mediação de conflitos. O campo reconheceu a necessidade de práticas culturalmente sensíveis, no entanto, a directrizes e avaliação de impacto da formação em competência intercultural são escassas. Assim, implementámos uma metodologia Delphi (estudo 1) recorrendo a um painel de especialistas em mediação para reunir uma proposta consensual sobre critérios de competência intercultural. Os resultados sugerem não apenas uma estratificação dos resultados do treino intercultural dentro da dimensão de consciência, conhecimento e competências práticas, mas também uma progressão em vários estadios de desenvolvimento. A partir dessas diretrizes, planeámos e implementámos um breve programa de treino intercultural para mediadores, seguindo uma abordagem de métodos mistos num desenho sequencial explicativo para avaliar o impacto do treino (estudo 3 e 4). São apresentadas evidências que o treino intercultural foi eficaz em melhorar a competência cultural percebida dos mediadores do conflito, e promoveu mudanças na conceptualização de casos. As medidas de auto-relato (estudo 1) revelaram uma maior percepção da competência intercultural global, particularmente em fatores relacionados à percepção do mediador sobre seus próprios valores e preconceitos, e estratégias de intervenção culturalmente apropriadas. A análise temática de caso-vinheta também revelou diferenças qualitativas em tópicos como caracterização de conflitos, estratégias de mediador sugeridas, características facilitadoras / obstrutivas de caso/mediador e necessidades de supervisão. Diversos argumentos são discutidos para a necessidade de infundir questões culturais nos currículos de treino de mediadores, e a adaptação das práticas aos desafios da diversidade cultural.

Palavras-chave: Mediação, Cultura, Competência Intercultural, Desenho de formação, Avaliação da Formação

PsycINFO Codes:
2900 Social Processes & Social Issues
2930 Culture & Ethnology
3410 Professional Education & Training
3450 Professional Ethics & Standards & Liability
3530 Curriculum & Programs & Teaching Methods
4250 Mediation & Conflict Resolution

Abstract

The role of cultural diversity has been recently considered as it potentially challenges the process of conflict mediation. The field have acknowledged the need to culturally sensitive practices, however, guidelines and impact assessment of intercultural competence training is scarce. Hence, we implemented a Delphi methodology (study 1) resorting to a panel of mediation experts to gather a consensual proposal on intercultural competence criteria. The results suggest not only a stratification of intercultural training outcomes within awareness, knowledge, and skills dimension, but also an embedded progression across developmental stages. From these guidelines, we planned and implemented a brief intercultural training program to mediators, following a mixed methods approach in a sequential explanatory design to assess training impact (study 3 and 4). Evidence is presented that intercultural training was effective in improving conflict mediators' perceived cultural competence and promoting changes in case conceptualization. The self-report measures (study 2) revealed an increased post-test perception of global intercultural competence, and particularly within factors related to the mediator awareness about their own values and prejudices, and perceived skills for culturally appropriate intervention strategies. The case-vignette thematic analysis also revealed qualitative differences in topics such as conflict characterization, suggested mediator strategies, case and mediator facilitative/hindering characteristics, and supervision needs. Several arguments are discussed for the need to infuse cultural issues in mediation training curricula and to adapt practices to cultural diversity challenges.

Keywords: Mediation, Culture, Intercultural competence, Training Development, Training Assessment

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Chapter 1. General introduction

This thesis is devoted to the exploration of how a context of cultural diversity challenges the interventions of conflict mediators and how they can become more competent in such processes. When considering a theoretical introduction on the problem of intercultural competence in the mediation of conflicts we feel that a reflection on the different associated themes is necessary.

In the first place, we will define the identity of mediation and its ethical foundations. After explaining these fundamentals that are transversal to the function of the mediator, we will illustrate the applicability of this instrument in its multiplicity of contexts, as well as the benefits revealed by this process of conflict resolution that represent a different paradigm in the panorama of justice.

After placing these aspects that give a standardized view of mediation, it will be essential to examine the details that make up their diversity, both in theoretical terms, as well as their different techniques and intervention strategies. In deconstructing these theoretical-practical foundations, we will discuss the academic debate about their universal ethical assumptions, in particular how the various models of intervention are based on different ontological assumptions about conflict, and different epistemological perspectives in the construction of knowledge in mediation.

To the outline of this "culture of mediation" we will then add to the debate what we refer to when we address the concept of culture. Being a complex and multidimensional construct, it is imperative to define it in its various cultural factors and dimensions. In this section we intend to characterize the context of cultural diversity, and more specifically, the migratory processes and its dynamics.

With this awareness of the diversity of individual and cultural aspects we will discuss how they can challenge the unique identity of mediation, its ethical foundations, and the various intervention guidelines.

We will then turn to what literature has illustrated about competence in the context of individual and cultural diversity, with the purpose of designing a structure for the organization of good practices of mediation. We will discuss the concepts and models of cultural competence, both from a perspective of the education and communication sciences, and from the perspectives of psychology, counseling and mental health models. We will also reflect on the potential of training cultural competence, the different typologies of training design, and methods for evaluating the effectiveness of training programs.

Mediation

The concept and ethics of mediation

Although traditional mediators have existed throughout history as community elders, the development of formal mediation has its roots in the last half of the 20th century (Alexander, 2008; Menkel-Meadow, 2014; Moore, 2014) Since then, a large and pluridisciplinary body of scholars and praticioners has developed empirical research in in the fields of Psychology, Sociology, Anthropology, Law, Political Science and other disciplines relating to the broad field of conflict resolution, providing extensive and diverse conceptual theories and a framework for intervention, promoting mediation as a social institution (Bush & Folger, 2005; Carnevale & Pruitt, 1992; Coleman et al., 2015; Della Noce, Bush, & Folger, 2002; R. Fisher, Ury, & Patton, 2011; Kressel, 2006, 2007; Kressel & Pruitt, 1989; Mcgillicuddy, Welton, & Pruitt, 1987; Menkel-Meadow, 2013, 2012; Pruitt, Peirce, McGillicuddy, Welton, & Castrianno, 1993a; J. A. Wall, 1981; J. A. Wall & Dunne, 2012; J. A. Wall & Lynn, 1993; J. A. Wall, Stark, & Standifer, 2001; Welton & Pruitt, 1987; Winslade & Monk, 2008)

From the inumerous definitions of what is mediation, we start by drawing on Noce, Bush and Folger for their general definition of mediation "as social process in which a third party helps people in conflict understand their situation and decide for themselves what, if anything, to do about it" (Della Noce et al., 2002). In this simple characterization, there are implicit principles that define the identity of this process. The most prominent issue in this description relates to the decision-making power. In fact, this third party, the mediator, claims to himself the capacity to facilitate the understanding of the conflict, but surrenders to the parties the full responsibility for the decisions to solve it. Many authors have abridged that one of the main tasks of the mediator is to help parties engage in a collaborative work towards a solution or agreement that is mutually satisfactory, without imposing any solutions or decisions (Byrne & Senehi, 2009; Della Noce et al., 2002; Kressel, 2006, 2014; Pruitt & Kressel, 1985; J. A. Wall & Dunne, 2012; J. A. Wall & Lynn, 1993; J. A. Wall et al., 2001). Hence the mediator's authority lies within controling the process, while the parties have full authorship on either the matters they bring, as over the solutions they achieve (Kressel, 2014). The attribution of power to the parties begins early in the process with the statement that the initiation of procedures necessarily results from the verification of the willingness of both parties to join the mediation. Actually, informed consent is a cornerstone for the

assumption of the will and self-determination of the parties (Shapira, 2016). The abstention of power by the mediator extends throughout the process. Not only it is assumed that only parties can determine what constitute the contents of their conflict or dispute, as the mediators must withdraw from suggesting solutions, influencing or coercing either party in accepting a particular agreement (Cobb & Rifkin, 1991; Gibson, 1999; Shapira, 2016).

Despite the diverse models, methods, techniques and styles that a mediators apply in assisting parties to a collaborative work (Della Noce, 2009; Herrman, Hollett, Eaker, & Gale, 2003; Kolb, 1985; Kressel, 2007, 2012; Kressel, Henderson, Reich, & Cohen, 2012; McDermott, 2012; Riskin, 1996; J. A. Wall & Dunne, 2012) there are shared professional ethics in these processes and common descriptive definitions (Shapira, 2016).

The good practice of mediation calls professionals to aspire to a position of neutrality, equidistance and impartiality between the parties, and within each process (Shapira, 2016, 2016). Although they appear seemingly as synonyms, and are many times used interchangeably, some authors have clarified that equidistance and impartiality are the necessary conditions to achieve neutrality (Mayer, 2004; Poitras & Raines, 2012; Rifkin, Millen, & Cobb, 1991; Wing, 2009). Hence, mediators assume that, to seek neutrality and fairness on the process, they should refrain from their own biases by suspending judgment (impartiality), and actively promote a symmetrical interaction with both parties as to giving them equal time to express their views (equidistance) (Rifkin et al., 1991). Wing (2009) also states that "impartiality is the condition in which a mediator is not taking sides regarding the topic under dispute or the content of any potential agreement, and equidistance is the condition of being equally removed from and remaining unbiased toward each party" (Wing, 2009, p. 390). Provided the definitions of impartiality and equidistance, these principles have been contested as to the real possibility of controling our personal biases, and also to the paradox they present when discussed under the differences on equality and equity (Mayer, 2004; Poitras & Raines, 2012; Rifkin et al., 1991; Wing, 2009). We will develop more on personal biases, equality and fairness further ahead in a section related to the cultural challenges to the mediation.

The foundations of mediation rely on the dialogue of the mediator aspiring principles for neutrality, impartiality, equidistance, and the protection of the confidenciality rule (Menkel-Meadow, Love, & Schneider, 2013; Moore, 2014; Shapira, 2016). Such a framework legitimizes the mediator role, and promotes the parties' trust over the process. The parties thus enter voluntarly in a process for which the basic procedures are previously explained. The diverse methods of intervention are designed to give them time to explore

their diverse and subjective interests, where the mediator is dedicated in balancing power between parties to promote collaboration towards a mutually satisfactory solution, from which he or she "remain uninvested in the outcome" (Oberman, 2005, p. 802). From warranting power and control on decision-making to the disputants, the mediator fulfills parties' self-determination and autonomy, asserting his or her distance as a neutral and fair third. The promisse of confidenciality is also paramount to enable information sharing between parties which is vital to the success of the process, promoting a trustworthy relationship between all participants and a safe atmosphere (Moore, 2014; Shapira, 2016).
Waldman (2011) summarizes these principles under three essential values that relate to the parties, the process, and the outcome. Mediators are to respect the disputant autonomy in making their decisions free of coercion and constraint. The process of mediation should respect the principles of procedural fairness, seeking to "facilitate a good-enough outcome—one that promotes party autonomy while satisfying minimal notions of fairness and equity." (Waldman, 2011, p. 6). In fact, research has shown that process fairness depends on how disputants perceive a neutral third party actions to be honest, consistent, unbiased, open to their voice and self-interest, promotes equal communication, and allow them control of what constitutes the basis for resolving their conflict (Brett, Barsness, & Goldberg, 1996; Kressel & Pruitt, 1989; Pruitt et al., 1993a; D. Shapiro, Drieghe, & Brett, 1985; D. L. Shapiro & Brett, 1993; Tyler, 1987)

These shared ethical principles may be found throughout the extensive literature on mediation, describing its philosophy and morality (Gibson, 1999; Shapira, 2016; Waldman, 2011), theory and common practices (Boulle & Nesic, 2010; Lande, 2000; J. A. Wall & Dunne, 2012; J. A. Wall & Kressel, 2012; J. A. Wall, Stark, & Standifer, 2001a; Wilson, 2010; Zariski, 2010), as in the formal codes of conduct for mediators (Bishop, 1984; Cooks & Hale, 1994; Menkel-Meadow, 2014; Shapira, 2016; Taylor, 1997a; Wilson, 2010), national and international laws (Esplugues & Marquis, 2015; Michel Wieviorka, Buono, Poli, & Tietze, 2002).

The discourse of the identity of mediation is described within these ethical assumptions to establish a deontological practice of the mediator, its consequent professionalization, and the quality and integrity of the process (Shapira, 2016). Regarding the recognition of mediation as a profession, Shapira (2016) sustains such affirmation referring that the field has "special knowledge and skills, autonomy of conduct, commitment to the public, organizational affiliation, and a code of ethics" (Shapira, 2016, p. 6). Inumerous codes of conduct have been provided from diverse professional organizations, ONG's, and public

institutions (e.g. American Arbitration Association, American Bar Association's Section of Dispute Resolution, & Association for Conflict Resolution, 2005; European Comission, 2004; Federação Nacional de Mediação de Conflitos, 2016; International Mediation Institute, n.d.). Associated to legal developments for the institutionalization and regulation of mediation (Esplugues & Marquis, 2015; Michel Wieviorka et al., 2002), these codes of conduct were designed to develop quality standards of the process, and promote the public trust in mediation as an appropriate and recognized mean for resolving disputes.

These standards of professional conduct have diverse levels of specificity and clarity over principles or rules. Walker (1988) signals that if some principles are more objective and definable (e.g. confidentiality, cost, informed consent), others address less substantial dimensions and subjective interpretation (e.g. neutrality, impartiality, and fairness). The case for mediator neutrality has been extensively debated, as theoretical and pratical literature has critically demonstrated (Bailey, 2014; Cohen, Dattner, & Luxenburg, 1999; Dyck, 2010; Field, 2000; Garcia, Vise, & Whitaker, 2003; Gibson, Thompson, & Bazerman, 1996; Izumi, 2010; Mayer, 2004; Rifkin et al., 1991; Taylor, 1997a; Waldman, 2011; Wing, 2009). There are some inconsistencies between them but also within the codes individually (Waldman, 2011). Also some authors have questioned that context of conflict intervention (civil, comercial, family, restaurative practices, intercultural conflicts) requires the readjustment of certain specificities and recomendations. Nonetheless, the essential value for these models of conduct lies on what obligations, permissions and aspirations help practitioners reflect when facing the daily practice dilemas. Although the comunity has come to a consensus to certain principles, it is necessary to integrate theoretical and critical thinking on designing such models of conduct. Shapira's book *A Theory Of Mediators' Ethics* (2016) is one of the most recent comprehensive works that does so, rendering one of the most balanced proposals for a model code of conduct for mediators (Shapira, 2016).

Actually, mediation ethics have been one of the major concerns when teaching mediators to achieve their expected competence within a new role (Shapira, 2016). Walker (1988) recommended that "mediation training must devote a substantial amount of time and careful instruction to ethical concerns" (Walker, 1988, p. 38). However, to help mediators' instruction and contribute to solving dilemas presented throughout practice, the development of skills in mediation must abide to continuous training, reflective practice and supervision (Hardy, 2009; Lang & Taylor, 2000; Raines, Hedeen, & Barton, 2010b).

The enumeration of these principles has its purpose of demarcating mediation from institutionalized and traditional justice systems channels, as well as other dispute resolution

process, such as conciliation, arbitration, and other hybrid solutions (Menkel-Meadow et al., 2013). This essential discourse is frequent between the mediators and the institutions that promote mediation, for which the delimitation of the profession is made in opposition. It fulfills the purpose of promoting a new procedure, attached to explanations over a set of advantages that could seduce potential parties in adhering to this methodology of dispute resolution.

Benefits and contexts of mediation

There is great diversity of factors that motivates people when choosing a dispute resolution procedure. However, if we consider costs or satisfation with outcome and process fairness, mediation is advocated as a winner in certain contexts. In fact, even compared with arbitration, mediation is less expensive, quicker, and more satisfactory (Brett et al., 1996). Research and mediation advocates have been sustaining its low costs and quick resolution as reasons for choosing mediation, being one of the more appropriate dispute resolution processes when disputants are motivated towards the maintenance of the parties' relationships and needs of privacy (Charkoudian, 2005; Gale, Mowery, Herrman, & Hollett, 2002; Kovach, 1997; Kressel, 2014; Menkel-Meadow, 2016; Poitras & Le Tareau, 2009; Shaw, 2010a; J. A. Wall & Dunne, 2012). Many of the arguments that focus on cost reduction are expressed in more than financial matters. In fact, mediation processes have much lower financial and time burdens to all parties involved when compared to different dispute resolution alternatives (Brett et al., 1996), even if several mediation sessions are considered (De Palo et al., 2014). In addition to the costs on the fees of the experts involved, time of the procedure, there are indirect costs whose measurement is not always taken into account. The adversarial paradigm implies increased personal costs of conflict escalation and a lack of voice from disputants that have impact on their satisfaction with the process. One comon problem of litigation, particularly when parties feel they have lost in an unfair process, is the impact on the outomes. The possibility of agreements obtained by the judicial process, because third parties impose them, lead to non-compliance and restart the entire judicial process. As Kressel (2014) condenses, client satisfaction, settlement rates, and compliance are among the benefits of mediation. In fact, compliance to settlements from mediation process has proven its long term success (Pruitt, Peirce, McGillicuddy, Welton, & Castrianno, 1993b; J. A. Wall & Dunne, 2012). This adherence to the outcomes relates to the parties' responsabilization process following their active participation and empowerment in their conflict resolution

(Menkel-Meadow, 2014). Thus settlements sucess is related to the circumstance that the solutions are not imposed by external authorities (Kressel, 2014). Menkel-Meadow (2014) has summarizes many of the features for the outcome success based on the informality of the mediation process. In fact mediation allows for solutions that are tailored to the individual interests where there is opportunity to include outcomes that are not rights and claims of law. As positive impact on participants satisfaction with the outcomes are also the inclusion of apologies, the restoration of relationship, or the creativity for other forms of compensations not related to financial arguments (Menkel-Meadow, 2014).

In its essence, mediation is aquiring an aura as a successful procedure in solving disputes because of its efficiency (reduced time and low costs) and eficacy (the achievement of good outcomes). Hence mediation has developed in a number of interventions contexts, whose practice varies according its target (dyades, groups, or multiparties), focus and level of intervention (Moore, 2014). Although we do not intend to list every context (for a extended review see Moore, 2014) we present the major areas of development of theory, intervention, and research:

- Family (Beck & Sales, 2001; Benjamin & Irving, 1995; Emery et al., 2001; Kelly, 2004; Parkinson, 2005, 2014; Saposnek, 2004; Severino, 2012; Shaw, 2010b; Taylor, 1997b);
- Commercial (Esplugues & Marquis, 2015)
- Civil and Court-connected mediation (Lande, 2004; Lorig Charkoudian, 2016a, 2016b, Wissler, 2001, 2004)
- Business and organizations (Bingham, 2012; Poitras, Hill, Hamel, & Pelletier, 2015; Wiseman & Poitras, 2002)
- Education and school peers (Burrell, Zirbel, & Allen, 2003; Cook & Boes, 2013; McWilliam, 2010)
- Community (Alberts, Heisterkamp, & McPhee, 2005; Charkoudian, 2010; Charkoudian & Bilick, 2015; Lorig Charkoudian, 2016a; Mackay & Brown, 1999; Neves, 2009);
- Environmental (Dukes, 2004; Emerson, O'Leary, & Bingham, 2004)

In a recent review of the literature on mediation research, Wall and Dunne (2012) have illustrated the applicability of this instrument to various types of conflicts in the United States. The authors organized a description of the contexts according to the negotiating capacity of the parties and the likelihood of maintaining the relationship. Thus, considering

that the parties may be more likely to interact in the future, and where there is an expectation that the parties will have a greater negotiating capacity, the authors refer to the contexts of international, industrial negotiations, between and within organizations, or in relations between workers' associations and business management. As contexts where parties have less conflict resolution skills, Wall and Dunne (2012) cite examples of studies where mediation has been applied in conflicts in labor relations between workers and employers, between community members, within police boards, in the educational context and among school peers. The field of family mediation, particulary within divorce has also been studied, either if there are children involved or not, which dictate the probability of maintenance of future relationship. In fact, mediation has been advocated as more appropriate for contexts where the maintenance of the parties' relationship is expected. However, Wall and Dunne (2012) mention research on the success of mediation in other contexts and issues such as civil courts (e. contracts, medical malpractice, insurance), debt negotiation, or between exchanges IRS–taxpayer or victim–offender.

The growth and spread of mediation has addressed its potential for conflict resolution in a variety of disputes that was dominated by judicial and adversarial solutions. Mediation is challenging the tradicional ways of justice with its innovative movement also needing to become institutionalized as to be sanctioned by courts and government agencies to be accepted by society (Mayer, 2004). Underlying this institutionalization is a political framework seeking to cost reduction, and the need for a justice of proximity to address the individual needs of the people, due to the disappointment of traditional justice systems (Menkel-Meadow, 2014). As Kressel (2014) points out, the mediation field helds the burden of prof on its merits, hence it is not surprising the amount of research done in process evaluation and outcome assessment.

Diversity within mediation theory, practice and research

Above we have defined mediation based on ethical grounds and codes of conduct. However, despite those values underlying its identity, some have referred this discourse as basis for a mediation mythology (Field, 2000) that serve the purpose of an ideological banner to change the paradigm on justice and conflict (Mayer, 2004).

In fact, to what is postulated what should be a mediation process, it is not always clear how the process runs. The debate within the mediation community is very diverse on which methodologies should be used to improve communication between the parties to resolve or

transform the conflict (Della Noce, 2012). Mediation has been developed on the basis of several theoretical backgrounds, and mediators practices also vary across its intervention contexts (e.g. small claims, family, neighbourhood, business, organization, etc.) (J. A. Wall & Dunne, 2012). It is inevitable that choice of methods is influenced by these factors, but also by the many academics and leading practicioners that are promoting its development and training (Menkel-Meadow, 2013). Hence, the diversity in the mediation field is expressed through its extended theoretical and model fragmentation, following the pluralism of academic background of its researchers and practitioners (Boulle & Nesic, 2010; Coleman et al., 2015; Kressel, 2014; Lande, 2000; J. A. Wall & Dunne, 2012; J. A. Wall & Kressel, 2012; J. A. Wall et al., 2001a; Wilson, 2010; Zariski, 2010).

With the growth of the mediation field, different models of mediation emerged, with different ontological and epistemological positions. What some have called "schools of thought" in mediation had risen from the debate between the various ways of understanding conflict, the different strategies and techniques to address its resolution, which inevitably have their respective paradigm where these principles are anchored. Positioning each theory within a paradigm reveals its deeply held views about how the world works in its essence (ontological understanding), and how knowledge is developed (epistemological assumptions) (M. J. Gelfand & Kashima, 2016; Gialdino, 2015; Guba & Lincoln, 1994; Peterson, 1992; Stainton Rogers, 2011; Stember, 1991a; Tinsley, 2012; Violence, 1996).

The importance for this clarification is that it contextualizes how mediation academics and practitioners reflect on the definition of conflict, its underlying causes and the selection of solutions for addressing it. Consequently this background also influences the development of mediators training (Kressel, 2014) and research on process and outcome assessment (Herrman, Hollett, & Gale, 2006). Ultimately, the main effect of mediation models is it influence on how mediators make their decisions on how to proceed in their practice. Recent literature has used preferably the term *style* to define the mediator approach to conflict (Charkoudian, 2012a; Charkoudian, Ritis, Buck, & Wilson, 2009; Della Noce, 2012; Della Noce et al., 2002; Kressel, 2012, 2014; Kressel & Wall, 2012; Oberman, 2008). As Oberman (2008) debates over "style" versus "model" terminology, "the names assigned to differences in mediation theory, ideology, and practice, determine the meanings of these differences" (Oberman, 2008, p. 2). We will use the expression *model* to ilustrate three of the main theories and ideologies that had a broad influence in mediation: the facilitative, transformative, and narrative models.

The facilitative mediation model is one of the most influential and has been the dominant approach for disputes regarding business and legal matters. The seminal work of Fisher and Ury (1981, 2011) proposes a problem solving method based on a principled negotiation process that is recommended in many of the training programs for mediators worldwide. Hence the mediator role is to facilitate communication and negotiation between disputing parties, based on these prescriptive axioms: separate the people from the problem; focus on interests, not positions; invent options for mutual gain; and insist on using objective criteria. (R. Fisher et al., 2011). This practical process is widely accepted because it focuses on the problem and reaching an agreement, trying to neutralize the escalating emotions within the relationships that are manifested from opposing positions. It assumes that negotiation can only be effective by exploring each party underlying interests and seeking common ground. Moore (2014) has provided an extensive review on the structured phases of such processes, with detailed techniques and strategies for problem solving. Interest-based models focus on the problem itself, with a pragmatic focus on settlement rather than on relationships. Facilitative mediators see a modernist reality, assuming the need for objectivity and a pragmatic focus to change from positional bargaining toward interest-based negotiation (Jarrett, 2013). Wilson (2010) states that such a model is based on individualistic and rational worldviews on conflict, where parties are essentially equals in terms of negotiation skills. This approach can be challenging in cases of embedded inequality related to gender, racial or other differences (Wilson, 2010).

The transformative mediation model challenges some of these assumptions for problem solving strategies, since it considers that such methods only lock disputants in a negotiation towards settlements that does not address the foundations of their conflict. The *Promisse of Mediation,* as Bush and Folger suggest, is "a way to foster a qualitative transformation of human interaction" (Bush & Folger, 2005, p. 9). This personal transformation is focused on the human basic drivers of autonomy and self-determination. In a socio-relational approach to conflict mediation, mediators should be able to seek transformation of perception on conflict using mainly two effects: *empowerment* and *recognition* (Bush & Folger, 2005). As the authors clarify:

> *empowerment* means the restoration to individuals of a sense of their value and strength and their own capacity to make decisions and handle life's problems. *Recognition* means the evocation in individuals of acknowledgment, understanding, or empathy for the situation and the views of the other. (Bush & Folger, 2005, p. 22).

Transformative mediators are not expected to focus on problem solving towards settlement, but rather seize the discussions as opportunities to foster empathy, moral growth and development between parties. In fact, the expression of emotions from parties often indicates important opportunities for empowerment and recognition, thus being valued and explored, rather than neutralized. Folger and Bush (1996) developed ten hallmarks that present a framework to guide mediator pratical intervention in every step of a transformative process. As posited by the authors, this perspective assumes that mediation is an oportunity to express a moral and social vision of the world that is relational and interactive. (Bush & Folger, 2005).

The narrative model assumes that conflict is rooted on the acumulation of conflict-saturated stories between parties, whose narratives shape the experience of conflict (Winslade & Monk, 2008). These dominant narratives institute certain plots where roles and moral frameworks are developed and influenced by social, historical, cultural, and personal factors (Cobb, 1993; Cobb, Laws, & Sluzki, 2014; Pilar Munuera Gomez, 2007; Winslade & Monk, 2008). The focus of narrative mediation is on the discursive construction of these stories. The role of the mediator is to help parties understand them by means of curious inquiry and deconstruction. The main objective is helping parties develop authorship for a new joint narrative where other more respectfully and cooperatively. Winslade and Monk (2008) have also outlined nine hallmarks of narrative practice that represent background assumptions for mediators and how these work within the process. One of the major challenges of this model to the dominant views of mediation is the critical voice towards neutrality and lack of power of the mediator, aswell as objectivity (Oberman, 2005, 2008; Rifkin et al., 1991). Based on postmodernist views, narrative mediation asserts practitioners are unable to be completely neutral since they are culturally bounded and "cannot avoid being positioned discursively in the conflict" (Winslade & Monk, 2008, p. 113). Actually Winslade and Monk (2008) promote an extensive reflection on the complexities of culture in mediation based on a constructionism perspective. Consistently, their analysis of power in mediation requires practicioners to refrain from promoting the dominant discourses that maintain systems of oppression.

In her mediation metamodel Alexander (2011) established a framework to understand mediation practices across different professional and cultural contexts. Alexander (2011) states that "mediator orientation - that is, mediators' worldviews, paradigms, behaviors, and the manner in which they conduct the process - has an impact on mediation dynamics" (Alexander, 2008, p. 98). Conceptually, the style of the mediator can be "defined as the

overall concept of the professional on what should be reached in mediation and behaviors that are associated with those objectives" (Wall & Kressel, 2012 p.130). It can also be defined as the set of strategies and tactics that characterize the conduct of a case (Kressel, 1997). However, the research and theory building on the concept of mediator style is dispersed methodologically (Charkoudian, 2012; Della Noce, 2012; Herrman, Hollett, Gale, & Foster, 2001; McDermott, 2012; Wall & Kressel, 2012). Della Noce (2012) suggests that empirical research that describes the activities and strategies of mediators presents a very confusing and contradictory practice of mediation. The author emphasizes that the study of mediators styles is an important step in defining and developing the field of mediation, however "it is difficult to define behavioral markers of competence and consistent standards of good practice in a discipline where anything goes" (Della Noce, 2012, p . 396).

Cultural diversity challenges to mediation

As a result of globalised societies, cultural diversity complexifies tasks of professionals dedicated to relational work on conflict resolution, particularly in the endeavour of promoting collaborative processes. This chapter aims to illustrate some of the cultural challenges in the field of conflict mediation.

The concept and definition of culture has been addressed in multiple ways since its original use in the field of anthropology. Within the various metaphors to describe it, culture has been compared to an iceberg, a rainbow, a conversation that was already taking place (for a revision see Condon & LaBrack, 2015), or even the software of the mind (Geert Hofstede, 1991; G. Hofstede, Hofstede, & Minkov, 2010). In these analogies, culture is depicted with objective and subjective caracteristics, as hiding its major subtext and forces. Culture is dependent of the perspective of the observer, or even a "collective programming of the mind that distinguishes the members of one group or category of people from another" (G. Hofstede et al., 2010, p. 516), and that establishes implict rules of a social game.

In a more rigorous attempt to define it, we select the proposal of Marsella (2015) that encompasses a more dense account:

> Culture is shared learned behavior and meanings that are socially transferred in various life-activity settings for purposes of individual and collective adjustment and adaptation. Cultures can be (1) transitory (i.e. situational even for a few

> minutes), (2) enduring (e.g., ethnocultural life styles), and in all instances are (3) dynamic (i.e., constantly subject to change and modification. Cultures are represented (4) internally (i.e., values, beliefs, attitudes, axioms, orientations, epistemologies, consciousness levels, perceptions, expectations, personhood), and (5) externally (i.e., artifacts, roles, institutions, social structures). Cultures (6) shape and construct our realities (i.e., they contribute to our world views, perceptions, orientations) and with this ideas, morals, and preferences (Marsella, 2005, p. 657)

Social psychology has provided a body of theories on the impact of culture processes in individual and group behaviour (A. K.-Y. Leung, Chiu, & Hong, 2011; Wyer, Chiu, & Hong, 2009). The cultural milieu includes a pattern of attitudes, beliefs, categorizations, self-definitions, norms, role definitions and values organized around a central theme. One example is how cultures value the individual or its group membership (Berry, Poortings, Segall, & Dasen, 2002; Markus & Kitayama, 1991; Triandis, 2000). The various cultures have been characterized by their variations in certain dimensions. Although some dimensions have different designations they share similarities, as individualism and collectivism (G. J. Hofstede, Jonker, & Verwaart, 2010; Triandis, 2000) correspond to the concept of independent or interdependent self (Kitayama & Markus, 1991). Other dimensions such as egalitarianism versus hierarchy, or high-context versus low-context (Brett, 2000; M. J. Gelfand & Brett, 2004; E. T. Hall, 1976) complement a multidimensional framework that often reflect in negotiations. Authors have alerted for the problem of cultural distance within disputing parties (Triandis, 2000b) that influences the balance of power between the parties (Brigg, 2003). The potential for multi-level analysis on culture goes from its influence on more individual levels, such personality (Triandis & Suh, 2002), aswell as broad dimensions of nation characterization within axis of tightness and looseness (M. J. Gelfand et al., 2011).

The role of culture on conflict management theories and practices has been extensively debated. As Triandis states "culture is relevant for understanding conflict in at least two domains: how conflict starts and how conflict evolves." (Triandis, 2000b, p. 149). Evidence suggests that the way an individual deals with interpersonal conflict is influenced by culture (e.g., Ting-Toomey et al., 2000). Many scholars have taken the road of showing how cultural dimensions are embedded in peoples' perceptions and attitudes towards conflict, and modulate their strategies in solving it (Avruch, 2003; Brigg, 2003; M. Gelfand, Fulmer, & Severance, 2011; M. J. Gelfand & Brett, 2004; Kim-Jo, Benet-Martinez, & Ozer, 2010; LeBaron & Pillay, 2006; Menkel-meadow, 2011)

Literature on the cultural aspects in the field of negotiation is particularly abundant (M. J. Gelfand & Brett, 2004). Actually, negotiation research has been one of the strong arms for the theoretical foundations of mediation, particularly of facilitative models. However, it has been developed almost exclusively in Western contexts. Researchers who have looked at variations of negotiation behaviour across cultures have proposed some different conceptualizations on the role of emotions (Kumar, 2004), judgment biases (Caputo, 2013; M. J. Gelfand et al., 2002; L. L. Thompson & Lucas, 2014; Tsay & Bazerman, 2009), beliefs about negotiation, goals and norms of negotiators (Brett, 2000). The field of organizations has also made some contributions on how national culture relates to organizational behavior (M. J. Gelfand, Erez, & Aycan, 2007). For example, Holt and DeVore (2005) developed a meta-analysis study linking the conflict resolution style with the variables of culture (individualistic versus collectivistic), gender, and organizational role (superior, subordinate, and peer). The results suggested that members of individualistic cultures prefer competitive styles of conflict resolution, while members from collectivistic cultures prefer withdrawing, compromising, and problem-solving strategies. As an interesting finding, is that regardless of culture, women are more prone to compromising strategies than man, who prefer more forcing styles even with their superiors (Holt & DeVore, 2005).

The influence of individualistic versus collectivistic preferences in conflict resolution style is extended to individuals who go through an acculturation process of integration. Those who have been exposed to and internalized both collectivistic and individualistic cultures may increase their adherence to their ethnic cultural values as a form of cultural encapsulation (Kim-Jo et al., 2010).

The inumerous cross-cultural research within organizations has focused on finding main universal effects and cultural baseline tendencies. However informative this approach might be, such generalizations might risk intervention biases and lack of context sensibility if situational factors are not taken into account. Also, as Gelfand and colleagues state, "whether it is differences in motives, justice, negotiation, or leadership, the cross-cultural literature rarely focuses on whether and how cultural differences actually affect intercultural encounters." (M. J. Gelfand et al., 2007, p. 497).

Conflict mediators, being negotiation facilitators, could be interested in reflecting on how these cultural dimensions combine to affect disputing parties needs and agendas (Carnevale & Choi, 2000), their values and goals in the negotiating table (Brett, 2000), but also their available conflict strategies and reactions. In the context of international crisis mediation, Inman and colleagues (2014) examined some hypothesis that other mediation

settings could explore. The authors related some of the cultural dimensions with parties' intent to pursue mediation, its impact on process effectiveness, their openness to mediation efforts, and the probability of success outcomes. Also, Brett (2000) developed a model of how culture affects negotiation processes and outcomes, suggesting that is through power and information processes that culture exerts is influence. Hence, mediators that facilitate negotiations in intercultural contexts, should value her perspective that

> "the cultural value of individualism versus collectivism is linked to goals in negotiation; the cultural value of egalitarianism versus hierarchy is linked to power in negotiation; and the cultural value for high versus low context communication is linked to information sharing in negotiation." (Brett, 2000, p. 97)

Menkel-meadow (2011) has condensed some of the cultural dimensions that might be expressed in intercultural conflicts, which polarise processes at a mediator table. As key features when assessing behaviour and attitudes towards conflict, mediators might gain process insight by looking at the parties' cultural background: focusing on their perceived sense of identity (Individualistic/Collectivist), how consistently they feel rules should be applied (Universalist/Particularist), how they relate to issues of status and power (Low/High power distance), how language is used to convey meanings in communication (Low / High context), how they manage time (Monochronic / Polichronic), and how much ambiguity they tolerate (Low / high uncertainty avoidance). Nuances on how these (and other) dimensions are expressed may be found in the original works of Triandis (1995), Hofstede (2001), Trompenaars, Kitayama (1991), and other scholars dedicated to extricate the multidimensional nature of culture (A. K.-Y. Leung et al., 2011; Wyer et al., 2009).

However, we must bear in mind Oyserman and coleagues meta-study (Oyserman, Coon, & Kemmelmeier, 2002), that highlight the limitations of the individualism–collectivism model of culture. Alan Fiske's also commented that "is time to analyze culturally constituted institutions and practices to discover innumerable new, hitherto unsuspected psychological processes that shape culture and are shaped by it." (Fiske, 2002, p. 87).

Other authors caution not to apply a static view of the dichotomy of cultural differences since it could risk propagating cultural stereotypes, or ignoring situational contexts and individuals personalities (Shteynberg, Lun, Lyons, & Gelfand, 2011). Within a structuralist

approach, Shteynberg and colleagues (2011) suggest a descriptive norms approach in negotiation research to benefit the understanding of its "cross-cultural interface". The authors define descriptive norms as "individually held perceptions of commonplace beliefs, values and behaviors of one's cultural group" (Shteynberg et al., 2011, p. 364). Such an approach promises better alignment of theory and measurement of culture in negotiation, capturing its dynamics, and offering insight into cultural competence in intercultural negotiations.

Interesting to the mediation field is that "it suggests that an important function for mediators is to be able to assess the descriptive norms in use of the disputing parties and to facilitate and create a 'third culture' that dictates the norms in use in order to help organize social action" (Shteynberg et al., 2011, p. 375)

Actually, these theories are just but starting points in helping mediators attune their practices to intercultural contexts. The extended and complex amount of information might foster a knowledge dimension in mediators intercultural competence (Deardorff, 2009), but question remains on how to develop awareness and integrate such knowledge into practical skills (a more extended review of multicultural dimensions of awareness, knowledge and skills will be developed further ahead).

Avruch (2003) alerted to two main types of errors when mediating in intercultural environments. To undervalue culture, underestimating its significance in a conflict or dispute, implies a "culturally insensitive" mediator. To overvalue culture, overestimating its impact on a conflict or dispute - particularly when ethnic and other differences are mistaken for cultural ones - increases potential stereotypes and discrimination. Besides these biases, mediators are predisposed in their own assumptions and cultural frameworks.

In fact, advocated neutrality of the mediation process is called into question by the mere existence of personal biases that come from one's own cultural background (Rifkin et al., 1991; Winslade & Monk, 2008). Inevitably, this bias challenge to mediator's neutrality can have consequences on the equidistance to the parties, required in a mediation process (Wing, 2009). Even though professionals may strive to not explicitly reveal their personal positions, the parties can implicitly perceive an automatic and subtle reaction, hindering the process in its ethical and deontological foundations (Menkel-meadow & Abramson, 2011). A stereotyped based reaction is as more damaging to the mediation process as the more distant it is from the mediator awareness. Also, when a mediator shares a cultural background with one of the parties in dispute, issues of power and neutrality are especially salient, and may hinder the outcome of a mediation process. However, Carnevale and Choi (2000) suggested

that cultural proximity could facilitate the process by enhancing the mediators' acceptability, and increasing the belief that he/she can deliver concessions and agreements.

In recent years some guidelines or good practice recommendations in adapting mediation to intercultural contexts of intervention have been published. Either based on qualitative research reports (Armstrong, 2013), as addendums on mediator certification competencesprograms (International Mediation Institute, 2011), or as commentaries on ethical issues for the practitioner (Menkel-meadow & Abramson, 2011), the impact of cultural factors in mediation have been tentatively addressed.

Stekelenburg, in her empirical study about personal experiences of interculturality in mediation from expert mediators (Stekelenburg, 2009), argues that the intercultural mediator has to create a 'culture of the moment' together with the participants, and to achieve that, the mediator needs knowledge of cultural dimensions, mindfulness and behavior skills, to feel at ease with emotions and conflict, and self-awareness.

Barkai (2008) also offered suggestions for conducting cross-cultural mediations, and propose a template of factors that mediators should consider when assisting parties in cross-cultural mediation. Barkai (2008) refers to a significant amount of literature about cultural differences in negotiation and in mediation, but argues that though references focus on categorizing the differences, they do not explain how a negotiator or mediator would overcome these differences. He proposes three most effective tools for mediating cross-cultural disputes: pre-mediation meetings (joint or private), caucuses (separate meetings with the parties) during mediation, and the Socratic method of questioning. Barkai suggests that these mediation strategies should be embedded within the supraordinate frame of the high and low-context communication differences pioneered by Edward T. Hall (1976), considering it the most important cultural difference in many cross-cultural mediations.

As a way to promote cultural diversity, some community mediation programs proposed co-mediation or panel models (Hedeen, 2004), in an attempt to assign mediators so that they reflect the social and demographic characteristics of the participants in mediation. Some authors have argued the strategic advantages of a culturally balanced co-mediation, allowing greater acceptability and impartiality of mediators, and enabling a better understanding of the cultural dynamics (Mason & Kassam, 2011). However, there is relatively little research on the effect of the mediators' demographic characteristics on the mediation process. The few studies that investigated the effectiveness of racial/ethnic matching between mediators and disputing parties offer little support to expected benefits to the practice (Charkoudian &

Wayne, 2010a; L. Fisher & Long, 1991). Furthermore, this solution is logistically complex and limited by the availability of mediators from different cultural groups.

Still in the field of solutions to address cultural challenges, the integration of "bicultural" mediators has been proposed, as they would be more prone to a more developed sensitivity to cultural expression interactions (Tadmor & Tetlock, 2009). Nonetheless, Kimmel (2000) argued that one can become aware of own and others' subjective culture and avoid misperception and errors of attribution, by training in intercultural exploration with emotional involvement and practical skills.

Despite recent concerns in providing mediation services that value diversity, Brigg warned that *"service providers need to be made aware that facilitative mediation practice embodies specifically Western views of conflict and selfhood and that it effects an operation of power that has significant political implications for mediation involving people of non-Western cultural background."* (Brigg, 2003, p. 300).

The challenges of migration

In this section we intend to characterize the context of cultural diversity, more specifically the migratory processes. We try to explore some characteristics of migration emphasizing that these introduce theoretical and practical specificities in the work of conflict mediation. As stated by Bemak and Chi-Ying Chung (2014), *"*it is critical that psychologists be able to provide culturally responsive services to the growing diverse needs of migrants*"* (Bemak & Chung, 2014, p. 503). Mediation within this context presents ethical questions (Menkel-meadow & Abramson, 2011) and skills training specificities, since clients may represent different cultures, languages, religions, customs, and traditions. The specific work in mediation with migrants challenges professionals to provide interventions that not only should be sensitive to the cultural diversity impact, but acknowledges inequalities and potential power imbalances within the process (Davis & Salem, 1984; Pinzón, 1996; Wing, 2009). Sue (2001) advises that acquiring knowledge of migration and its socio-political history, will "aid in developing culturally appropriate and adaptive interpersonal skills (clinical work, management, conflict resolution, etc.)" (D. W. Sue, 2001, p. 802)

According to the World Migration Report (IOM, 2015), this era is characterized by an unprecedented human mobility, with an estimated number of 232 million international migrants in the world. Approximately 50 per cent of international migrants live in high-

income countries (e.g. Australia, Canada, United States, France, Germany, Spain and the United Kingdom) and in urban cities. On 1 January 2014, the number of people living in the EU-28 who were citizens of non-member countries was 19.6 million (EUROSTAT, 2014).

Contemporary migration is part of an overall framework where people view the world also through the possibility of moving elsewhere (Esses, Medianu, Hamilton, & Lapshina, 2015). The increase of human mobility is associated with the increase and diffusion of general information, the increase of the possibilities of communication or the improvement and accessibility of transport systems that facilitate mobility (Carballo & Nerukar, 2001). Simultaneously the world´s population is growing and becoming more concentrated pushing people to worse living conditions. Furthermore, more people are being affected by wars, natural disasters and other types of emergencies related to social conditions.

Traditionally, migrants are defined as individuals who chose to leave their home country voluntarily to move to another country looking for a better way of life (Bemak & Chung, 2014). This definition was based on the distinction between voluntary migrants as opposed to involuntary migrants (where refugees are included) who were forced to leave their country of origin. Although this is still widely used, the usefulness of this distinction has been questioned (e.g. Bakewell, 2010), arguing that it just seems to be productive when we try to study the reasons that led people to leave their country. Bakewell (2010) summarizes that the concept of migration does have a universal application in all societies, defined as the act of moving residence, which has consequences at various levels: economic, social, cultural, political, environmental, and others.

The approach to migration has highlighted the dimensions of adversity experienced by migrants at two main levels which we could divide into: aspects related to the relationship with the country of origin (loss of references, rupture with culture, abandonment of people and family places) or aspects related to the contact with the new country. Specifically about the contact to the host country, the literature in Psychology has identified patterns of difficulties faced by migrants, such as: changes in cultural norms; instrumental difficulties, poverty, loss of social status; interpersonal relationships marked by prejudice, discrimination and isolation; changes in family structure, lack of support network and psychological distress (Yakushko & Morgan, 2012). Other authors stress the shift to a lower socioeconomic status and quality of life, loss of family/community members, language barriers, intergenerational conflicts and pre-migration trauma (Chung, Bemak, Ortiz, & Sandoval-perez, 2008). Some authors highlight that migrations may involve these aspects, sometimes multiple and cumulative, with strong mental health repercussions (Bhugra et al., 2011; Carta, Bernal,

Hardoy, & Haro-Abad, 2005; R. C. Chung et al., 2008; Mawani, 2014; Moleiro, Silva, Rodrigues, & Borges, 2009; L Simich, 2013).

For the specific context of mediation and for the mediator's intervention, it is important to emphasize some aspects related to migrants and the migratory process.

Firstly, the legal status of migrants in the host country is one of the most determining factors of their migratory experience. As Carballo and Nerukar (2001) refer, in the distinction between documented or undocumented migrants, the absence of a legal bond in the relationship with the new country has consequences in the context of the labor market, promoting situations of exploitation and social unprotection. Difficulties with legal status tend to lead to processes of social exclusion associated with situations of poverty (Bruto da Costa, 2003). If we add to this the unfamiliarity with legal procedures, it is reasonable to think of migrants as more vulnerable and less able to defend their rights (Wolffers, Verghis, & Marin, 2003). In studies focusing on civic and political participation, migrants are recognized as being disadvantaged due to limited access to political rights, for example, the right to vote or to stand as candidates in elections (Carvalhais & Oliveira, 2015). However, it is important to note that new forms of civic and political participation are arising and are equally important. In a study about civic and political participation about migrants and non migrants youth in Portugal, the authors place them as being at risk of exclusion from the participatory process but highlight that "the connection of youth with an incomplete citizenship, still under construction, was the strongest message underlying the discourses of young people, who claim rights and opportunities to be heard and to be civically and politically engaged" (Ribeiro, Malafaia, Neves, Ferreira & Menezes, 2014, p.22).

It is essential to know the language of the host country and culture for migrants to take part and interact interpersonally or with institutions (Bemak & Chung, 2014). Language barriers create obstacles to migrants' proximity to the host countries. Some authors (e.g. Chiswick and Miller, 2005; Esser, 2006) have pointed that these barriers increase the feelings of isolation, as well as diminish the possibility of access to the labor market or school success (Portes, 1999).

In addition to these two major aspects, adjustment and adaptation can be an extremely challenging process for migrants. Berry (2001) reported that the adaptation of migrants depends on ethnic relations and how cultural contact is negotiated. This process, referred as acculturation, results from direct and continuous contact between individuals from groups of different cultures, with subsequent cultural changes for one or both groups (Herskovitz, 1938). That means that as migrants interact with the host culture, they are challenged to learn

the new rules, beliefs, values, and attitudes of the dominant culture (Berry, 2002). The way migrants value the maintenance of their cultural heritage, intersected with how they value contact and engagement in the host society, designate different acculturation strategies (Berry, 1997, 2001):

> (a) integration (it is important both to maintain own cultural identity and to have positive relations with other groups); (b) assimilation (only positive relations with other groups are important); (c) separation (only maintaining own cultural heritage is of importance); and (d) marginalization (neither outcome is important). (Sam & Berry, 2006, p. 168)

The different modes of acculturation have impact on psychological and sociocultural adaptation of migrants in the host society. The degree how psychological well-being and life satisfaction varies according to these interaction between migrants and hosts sociopolitical environment, which can promote more or less acculturative stress (Berry, 2006a, 2006b). The author emphasized integration as the most favorable strategy for the adaptation of migrants in the host countryas it is related to less stressfull and better adaptations than those following assimilation and separation experience (Berry, 2005).

At an individual level, acculturative stress is something that relates to how migrants' cultural identity is managed. If integration strategies posits the development of a bicultural identity (Y. Y. Hong, Morris, Chiu, & Benet-Martínez, 2000; Y. yi Hong, Zhan, Morris, & Benet-Martínez, 2016), other authors have proposed conceptualizations of more fluid form of transcultural identity where migrants are more autonomous in designing their own mosaic of cultural identity (Oyserman, Elmore, & Smith, 2012). The concept of transculturalism is proposing a reconceptualization of Berry's acculturation models "to do justice to the more complex reality of multicultural individuals" (Vauclair, Klecha, Milagre, & Duque, 2014).

Nonetheless, as highlighted by Esses, Medianu, Hamilton and Lapshina (2015) *"*both members of the host society and immigrants have important roles to play in addressing the challenges and opportunities that modern-day immigration may pose*"* (p. 435). Host societies vary acording to the suport that is given to migrants, even at basic policies for integration (MIPEX, 2015). A comparative study of migrant integration policies in European countries, have demonstrated that more permissive policies are associated with decreased perceptions of group threat from immigrants (Schlueter, Meuleman, & Davidov, 2013). However, in a more recent study, Callens and Meuleman (2016) have discovered that although inclusive integration policies facilitate lower perceptions of economic threat from migrants, these are not significantly associated with perceptions of cultural threat. One must also consider that ,

although institutionalized policies advocate the respect for the migrants' cultural diversity, and may protect them legally against discrimination, certain social contexts may foster separation or even marginalization, rather than the intended integration.

Much of the social context of acceptance or opposition to migration is also related to how migrants are viewed by people from host society. In this process, perception is key in developping certain attitudes towards migrants, particularly when involving stereotyping, prejudice and discrimination. The perception of migrants as a threat, either economic, security, or cultural, has been related to increased prejudices and attitudes of discrimination. Pereira, Vala and Costa-lopes (2010) proposed a model to explain how prejudice leads people to reject immigration and the naturalization of immigrants. The authors suggested that people legitimate their discrimination based on different perceptions. Those who oppose immigration justify their beliefs on the prejudice that immigrants represent an economic and security threat. On the other hand, discrimination against naturalization relates to the belief that immigrants are a threat to the lifestyle and culture.

Furthermore, stereotypes against migrants can vary depending as they are perceived within the dimensions of warmth and competence as conceptualized by the stereotype content model (Cuddy et al., 2009, Lee & Fiske, 2006)).

To conclude, from a social justice perspective, literature shows that migrants face very adverse conditions and multiple stressors (Bemak & Chung, 2014; R. C.-Y. Chung, Bemak, & Grabosky, 2011). Although migrants access to justice is granted by institutional conventions (Mcbride, Bell, & Sanford, 2014), inequalities within justice systems are a constant challenge in areas such as, the access to migratory regularization as a requirement for the guarantee of economic, social and cultural rights; the right to family reunification, or the right to the attribution of electoral participation rights to foreigners (CEJ, 2015).

Migration in Portugal

The significant history of Portugal as a receiving country of migrants started with the arrival of migrants from the former African colonies, as consequence of the process of decolonization (1974/75). Until that time, Portugal was essentially a country of origin for international migration (which didn´t stop nowadays). Portuguese funding through the EU in the late 1980s led to the development of a number of public works, resulting in a growing need for labor and a significant increase in migrants from Portuguese-speaking African countries and Brazil (Gomes & Baptista, 2003).

The migratory phenomenon in Portugal became more evident in the 90's when receiving a new wave of migrants (Sardinha, 2009). In this new wave a large number of migrants from the countries of Eastern Europe were registered, without previous historical and linguistic relations. At the same time, there was an increase in the migrant population from the East (Chinese, Indian, Pakistani, Bangladeshi). Eastern European migration (Romania, Moldova, Ukraine) has been shrinking since the beginning of 2000 until today and a stabilization of the migration of African countries. According to Machado (2009) the Angolan and Mozambican communities are the oldest groups, stable in quantity and unlikely to return to their countries of origin. In contrast, Cape Verde and Guinea have registered an increase in the number of migrants in Portugal over time, surpassed only by the number of Brazilians, but these tended to decrease. The compilation "Diagnosis of the Immigrant Population in Portugal - Challenges and Potentialities" (Malheiros, et al, 2013) summarized the demographic and social characterization of migrants, labor market relations, habitability conditions, cultural practices and Integration processes (difficulties and resources).

Demographically, migrants have contributed to population growth over the past decade by increasing the birth rate, accounting for about 5.7% of residents. Reference should be made to the publications of the Calouste Gulbenkian Foundation (through the Gulbenkian Migrations Forum) on relevant issues of migrant communities. The first publication was dedicated to the themes of housing and health in the integration of migrants, *"Migration: Opportunities or Threat,"* coordinated by Vitorino (2009), as a result of the recommendations of the Forum Gulbenkian Migrações (2008). Another issue was dedicated to the specificity of elderly migrants in Portugal, in recognition of the fact that the requirements and specificities of the integration process of migrants are quite complex, accumulating vulnerabilities in the elderly population *(Elderly Migrants in Portugal"* - Marques & Oana Ciobanu, 2012). Finally, *"The Emergence of Migration in the Feminine,"* edited by Marques and Gois (2012), made it possible to diagnose the situation of migrant women in Portugal and to carry out a survey of the recommendations in the intervention, through researchers and field agents.

However, the number of migrants in Portugal is currently decreasing, a decrease directly related to the country's economic, social and political difficulties. (Presidency of the Council of Ministers & ACIDI, 2010). At the labor market level, migrants are integrated into unskilled, low-skilled segments: construction, domestic services, transportation, and the manufacturing industry (Peixoto & Figueiredo, 2007).

According to RIFA (SEF, 2015), the most significant number of migrants comes from Portuguese-speaking countries: Brazil (21%), Cape Verde (10%), Angola (5%) and Guinea-

Bissau (4%), S. Tomé e Principe (2%). Other countries numeric relevant is: Ukraine (9%), Romaine (8%), China (5%), United Kingdom (4%) and Spain (3%). Migrants in Portugal have a female preponderance (52,7%) and most of them are in a working age (83%), between 20 and 39 years.

The MIPEX (Migrant Integration Policy Index) considered Portugal the second most well-ranked state in terms of immigrant integration, in a group of 38 states (Europe and outside Europe). The Report considers that despite the economic crisis, Portugal has sought to maintain and increase its investment in integration policies for foreigners, obtaining good classifications in the areas of labor mobility, family reintegration and acquisition of nationality. In fact, the 2015-2020 Strategic Plan for Migration holds a commitment in developing "appropriate policies for the social integration of the immigrant population and assumes as its priority areas culture, language, education and employment and professional qualification." (SPM, 2015, p. 6) As examples of significant measures is the planned revision of the current legal framework regarding penalties for discrimination acts due to nationality or ethnicity, the promotion for awareness-raising actions regarding immigrant workers' rights and duties, and the restructuration of the socio-cultural mediators' project. However, despite the legislative initiatives and policy development, there are not evident measures to strengthen access to justice policies, particularly within mediation advocacy. Considering the acknowledged cultural specificities of migrants, there are no evident plans to implementing an integrated and sensible process for dispute mediation, within family, labour, civil or commercial dispute mediation.

Achieving intercultural competence

The diverse domains of analysis of the experience within cultural encounters has raised an array of designations that frequently generate some incoherence when used interchangeably (for an extensive literature review see Fantini, 2006). In fact, the term multicultural has been used to address methodologies, techniques, a group of people or a body of knowledge (Byram, 2003), such as multicultural competence or multicultural psychology. However, we feel much more inclined to the expression intercultural when referring to mediator competence in processes with parties from different cultural

backgrounds. Byram (2003) applies it to define an encounter where parties are temporarily or permanently immersed in cultures other than their own, encompassing components of dialogue and interaction (which are also mediation axioms). A mutual concern to mediation and intercultural competence is managing "relations that aim to be equitable, mutually respectful and reciprocally profitable" (Guilherme, 2011, p. 357). Considering these parallels, we choose to use the term intercultural competence to designate the mediator "appropriate and effective management of interaction between people who, to some degree or another, represent different or divergent affective, cognitive, and behavioural orientations to the world" (Spitzberg & Changnon, 2009, p. 7).

Although there is an historical debate over which perspective is more adequate within social science studies, there is a contemporary consensus both approaches enhance understanding over a certain research problem. Actually, it has been frequently advocated an increase for cross-fertilization of both perspectives, especially on methodological approaches, regarding the understanding culture role and impact on human behavior (Leong, Leung, & Cheung, 2010), perspectives on distributive justice (Sabbagh & Golden, 2007) but also inform on how indigenous processes of conflict resolution uncover new frontiers for the westernized views of the field, particularly when dealing with inter-ethnic conflicts (Tuso, 2013).

Multicultural competence model

The work with those who are culturally and individually different has become the norm rather than the exception (D. W. Sue, Arredondo, & McDavis, 1992). As such, a great responsibility falls on the professionals who work daily and closely with diverse populations; and this responsibility entails far more than a simple recognition of the existing cultural differences between a professional and the people with whom he/she works.

Sue and colleagues (1992) helped to increase the movement of *multiculturalism* or *cultural competence* in the area of psychotherapy and counseling work with the systematically report that traditional counseling was no longer providing an appropriated care to their minority clients; as the offer was “demanding, irrelevant, and oppressive toward the culturally different” (Sue, *et al.*, 1982: 45; Hall, 2014). Through this statement and the finding of insufficient work been done in this field, it became important that professionals such as counselors, psychotherapists, social workers or intercultural mediators are able to

recognize that a person's culture is closely connected to value systems, health beliefs and behaviors, and communication styles (Hall & Theriot, 2016).

The authors (D. W. Sue et al., 1992) highlighted that most developed societies were going through major demographic and sociopolitical changes, becoming more diverse, and a large numbers of individuals were reporting experiences of socioeconomic disadvantage, marginalization and oppression. Simultaneously, the body of literature research on racial and linguistic minorities was guided by harmful models and conceptualizations. Models such as the "*culturally deprived (deficient) model*", "*inferiority or pathological model*" or even "*genetically deficient model*" (see D. W. Sue et al., 1992) were still: 1) perpetuating the view that minorities were inherently pathological; 2) allowing racists-based research and counseling and 3) preventing counseling professionals to take social action in order to rectify inequities in the system (D. W. Sue et al., 1992). Unquestionably, there was a need to develop new models, concepts, methods and competences.

Following this demand, a call for professional competence was launched by Sue and colleagues, in the early 80's, emphasizing that those working with diverse people and groups were responsible to become competent, providing care in ways that were sensitive to clients' backgrounds and experiences. These competenceswould also enable professional in the field to not only use the knowledge acquired to develop skills in working with minority groups, but above all, develop strategies to modify the effects of political, social and economic forces on minority groups, also present in a therapeutic relationship (Sue, et al., 1982; Hays, 2008).

In the field of psychotherapy, the theory of multiculturalism brings the notion that in every therapeutic dyad, both the client and professional contribute with a variety of cultural features related to things such as age, gender, sexual orientation, education, disability, religion, ethnic background, and socioeconomic status. In essence, cultural diversity is a characteristic of all counseling relationships; therefore, all counseling is, implicitly, multicultural in nature (Lee & Park, 2013).

As such, with every cross-cultural interaction comes the possibility that a person's intentions and actions may be misjudged. Indeed, each party brings a specific set of personal experiences and communication styles to an interaction that cannot be disregarded (Hall & Theriot, 2016). Therefore, it was important to ensure that when dealing with cultural differences, professionals were able to take into consideration the sociopolitical ramifications of their work (i.e. oppression, discrimination, and racism), rather than a purely intellectual discussion of its impact (D.W. Sue, et al., 1992; Sue & Sue, 2008; Hall, 2014).

As such, developing skills to design culturally-diverse care delivery should be a prerequisite to working effectively with clients (Hall & Theriot, 2016). However, this journey implied much more than one could imagine, as it took decades of meticulous scientific work, thousands of publications and a wide range of guidelines for education, training, research, and practice (Miller & Sheu, 2008). Additionally, the demands for integrating multicultural perspectives into the profession often resulted in resistance, mostly due to the belief that psychological laws and theories were universals and the invisibility of monoculturalism (D. W. Sue, 2001).

Nowadays, there is no doubt that the multicultural field has become "*a central force in psychology*" (Miller & Sheu, 2008, p103). It is now recognized that a culturally competent professional should take steps to be knowledgeable about the theory and practice of ethnic sensitive service delivery (Hall & Theriot, 2016). Originally named as "*Cross-Cultural Counseling Competencies*" (Sue, *et al.*, 1982), later on a new model was presented as what was widely known as "*Multicultural Counseling Competencies*" (D. W. Sue et al., 1992a). More recently, and due to its inclusiveness feature, this model was renamed to "*Cultural Competence*" (D.W. Sue, 2001).

Multicultural counseling competence (MCC) was initially defined as any type of counseling relationship in which the intervenient (professional, client or other) differ with respect to their cultural background, beliefs, values and behaviors (Sue, et al., 1982). It is also defined as a set of attitudes and behaviors that indicates the professional' ability to establish, maintain, and successfully conclude a counseling relationship with clients from diverse cultural backgrounds (Lee & Park, 2013). Therefore, multicultural competence has been defined as a dynamic and complex process of being aware of and recognizing individual and cultural differences, consisting of three distinct, yet interrelated, components (Sue & Sue, 2008).

The first component is Awareness and it is related with one's own cultural heritage, assumptions about human behavior, values, biases, preconceived notions, personal limitations and accompanying biases. Professionals' awareness of attitudes and beliefs about individuals from ethnic and racial minorities, as well as their own cultural background, and how they may affect how they interact with clients who are culturally different from themselves. The development of this dimension of intercultural competence involves the exploration of the professional identity as a cultural being, and of their cultural and racial prejudices.

The second one is about Knowledge and related with the understanding of the worldviews and value patterns of culturally diverse populations. This dimension as to do with

the specific knowledge of the professional about the history, tradition, values, and practices of the cultural groups with whom he/she works and the understanding of the socio-political influences exerted on these groups. It is pertinent that practitioners also have specific knowledge about their ethnicity and cultural heritage, and how they can personally and professionally affect their definitions and biases in the process of assessing and facilitating conflict parties (in the specific context of mediation). It is important for professionals to be aware of different communication styles, the power of discrimination and stereotypes, and how their style may or may not facilitate a conflict resolution process with minority clients.

At last, the third component – Skills- involves specific, relevant, and sensitive skills for intervention with these populations. Is based on the learned process, and from experiential and interactive action of the previous dimensions components of a more cognitive character. It refers to the set of specific assessment techniques, intervention and strategies used in the work with minority groups that may be sensitive to culture (Sue & Sue, 2008).

Essentially, a professional who is culturally competent have heightened awareness, have an expanded knowledge base, and use helping skills in a culturally responsive manner (Lee & Park, 2013). In addition to building self-awareness, knowledge, and skill, some authors have stressed the importance of humility and oppenness attitude when addressing clients about their cultural background (Hook, Davis, Owen, Worthington, & Utsey, 2013, S. Sue, 1998)

Although, the multidimensional model of cultural competence, presented by Sue in 2001, was specially designed for counseling/therapeutic settings, one should agree that "multiculturalism is inclusive of all persons and groups [and] continuing to deny its broad influence and importance is to deny the social reality" (D.W. Sue, et al., 1992, p.483). In fact, many adaptations of this model has been made beyond the counseling and psychology fields, such as education, humanitarian aid, the armed forces and also for peacekeeping strategies (Arredondo & Tovar-Blank, 2014).

Essentially, this model intended to introduce explicitly the belief that to be culturally different does not equate with "deviancy" or "inferiority." Bicultural, multicultural or transcultural identities should be seen as a positive and desirable quality that enriches the full range of human potential (D.W. Sue, et al., 1992, Vauclair, Klecha, Milagre & Duque, 2014). Also, individuals should be viewed in the relationship with their environment, and larger social factors (such as racism, oppression and discrimination) rather than the individual or minority group as the obstacle (Hall, 2014). It was also designed in an attempt to integrate three important features associated with an effective multicultural interaction: (1) the need to consider specific cultural group worldviews associated with features such as race, religion,

gender, sexual orientation, etc.; (2) components of cultural competence (awareness, knowledge, and skills); and (3) applications of cultural competence (Figure 1).

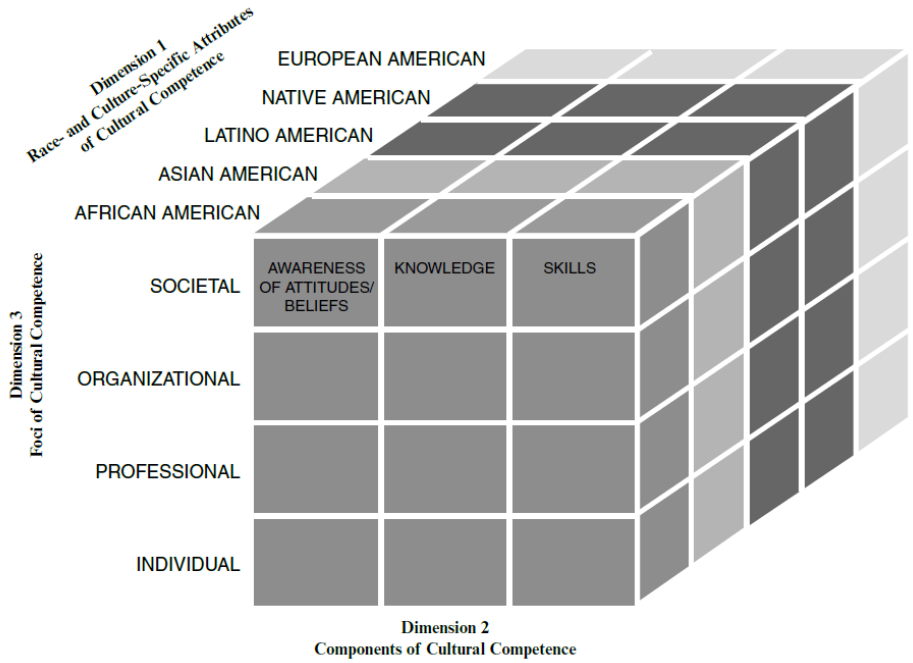

Figure 1 - Reprint of the Multidimensional Model for Developing Cultural Competence, as presented by Sue (2001, 792).

Intercultural training program

The general objectives for training professional mediators to perform effectively and appropriately in disputes with culturally different parties can be also drawn from previous definition of intercultural communication competence. Considering that cultural competence is context-specific, mediators should be expected to acquire culturally-relevant knowledge in conflict behaviour differences, increase self-awareness and other-awareness, manage emotional challenges, and/or practice competent intercultural communication skillsets (Bennett, 2003; Brislin & Yoshida, 1994a; Ting-Toomey, 2004). Cultural competence training is defined as *"*trainings and curricula that aim to enhance individuals' capability and efficiency to work in multicultural settings, both within a country and across national boundaries*"* (Chao, Okazaki, Hong, 2011, p.263).

In Psychology (Counseling) studies have been conducted for assessing the effectiveness of multicultural training in the format of single course or workshops. The authors (Smith, Constantine, Dunn, Dinehart & Montoya, 2006) performed two meta-analysis, involving more than 80 studies. Results revealed that the participants (mostly students) who took part on a course perceived themselves as more competent in multicultural competence, than those who did not attend.

In the context of organizations there is also an increased concern about diversity training *"*aimed at facilitating positive inter-group interactions, reducing prejudice and discrimination and enhancing the skills, knowledge and motivation of people to interact with diverse others*"* (Bezrukova, Jehn, & Spell, 2012, p. 208). The interest about this subject in organizations came from the idea that the lack of cultural awareness and skills could compromize workplaces (Trompenaas & Hampden-Turner, 2012) and to avoid that, employees should be training in multicultural competence (Center for American Progress, 2012).

Constantine & Sue (2005) described organizations in terms of a developmental process where the first stage is primarily monocultural orientation, the second is nondiscriminatory and finally a multicultural one. A multicultural organization is committed to diversity throughout all levels, sensitive to maintaining an open, supportive, and responsive environment, working toward and purposefully including elements of diverse cultures in its ongoing operations, carefully monitoring organizational policies and practices for the goals of equal access and opportunity, and authentic in responding to changing policies and practices that block cultural diversity (Constantine & Sue, 2005).

Apart from the context where training is developed, some authors have highlighted the importance of working through a contextual framework or an ecological approach to better understand human behavior (Bronfenbrenner, 1979; Neville & Mobley, 2001). Others suggested the involvement of professionals and people who seek to help (clients), in order to mix perspectives and reconcilie the roles that are usually taken (Prilleltensky & Prilleltensky, 2003).

Typologies for cultural training

The typologies for cultural training programs can be distinguished by its contents (Bhawuk & Brislin, 2000; Gudykunst and Hammer, 1998), either for being culture general (i.e. training about cultural differences in general to sensitize people to their own culture), or culture specific (i.e. training people about a particular culture which they will interact, either personally or professionally). Brislin and Pedersen (1976, p. 6) described culture-general training as referenced to *"*such topics as cultural awareness and sensitivity training that allow to learn about himself [or herself] as preparation for interaction in any culture*"*. In this situation attention is given to understand the cultural differences and competencesare promoted to manage differences. The same authors added that in culture specific training information about a specific culture should be given and guidelines to interact with his/her members should be used.

A common typology that also contributes for classifying training programs is based on the approaches that are used, divided in didactic or experiential methods (Graf, 2004). The first approach is one of the most frequently used methods for training of intercultural competence in the form of lectures where participants passively receive large amount of information on a specific topic related to culture (Fowler & Blohm, 2004; Mendenhall et al, 2004.). The value of this method is in its cost/information ratio, since lectures enable transmission of a large volume of information in a short time. Also, lectures are widely accepted by the participants, since this format reduces their exposure and public confrontation of their experiences and difficulties (Fowler & Blohm, 2004). However, the effectiveness of this training methodology can be reduced if participants are not interested in the topics and do not actively engage in them (Bhawuk & Brislin, 2000). The other group of methods for intercultural training is more engaging and experiential, involving simulation games other scenarios, as well as training in behavioral modification (Bhawuk & Brislin, 2000).

The evidence shows that mixed methodologies demonstrated greater efficacy (Mendenhall et al, 2004). While the first group of methods focuses on cognitive aspects, the experiential focus allows training objectives balance, adding the possibility of developing emotional and behavioral aspects, and increasing participant involvement and their abilities after training.

Other authors (Bennett, 2001; Chen and Starosta, 1996; Fritz, 2001; Muller and Gelbrich, 2001; Ting-Toomey, 1999) added other three components to intercultural

competencestraining: cognitive (e.g. knowledge about other cultures), affective (e.g. intercultural sensitivity) and behavioural (e.g. skills to manage intercultural situations). A well-designed training not only keeps the trainees actively involved, but also contributes to meeting the goals of the programmes (Black and Gregersen, 1991; Black and Mendenhall, 1990).

Multicutural training as shown to be effective in various studies. In a study with a national sample of Social Workers found that cultural competence workshops and trainings had a positive influence on cultural competence levels (using the Multicultural Competency Inventory) (Hall, 2008). With Social Workers other studies found positive results on the influence of previous diversity training in the development of multicultural competence (Guy-Walls, 2007; Lum, 2010).

In counselling professional's area many researchers have reported a positive relation between receiving of multicultural education and self-perceived multicultural counseling competence (e.g., Constantine, 2000, 2001; Pope-Davis, Reynolds, Dings, & Nielson, 1995; Sodowsky, Kuo-Jackson, Richardson, & Corey, 1998; Smith, Constantine, Dunn, Dinehart, & Montoya, 2006). Kağnici (2014*)* stated in other study that a single multicultural counseling course contributed to multicultural awareness and knowledge. The findings of the study were found to be parallel with other studies (Castillo et al., 2007; Kağnıcı, 2011; Murphy et al., 2006; Neville et al., 1996; Seto et al., 2006).

Despite evidence showing effectiveness of intercultural training programs in increasing participant's awareness and sensitivity to cultural differences (Bhawuk & Brislin, 2000), it is important to consider the role of individual differences among participants as to their receptivity to training (Mendenhall et al. 2004). Fisher (2001) found that participants' open-mindedness previously influences the efficacy of a mixed cross-cultural training program. Also the impact of teachers/instructors in training programs has been studied and factors such race, ethnicity, gender, and intellectual background also influence students' training (Dunn et al., 2014; McIntosh, 1988).

It is also important to mention that studies on intercultural training programs often use self-report measures to evaluate the impact on intercultural competences. Research has suggested attention to bias in self report measures of cultural diversity competences, since professionals with initial low awareness may have a "tendency to over-estimate their own competencies in self-report, which may result in low consistency between self-report and the demonstration of ability to relate cultural issues into the strategies and relational aspects" (Moleiro, Marques, & Pacheco, 2011, p. 771). Nonetheless, after training based on

experiential learning, participants showed a trend to improve awareness, and decrease perceived cultural knowledge, racial identity development information and overall competence.

An outline on our research proposal

Our introduction presented some theoretical background that sustains the ideia that mediation faces specific challenges in cultural diversity contexts. The multidimensional nature of culture and its influence on conflict brings an added complexity in mediation processes. We have debated how different cultural dimensions might influence parties' conflict behaviour, how certain preconceptions and biases might establish, maintain or exacerbate conflict, and how these nuances may challenge mediator interventions within its ethical foundations of pratice.

We have introduced the background of cultural competence models from communication sciences, psychology, counseling and mental health, that have diverse and extensive theoretical conceptualizations. The empirical evidences suported in this comprehensive methodological research field provides a framework for developing sensible practices in intercultural contexts. We have also reflected on how intercultural competence may be achieved by different typologies of training design, and how the field is debating the possibilities for assessing the effectiveness of training programs.

The definition of intercultural competence still lacks a broad consensus within the field of conflict mediation. Also, demands for specific training development and impact assessement needs empirical suport (Law, 2009; LeBaron & Zumeta, 2003). Hence, our research proposal integrates the theoretical and methodological background of the tripartite model of cultural competence in order to provide some empirical evidence to these questions:

- What constitutes a consensual framework to define intercultural competence in dispute mediation context? More specifically, what awareness, knowledge, and skills are necessary to mediators to work effectively and ethically across cultural differences and diverse clients.

- What is the influence of intercultural training in intercultural competence of dispute mediators? More specifically, how can training be designed, and how to assess intercultural competence progress?

In the next chapters we will present the empirical work involving 4 studies designed to reply those concerns.

In the first study, we have developed a consensus-building process (Delphi method), based on expert pool knowledge, were we provide intercultural competency training guidelines for civil or commercial dispute mediators. Data collection was organized according to the theory-driven framework of the tripartide model of multicultural competence. Results will be outlined as intercultural training outcomes for conflict mediators within a compositional perspective of awareness, knowledge, skills dimension. These results will also be ranked in within a developmental perspective, according to different hierarchical levels of proficiency.

Study 2 reports a pre-test on the development and adaptation of two self-report questionnaires to measure two important variables: the mediators' perception of intercultural competence and the style of mediation. These self-report measures will constitute the quantitative assessement basis to be used in training evaluation.

Study 3 will provide empirical data on impact assessment of a brief intercultural training program of mediators, designed in a tripartite module structure (awareness, knowledge, skills) that respect the consensual recomendations of the delphi panel experts. A mixed methods approach, in a sequential explanatory design (Ivankova, Creswell & Stick, 2006; Fetters et al. 2013), was used for effectiveness assessment, using instruments developed in study 2 and a qualitative case vignette to compare intercultural competence before and after training.

To further explore the outcome of the intercultural training of conflict mediators, study 4 will present a comprehensive view of the participants' experiences from the thematic analysis of a postcourse focus group

Finally, our thesis will finish with an integrated discussion of the major findings of each study, providing a critical debate over its contributions and implications for training design and policy development of mediation. Limitations and future research directions will also be outlined.

Studies 1, 3 and 4 were writen in the form of independent articles for submission to scientific journals of the field, hence it is expected that some contents overlap with our general introduction and general discussion.

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Chapter 2 – Intercultural Training in Conflict Mediation: Recommendations from a Delphi Methodology.

This chapter is based on the paper: Ramos, Moleiro, Roberto & Freire (under review). Intercultural Training in Conflict Mediation. Guidelines from a Delphi Methodology. *Psychology, Public Policy, and Law*.

Abstract

Objectives

In the field of conflict resolution, particularly in dispute mediation, though some efforts have been made to consider cultural diversity within mediator accreditation process, the problem of intercultural competence (IC) training remains largely unanswered. Our research focused on the development of guidelines for IC training programs for conflict mediators, to enable them in attuning their practice to more culturally sensitive, appropriate and effective interventions.

Method

We developed an adapted Delphi methodology, in a structured three round process of consultation from a panel of experts, to gather consensus on the various intercultural competence training outcomes (ICTO) in dispute mediation. Our proposal integrated awareness, skills, knowledge and other dimensions in round 1 of questionnaire development and thematic analysis. Considering a developmental perspective of IC, we asked experts to allocate ICTO according to different proficiency levels (novice, intermediate, advanced and expert).

Results

Experts' contributions on training outcomes showed a thematic stratification within every dimension of IC and an embedded progression across developmental levels. In the four dimensions were found themes and subthemes: (5) for Awareness, (9) for Knowledge, (18) for Skills and (7) for Others. The final consensus phase indicated experts' focus on allocating the majority of ICTO within novice (33%) and intermediate developmental (47%) levels, with prominence given to the skills dimension.

Conclusions

Findings are consistent with existing recomendations on IC development, particularly APA multicultural guidelines. Mediation training and accreditation programs would benefit from integrating the resulting expert panel recommendations in future training design, adjusting pedagogical methods to be more responsive to learners developmental levels, and considering each individual continuum towards intercultural maturity in assessment.

Keywords: Mediation, Culture, Intercultural competence, Training, Delphi method

Introduction

Mediation is essentially a process where a neutral third helps parties engage in collaborative and cooperative work towards a mutually satisfactory solution or agreement, without imposing any solutions or decisions (Byrne & Senehi, 2009). Mediators address conflict with different communication techniques and strategies, within diverse styles of intervention (Kressel et al., 2012), based on a multidisciplinary body of theories and intervention models (Coleman et al., 2015). This process is expected to have exacerbated difficulties when parties from different language groups and cultures, with their distinct sets of behaviour, rituals, and values, meet in mediation (Davidheiser, 2008; Tyler, Lind, & Huo, 2000).

When examining mediation literature reviews we verified that cultural factors have only recently been addressed (Davidheiser, 2008; J. A. Wall & Dunne, 2012; J. A. Wall & Lynn, 1993; J. A. Wall et al., 2001a). Scholars in this field have addressed intercultural challenges to mediation from diferent foci in diverse topics, such as implications of mediator styles in intercultural disputes (Salmon et al., 2013), description of diverse approaches of informal mediators from different cultures (Callister & Wall, 2004; J. A. Wall, Arunachalam, Callister, & Robert, 2008), process adjustment and ethical concerns (Menkel-meadow & Abramson, 2011), or impact of matching mediators' and participants' gender and racial/ethnic background (Charkoudian & Wayne, 2010b). Despite recent concerns in providing mediation services that value diversity, Brigg (2003) warned that "service providers need to be made aware that facilitative mediation practice embodies specifically Western views of conflict and selfhood and that it effects an operation of power that has significant political implications for mediation involving people of non-Western cultural background." (Brigg, 2003, p. 300).

LeBaron and Zumeta (2003) stated that culture, due to its complex and multidimensional nature, is inadequately considered in mediation training, mediation process design, and intervention. Although there have been some recent developments in including cultural aspects as part of mediators accreditation process (International Mediation Institute, 2011), the problem of intercultural training remains largely unanswered (Law, 2009).

The multidisciplinary field of mediation could learn from the path made by Psychology, particularly within clinical settings, with the first call for multicultural competencesand standards (D. W. Sue, Arredondo, & McDavis, 1992b) that instigated a movement towards

APA multicultural guidelines (American Psychological Association, 2003) involving changes in training, education, and research. The debate created the promise of diversity and inclusion into culturally relevant services. The enthusiasm fostered critics to the tripartite approach (Ridley, Baker, & Hill, 2001), the effectiveness of training (Sehgal et al., 2011) and pointed insufficiencies in multicultural competency research (Pope-Davis, Liu, Toporek, & Brittan-Powell, 2001). Nonetheless, currently, there are many training resources for diverse intervention contexts (e.g. Cornish, Schreier, Nadkarni, Metzger, & Rodolfa, 2010) and reflexions on how to design better training programs and competencesassessment (Rogers & O'Bryon, 2014).

The extensive literature related to the ability to deal effectively with people from different cultures has generated multiple terms to designate it, because it has been studied by a wide variety of academic disciplines and professional fields, with different ontological and epistemological assumptions, and within very diverse research foci. Consequently, there are numerous conceptual approaches, models, and theories that fostered an array of designations (for an extensive literature review see Fantini, 2006).

For terminology purposes, when using the term intercultural competence (IC), we will be referring to the "appropriate and effective management of interaction between people who, to some degree or another, represent different or divergent affective, cognitive, and behavioral orientations to the world" (Spitzberg & Changnon, 2009, p. 7). We also view IC training as the interactive facilitation and coaching process in which learners have the opportunity to acquire culturally-relevant knowledge, increase self-awareness and other-awareness, manage emotional challenges, and practice competent intercultural communication skillsets (M. J. Bennett, 2004; Bhawuk & Brislin, 2000; Ptak, Cooper, & Brislin, 1995; Ting-Toomey, 2007).

In Portugal, IC has been studied in specific contexts, particularly in Clinical Psychology and Psychotherapy (Moleiro, Freire, Pinto, & Roberto, 2014; e.g. Moleiro, Freire, & Tomsic, 2013) or within IC training programs in child protection services (Moleiro, Marques, & Pacheco, 2011). However, in the area of dispute mediation, there are no references to the work with migrants, neither theoretical nor empirical studies.

Aim of the study

Our purpose was to develop intercultural competency training guidelines for civil or commercial dispute mediators, to enable them to attune their practice to more culturally

sensitive, appropriate and effective interventions. Through consensus-building (Delphi method), we intended to outline expected training outcomes to effective and appropriate IC of conflict mediators, according to different hierarchical levels of proficiency.

Method

The Delphi Method

A Delphi study aims at clarifying certain fragmented definitions, or forecasting on future trends or unexplored areas of knowledge. The Delphi technique is a consensus-building process to achieve a convergence of opinion on a complex issue, using a series of iterative questionnaires to collect data from a panel of selected experts. Delphi literature has debated extensively its advantages, pitfalls, and provided several guidelines regarding its implementation, with diverse methodologies regarding the research focus at hand (Cuhls, 2004; Grisham, 2009; Hasson, Keeney, & McKenna, 2000; Hsu & Sandford, 2007; Linstone & Turoff, 2002; Mullen, 2003; Okoli & Pawlowski, 2004; Skulmoski & Hartman, 2007). Mullen (2003) has described some of the controversies surrounding Delphi, relating to lack content validity and replication, diversity of methods, expert samples, and data reporting. Nonetheless, efforts have been made to develop Delphi guidelines in reporting (Hasson et al., 2000), by providing a basis for statistical measures for group consensus (Birko, Dove, & Özdemir, 2015; von der Gracht, 2012), and improving rigor in qualitative Delphi studies (Brady, 2015).

Studies using Delphi methodology encompass different areas such as family therapy (Dawson & Brucker, 2001; Jenkins & Smith, 1994), counseling and psychotherapy (Wallis, Burns, & Capdevila, 2009; West, 2011), durability of knowledge in professional psychology (Ronald H.Cox, Neimeyer, Taylor, & Rozensky, 2012), and healthcare quality indicators (Boulkedid, Abdoul, Loustau, Sibony, & Alberti, 2011). Within our study's scope, oriented to education and professional good practice guidelines, the technique has been applied to identify IC student outcome (Deardorff, 2006), teaching topics in healthcare (Siraj, Benerjee, Cooper, & Ismail, 2011), dealing with diversity in team processes (Rupprecht, Birner, Gruber, & Regina, 2011), and core components of cultural competence for the nursing practice (Jirwe, Gerrish, Keeney, & Emami, 2009).

Procedure

Experts participated in three rounds, including an initial data generation round and two subsequent rounds of feedback and consensus building (see figure 1).

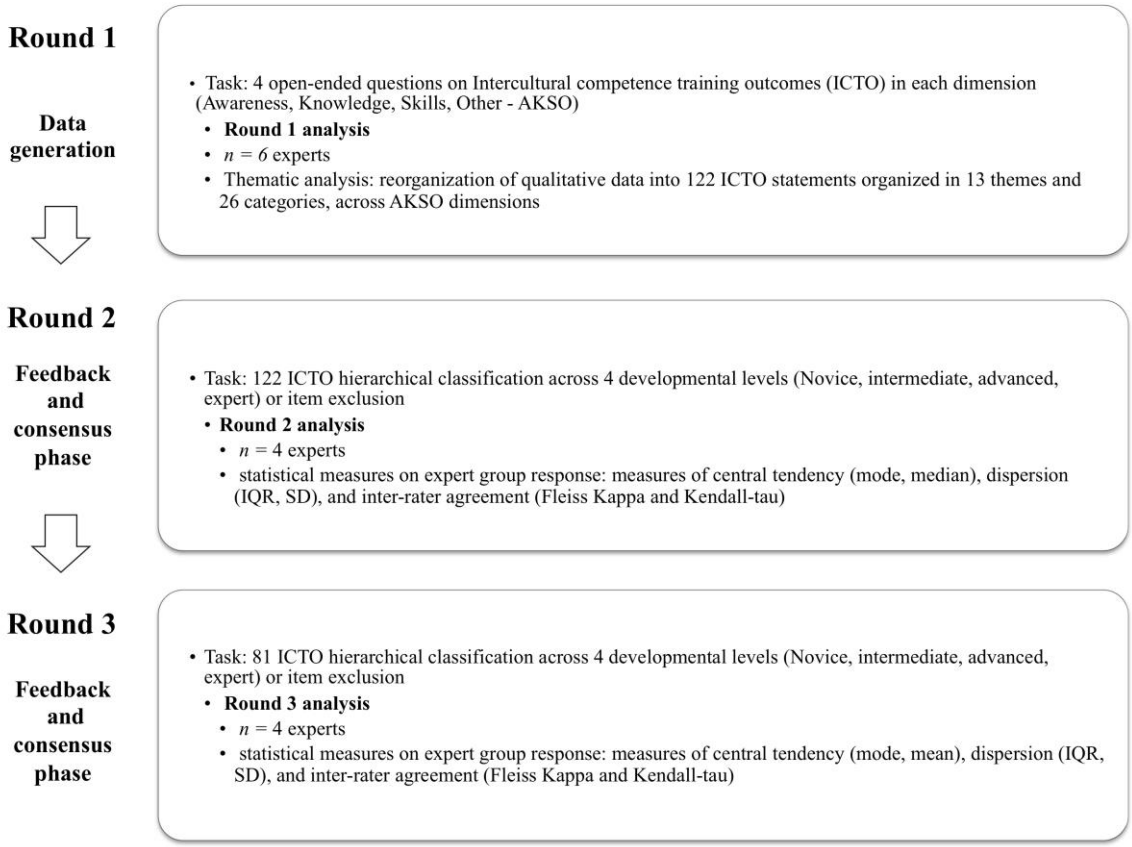

Figure 2 - Schematic view of Delphi rounds

Expert panel selection. While recruiting the Delphi panel we wanted to ensure the diversity of participants' academic background and the quality of the contribution. Hence we used the following criteria: (i) field experience as dispute mediator in intercultural context, (ii) National or international publications in the fields of IC and dispute mediation, and (iii) Adult learning and training experience. A total of 26 experts were invited by email, with only 6 of them accepting to participate. However, panel size was interesting enough to collect valuable ideas and foster meaningful debate, considering participants came from very diverse academic backgrounds - Psychology (1), Law (1), Geography (1), Management (1); and Anthropology (1). The panel also reflected a very diverse pool on experts' nationality such as Argentinian (1), Australian (1), French (1), German (1), and Portuguese (2). Although the

majority of the experts have worked in Portugal, they also had practiced in Germany, Argentina, Brazil, Australia, Malaysia, and France. Their mediation intervention contexts go from civil, commercial, labor, family, multi-parties and restorative practices, either in ONG's, private or public services. Information regarding the preferred style of mediation intervention was not obtained.

Monitoring Team. To prevent researcher bias and increase data reliability, a monitoring team was designated to review expert selection, questionnaires, data collection and analysis in each phase of the research. Three members of a psychology research group constituted this panel, with training and research background in cultural diversity psychology, and broad methodological expertise.

Round 1. Although traditionally a Delphi process begins with an open-ended questionnaire to an expert panel, where collected information is transformed by researchers into a structured questionnaire, it is also acceptable to use structured questionnaires based on literature review (Hsu & Sandford, 2007). In our study, a semi-structured questionnaire was provided to the expert panel, drawing on literature review (D. W. Sue, 2001) and APA (2003) Guidelines on multicultural education, research, practice and organizational change. Accordingly, experts were asked open-ended questions on which were the expected training outcomes to an effective and appropriate intervention of conflict mediators, within the following dimensions: Awareness, Knowledge, Skills, and Other (AKSO). Experts received a brief explanation of the meaning for each dimension within the broader concept of IC.

Data analysis of round 1 outcomes followed the recommendation that "the wording used by participants, with minor editing, should be used as much as possible' (Hasson et al., 2000, p. 1012). Since a fundamental objective was to include all experts' contributions in its integrity, no formal content analysis (to reduce content) was performed. Rather, we performed a data-driven inductive thematic analysis (Braun & Clarke, 2006), in a similar process to other Delphi studies (Milat, King, Bauman, & Redman, 2013; Moynihan, Paakkari, Välimaa, Jourdan, & Mannix-McNamara, 2015). All experts' contributions were coded by the author in broad themes and subthemes (Ryan & Bernard, 2003), with some units of analysis redistributed within the proposed AKSO dimensions. The coding frame for the units of analysis - hereafter mentioned as intercultural competence training outcomes (ICTO) - was discussed with a member of the monitoring team that also collaborated in a final joint thematic analysis.

Round 2. A round 1 report with the thematic analysis was provided to the expert panel through a Qualtrics survey, where each ICTO was fully reported and included in different themes/subthemes within each AKSO dimension. The main purpose of this round was to find consensus on what ICTO are relevant to the construction of a standard of IC outcomes for dispute mediators, and how they differ concerning what is expected accross different developmental levels of competence. Were asked participants to indicate which developmental level was more suited to each ICTO - Novice (limited experience), Intermediate (practical application), Advanced (applied theory), Expert (recognized authority). Experts could also check "N/R - Not relevant" if they considered any of the ICTO should not be admitted and asked to explain their decision in a comment area bellow each theme.

Round 3. We sent to the experts a report for the second round main results, with a comprehensive list of ICTO that gather more than 50% agreement from the experts in a particular developmental level (novice, intermediate, advanced and expert). The report was organized by AKSO dimensions, where training outcomes were sorted on the chosen developmental level based on the statistical analysis (see technical appendix for more information). Considering experts' comments on the previous phase, we provided further clarifications on suggested criteria for ranking the different developmental levels of competence, based on Hatcher and Lassiter (2007).

Results

Results on experts' input across the three rounds are summarized in Table 1. The full description of each unit of analysis (ICTO) after final consensus can be consulted in the technical appendix.

Thematic analysis on the experts' contributions from the first questionnaire resulted in 122 units of analysis (ICTO), organized across 13 themes and 26 subthemes and reviewed by the monitoring team. Round 1 results reveals different layers of ICTO, with contents in Other (14), Awareness (19), Knowledge (28) and Skills (62) dimensions.

Table 1 - Results on experts' inputs across the three delphi rounds

Themes within Dimensions [a]	Units of analysis						
	Round 1	Round 2		Round 3			
		Selected	Excluded [c]	Developmental levels [b]			
				Novice	Intermediate	Advanced	Expert
Awareness							
A.1. Sensitivity to the impact of cultural differences							
Parties cultural diversity as a focus of tension or conflict	6	5	1	2	3		
Recognize mediator's cultural background has an impact on the process and parties	1	1				1	
A.2. Understand the other on its cultural specificity	9	9		4	5		
A.3. Openness attitude	3	3		2		1	
Subtotal	19	18	1	8	8	2	
Knowledge							
K.1. Theories on Culture							
Acculturation processes and group relations	1	1			1		
Cultural theories applied to intercultural mediation	4	3	1	1	2		
General definition of concepts and theories of Culture	5	3	2	2	1		
Limitations of theories about culture - constructions of stereotypes and generalizations	2	2			1	1	
K.2. Theories on social identity construction	3	3		2		1	
K.3. Policies and dynamics involved in the migration process	2	1	1			1	
K.4. The importance of verbal and nonverbal communication in cultural diversity context	5	3	2		2	1	
K.5. Cultural knowledge informed by the participant's experiences	6	2	4		2		
Subtotal	28	18	10	5	9	4	

Table 1 - Results on experts' inputs across the three delphi rounds

Themes within Dimensions [a]	Units of analysis						
	Round 1	Round 2		Round 3			
		Selected	Excluded [c]	Developmental levels [b]			
				Novice	Intermediate	Advanced	Expert
Skills							
S.1. General mediation skills							
Mastering communication techniques	7	4	3	2	2		
Promote a trusting environment and dialogue between the parties	6	2	4		2		
Respect equidistance and impartiality	3	2	1	1	1		
Respect ethical and deontological principles of mediation	6	3	3		3		
S.2. Specific skills of mediation sensitive to cultural diversity							
Adapt the mediator communication styles and between the parties	9	5	4	1	3	1	
Appropriateness of theories of culture to the practice of mediation	1	1				1	
Deal with ambiguous and uncertain situations	3	2	1		1		1
S.3. Prepare a mediation setting sensitive to parties cultural differences							
Being able to assess the need for cultural match between mediator and parties	2	1	1	1			
Being able to assess the need for interpreters or co-mediators	1	1		1			
Design processes and interventions that proactively meet the cultural patterns of the parties	6	3	3	1	2		
Flexibility of procedures and intervention styles in mediation	8	3	5	3			
S.4. Facilitative process management in the face of cultural differences							

Table 1 - Results on experts' inputs across the three delphi rounds

Themes within Dimensions [a]	Units of analysis						
	Round 1	Round 2		Round 3			
		Selected	Excluded [c]	Developmental levels [b]			
				Novice	Intermediate	Advanced	Expert
Choice and appropriateness of the most favorable mediation styles for each step of the process	5	5			3	1	1
Discourse attunement between parties	3	1	2		1		
Using the Caucus (separate meetings) to manage the diversity of cultural perspectives	1		1				
Subtotal	61	33	28	10	18	3	2
Other							
O.1. Suggestions on training structuring and intercultural training methods							
Experiential methodologies	4	4			1	1	2
Field experience / internship	3	2	1	1			1
Observation experience and discussion	1	1			1		
Role-play experience	2	2		1		1	
Setting and learning methods diversity	1	1			1		
Theoretical knowledge transfer	3	2	1	2			
Subtotal	14	12	2	4	3	2	3
Total	122	81	41	27	38	11	5

[a] resulting themes and subthemes from round 1 thematic analysis, organized in each dimension of intercultural competence (Awareness, Knowledge, Skills, and Other).

[b] unit of analysis (ICTOs) frequency within each theme and subtheme

[c] selected ICTO that obtained 50% of expert agreement on a certain developmental level - or excluded for lack of consensus.

[d] ICTO frequency distribution within each developmental level - Novice, Intermediate, Advanced, Expert.

The most relevant result from round 2 analysis is the lack of expert consensus on the allocation of ICTOs across developmental levels in knowledge and practical skills dimensions. Item exclusion frequency showed that consensus was much easier to achieve in awareness (n=1) and others (n=2), with knowledge and skills having dropped 10 and 28 ICTOs, respectively. Nonetheless, at the end of round 2 selection, practical skills gathered the highest number of ICTO (n=33), followed by awareness and knowledge, both with 18 ICTO, and finally the dimension other with 12 ICTO.

Data analysis of the final consensus phase shows experts' agreement on how the different ICTO are distributed at a particular developmental level: Novice (n=27), Intermediate (n=38), Advanced (n=11) and Expert (n=5).

Novice developmental level. Expert's consensus showed that, for a mediator in an IC novice level, intercultural training should focus on developing awareness within themes such as *Understand the other on its cultural specificity* (n=4), *Parties cultural diversity as a focus of tension or conflict* (n=2) and *Openness attitude* (n=2). Some of the training outcomes refer to the mediator's ability to "recognize and understand the tension or conflict arising from cultural diversity between the parties"; the mediator's "capacity for self-distancing and comprehension of others' point of view"; and how "their own culturally-influenced practices including how culture may form lenses through which they view and interpret the behavior of other".

In a knowledge dimension of IC, experts suggested novice mediator training should focus particularly on *general definition of concepts and theories of culture* (n=2), *theories on social identity construction* (n=2) and how these apply to intercultural mediation (n=1). In these themes, some of the suggested training outcomes recommend developing a "theoretical knowledge on acculturation and its mechanisms and dynamics", and knowledge of "the dialectics of identity/alterity", in a way that "theory and [mediation] approach shall include an appreciation of similarities and differences among cultures."

In the intercultural skills dimension, experts reinforced the need for mediator preparation in general mediation skills, particularly in *mastering communication techniques* (n=2) (e.g. "promote attentive listening and active listening") and *respect equidistance and impartiality* (n=1) of the process. However, the major training focus was given in preparing a *mediation setting sensitive to parties' cultural differences* (n=6). In this theme, experts suggested novice mediators should learn to *design processes and interventions that proactively meet the cultural patterns of the parties* (n=1), to develop a *flexibility of procedures and intervention styles in mediation* (n=3), to assess the *need for interpreters or*

co-mediators (n=1), and *for cultural match between mediator and parties* (n=1). Examples of experts' contributions in these subthemes recommend "mediators should learn to prepare for inter-cultural mediations by researching and anticipating possible culture affects and by figuring out what process may work best for the participants". Also, "mediators should be flexible and open to re-assessing and modifying their procedural preferences and styles of intervention", particularly in the preparation phase of pre-mediation, specifically "where the mediation should take place, who should attend, and what venue, food, dietary needs, external resources, social activities or welcoming rituals should be considered."

In the dimension other, within the theme *suggestions on training structuring and intercultural training methods,* experts agreed in *role-play experience* (n=1), *field experience/internship* (n=1), and *theoretical knowledge transfer* (n=2) as the most suitable approaches to developing IC at a novice level.

Intermediate developmental level. Gathering expert consensus in exactly the same amount of ICTOs of the previous level, the intermediate developmental level centers awareness training outcomes in two foci: understand the other on its cultural specificity (n=5), and parties cultural diversity as a focus of tension or conflict (n=3), a subtheme of the broader theme sensitivity to the impact of cultural differences. ICTO examples in the first theme refer to the mediator "ability to recognize each participant's culturally-shaped perspectives of behaviors or events", to "understand and appreciate participants' similar and different cultural perspectives, and possible imbalances between them." As for the parties cultural diversity, experts focus on the mediator's role, advising them to "consider how their culturally shaped preferences or behavior might be viewed and interpreted by participants", but also to "recognize signs of their own surprise, discomfort, or cognitive dissonances when facing cultural differences". In an intermediate level, "mediators should be sensitive to the participants' possible perceptions of the behavior of the mediator, the behavior of other participants, and preferences in handling procedural issues or substantive topics."

Experts' consensus supports the importance of knowledge dimension at an intermediate level of IC of mediators. In the theme *theories on culture* (n=5), we find the same subthemes from previous novice level - *general definition of concepts and theories of culture* (n=1), and *cultural theories applied to intercultural mediation* (n=2). Additionally, experts elect ICTOs in new subthemes related to *acculturation processes and group relations* (n=1) and *limitations of theories about culture - constructions of stereotypes and generalizations* (n=1). Also, at this level, experts agree that mediators should know *the importance of verbal and nonverbal communication in cultural diversity context* (n=2), and that *cultural knowledge*

should be informed by the participant's experiences (n=2). ICTO examples justify a bigger weight given to theories, when suggesting knowledge acquisition on "categorization and modeling of cultural diversity and orientation (e.g. Hofstede, Trompenaars, Spencer Oates, Hall, etc.)"; "compared ethnography", "cultural indicators' systems, culture shock"; "compared proxemia", and verbal and non-verbal communication styles of certain cultural groups. However, experts balance this increased theoretical focus when advising that it "is important to avoid considering culture as an overly inclusive concept to try to explain all behaviors that individuals may manifest, which may not always be group-related but also can be linked to individual considerations (e.g., age, gender, residence, etc)."

Intercultural skills (n=18) collected expert consensus, being a dimension favored to all other dimensions, in any of the established developmental levels. In the theme *general mediation skills* (n=8), expert recommend again *mastering communication techniques* (n=2*), respect equidistance and impartiality* (n=1), but also reinforce the *respect for ethical and deontological principles of mediation* (n=3), and the promotion of a *trusting environment and dialogue between the parties* (n=2). Also reinforced are the *specific skills of mediation sensitive to cultural diversity*, when more ICTO gather expert agreement on adapting *mediator communication styles and between the parties* (n=3), and how to *deal with ambiguous and uncertain situations* (n=1). Other themes in intercultural skills at this level are also the mediator attention when designing *processes and interventions that proactively meet the cultural patterns of the parties* (n=2), regarding *choice and appropriateness of the most favorable mediation styles for each step of the process* (n=3), and *discourse attunement between parties* (n=1). Examples of ICTOs in these themes alert that in intercultural mediations "interests may include the interests of other constituencies or stakeholders", and that "mediators may need to become more or less directive or facilitative at times on procedural issues, depending on the mutual needs or requests of the participants." Also, experts agreed in the increased "development of general verbal communication skills (active listening, empathy, assertiveness, non-aggressive reframing, culturally neutral paraphrasing, and questioning techniques) and related communication techniques of the target cultural group(s)".

As training suggestions, experts recommend s*etting and learning methods diversity* (n=1), in a way that "trainees should be exposed to as many different learning/acting environments as possible". As pedagogical approaches, *experiential methodologies* (n=1) and *observation experience discussion* (n=1) are advised.

Advanced and expert developmental level. Our Delphi panel gathered consensus on very few ICTOs at advanced (n=11) and expert (n=5) levels, showing great disparity when comparing to novice (n=27) and intermediate (n=38) stages. Advanced level outcomes focused on the knowledge (n=4) dimension, followed by awareness (n=2), skills (n=2), and other (n=2) dimensions. Knowledge integrates a new theme, exclusive to this developmental level, regarding *Policies and dynamics involved in the migration process* (n=1). Further development outcomes are recommended to increase knowledge on *Theories on social identity construction* (n=1), *the importance of verbal and nonverbal communication in cultural diversity context* (n=1), while considering *Limitations of theories about culture - constructions of stereotypes and generalizations* (n=1*).* This last recommendation is consistent with a related skill outcome to "be able to apply a selected theory or theories about culture in such a way as to help mediators consider appropriate issues when setting up and facilitating an inter-cultural mediation." The skill subtheme a*ppropriateness of theories of culture to the practice of mediation* is shared by advanced (n=1) and expert (n=1) levels, with different depth of application. Expert level outcome relates to the "ability to detect whether, when and how cultural considerations 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". This skill should better achieved if experts have developed the "ability to manage ambiguities and mistakes that may emerge in multi-cultural situations."

Discussion

Our study intended to develop intercultural competency training guidelines for civil or commercial dispute mediators. Through consensus-building (Delphi method), it intended to outline expected training outcomes to effective and appropriate IC of conflict mediators, according to different hierarchical levels of proficiency. Experts' thematic preferences on intercultural training outcomes for mediators show stratification within every dimension of IC and an embedded progression across developmental levels.

Our initial endeavor in round 1 was to organize experts' suggestions within Awareness, Knowledge, Skills, Openness - AKSO dimensions, in light of a more compositional model of IC. In fact, thematic analysis of round 1 revealed different layers of themes, with less training outcomes within awareness, increasing in knowledge and with the skills dimension comprising half of all units of analysis. These results might suggest some incoherence with

Pedersen (2000) stage developmental sequence that supports IC training should start from awareness to knowledge, and then to skills. Proportions remained after the final consensus round, however, when looking at how ICTO were allocated across different stages of competence, we realized a shift in training priorities, consistent with what is established in developmental models of IC (Spitzberg & Changnon, 2009). Concerning this developmental progression, experts convergde in dedicating more training outcomes to novice and intermediate stages. This coincides with cultural competence literature indications that those are the levels that mediators would benefit most from guidance and skills training, to help them progress from ethnocentric understandings of other cultures to a more ethno-relative comprehension and appreciation (M. J. Bennett, 2004). These results also suggest that IC in advanced and expert levels is related to more independent personal growth, shifting from authority to an autonomous learning path, towards intercultural maturity (King & Baxter Magolda, 2005).

Novice and intermediate levels are relatively equivalent regarding ICTO along AKSO dimensions. Comparatively, knowledge dimension has a greater preponderance of ICTO in the intermediate level. However, it is important to analyze more acutely the progressive nuances of training recommendations after the final consensus round. To this end, we propose examining themes and subthemes in each AKSO dimension when comparing novice and intermediate levels of development.

The lack of experts' suggestions on awareness might be related to the fact that mediation itself is a process in which professionals are expected to be aware of parties' differences, remaining neutral and impartial. Although, as Sue (2001) suggests, there are inevitable biases, prejudices, and misinformation at an individual level and, at a professional level, culture-bound definitions, and ethnocentric standards might serve as obstacles to IC. Nonetheless, at a beginner IC level, expert consensus on awareness training outcomes focus on the need for recognition of cultural diversity as a source of conflict, how culture shapes the way mediators interpret others' behaviors, and promoting the training of self-distancing capacity for understanding the perspective of the other. The experts' recommendations seem to focus on how mediators understand the conflict, requesting acknowledgment of their cultural background in shaping their potential biases on conflict resolution (L. Thompson, Nadler, & Lount Jr., 2000).

At an intermediate level, suggested ICTO seem to introduce other nuances, requiring a more systemic awareness of the impact of cultural diversity, integrated over practice on a mediation process, and referring to a higher state of mindfulness (Ting-Toomey, 2015).

Awareness training at this level involves recognizing that cultural filters are extended to all participants and that their interpretations also shape their behavior. It reinforces the dialectical perspective of the process to the extent that mediator preferences and behaviors are also a target of biased interpretations by the parties, advising mediators to be more aware of their own reactions, particularly those that may evoke discomfort or dissonance throughout the process. Fisher-Yoshida and Yoshida condenses advised mindset in "being able to take a multilevel view" (Fisher-Yoshida & Yoshida, 2015, p. 571), recognizing that this particular exchange is one of many in a series of interactions, helps individuals understand and create shared meaning as they situate the exchange in the context of other conversations.

Within the practical application context at an intermediate level, more than acknowledging the existence of diverse cultural maps, mediators should focus on the interface between all parties engaged in interacting appropriately and effectively, as Bennet labels as the "intercultural positioning tool" (J. Bennett, 2009, p. 126),.

To support new awareness integration at a novice level, experts suggest the exploration of basic concepts and cultural theories that illustrate how cultural identity develops (Verkuyten, 2004) to facilitate assessment of cultural diversity expressions. At an intermediate level, to assist the development of mindfulness, it is recommended an increased knowledge about cultural theories, and about verbal and non-verbal communication styles of certain cultural groups. Simultaneously, a cautionary concern is advised as certain phenomena may be better explained by factors related to the individual diversity rather than in the light of cultural processes. In this sense, experts remind us of another type of mediators bias as described by Avruch (2003). Thus, at novice level of IC, the objective is increasing mediators' knowledge of the role that culture can play in the course of a conflict, preventing what the author labels as type I error of "cultural deafness". However, at an intermediate level, with the increased knowledge and sensitivity to cultural aspects, the risk of overvaluing the impact of culture can also affect some of the parties, hindering the mediation process. Type II error, besides risking mediators incurring in generalizations and stereotypes, can, as Avruch states, "mask or efface underlying structural issues such as gender, class, ethnic discrimination, or racism in behalf of attention to individuating or communication-biased issues such as "communicational styles" (Avruch, 2003, p. 365).

Experts were quite prolific in round 1 by suggesting training outcomes related to the skills dimension, consistent with an overall tendency to be pragmatic and problem-solving, as is the field of dispute mediation (Della Noce et al., 2002). However, round 2 and 3 showed less expert consensus in this dimension, being the one where almost half of the ICTOs were

excluded. This could be related to the paucity of previous orienting guidelines in the intercultural field of practice, or even associated with some heterogeneity of intervention styles in our expert panel, that influence the way outcomes, methods and techniques are valued in a mediation process (Charkoudian, 2012b; Della Noce, 2012; Kressel et al., 2012; J. A. Wall & Kressel, 2012).

At a novice level, practical skills were related to preparatory details in anticipating necessary cultural adjustments to setting and procedure flexibility at early stages of pre-mediation. These include the diagnostic of advantages and disadvantages of incorporating interpreters or mediators that share the cultural background of the parties.

Language barriers can often obligate the use of translation services. Cultural interpreters inclusion might facilitate decoding misunderstandings from parties' divergent culture-specific values or communication styles, helping the mediator reframe issues in a culturally sensitive way. However, Dominguez-Urban (1997) alerted mediators to consider how an interpreter will affect mediation dynamics, particularly within confidentiality issues, process delay, and that information availability and transparency to all parties influences the balance of negotiating power, or the fairness of the negotiations (Dominguez-Urban, 1997). Sharing the same challenge as mediators, "cross-cultural biases and prejudices may impair the effectiveness of the mediation if the interpreter is not prepared to deal with these issues when they arise" (Dominguez-Urban, 1997, p. 39).

Regarding experts' suggestion to consider matching mediators and parties' cultural backgrounds, Carnevale and Choi (2000) suggested that mediators' cultural proximity to the parties could facilitate the process by enhancing the mediators' acceptability, and increasing the belief that he/she can deliver concessions and agreements. However, issues of power and neutrality may be especially salient and hinder the outcome of a mediation process. The few studies that investigated the effectiveness of racial/ethnic matching between mediators and disputing parties offer little support to expected benefits to the practice (Fisher & Long, 1991; Charkoudian & Kabcenell, 2010). Regarding the participation of bicultural mediators (according to these authors, bicultural individuals maintain both the original sense of identity and the identity of the host society). Crisp and Turner say "there may be cognitive benefits from these individuals' experiences of cultural diversity" (Crisp & Turner, 2011, p. 261). Tadmor and Tetlock (2009) state that bicultural individuals, due to their constant cultural frame switching, develop increasingly integrated cultural schemas, engage in a more effortful processing of cues, and recognize the self-relevance of cultural information. However, research has not yet proved the effectiveness of bicultural individuals in their communication

behavior, particularly within mediation context. Although there are expected positive benefits from the proposed solutions, these are logistically complex and limited by the availability of mediators from different cultural groups.

Intermediate training outcomes, within skills dimension, focus on themes related to effectiveness and appropriateness of interventions, requiring an integration of all other levels awareness and knowledge ICTO into practical skills. In fact, mediators are recommended to be conscious of cultural differences and its impact on parties and other stakeholders' interests and views of the conflict. Making use of their cultural knowledge about parties, mediators should adjust their intervention styles, being directive or facilitative, depending on parties' mutual needs. Furthermore, when in ambiguous or uncertain situations, they should learn how to navigate, seeking discourse attunement between parties to achieve mutually shared meaning. Such outcomes recall the beginning (if not the end) of what Ting-Toomey (2015) calls as the developmental journey of mindful communication skill practice. Ting-Toomey (2015) outlined five components of mindfulness in intercultural communication: being-present, metacognition, cognitive knowledge, affective monitoring, and pragmatic metacommunication. Actually, intermediate ICTOs mirror the competence criteria of pragmatic metacommunication (Ting-Toomey, 2015): (1) appropriateness, by making use of specific cultural knowledge maps to perform properly in the context; (2) adaptability, considering flexibility to adapt behaviors and goals - interventions styles - to meet the needs of parties involved in the situation; and (3) effectiveness, by engaging parties in collaborative negotiation skills, integrating divergent goals, and achieving mutually shared meaning.

Experts' consensus on learning methodologies are coherent with literature reviews on mediation training design. Raines, Hedeen, and Barton (2010) emphasizes the importance of role-play simulations for the integration of mediation skills and the benefits of experiential methodologies (Raines, Hedeen, & Barton, 2010a). Practical experience and the development of self-assessment abilities are the prerequisite skills for initial as well as ongoing mediator development (E. Lieberman, Foux-levy, & Segal, 2005).

Experts' suggestions in training methodologies suggest an implicit respect for what intercultural scholars have been considering, particularly that pedagogical methods need to be more responsive to the developmental levels of the students (M. J. Bennett, 2004), and respecting of each individual continuum towards intercultural maturity (King & Baxter Magolda, 2005). As Law (2009) suggests, training sessions should adopt "a collaborative learning approach with goals to promote reflective mediation practices, maximize the

potential of mediators as life-long learners and encourage the behaviour of sharing intercultural best practices" (Law, 2009, p. 169).

Results should be regarded with caution as certain restrictions may arise from Delphi factors such as "panel size, composition and selection, questionnaire design, number of rounds, the form of feedback, and the treatment of consensus" (Mullen, 2003, p. 48). Actually, contributions from our expert panel could benefit from a larger number of participants and a wider range of experts profiles, by including other stakeholders interests, from officeholders to minority groups. Our initial purpose related to an exploratory nature of guidelines to IC in mediation settings that organized our analytical methods decisions throughout the consensus rounds. However, along the process, given the weight on training outcomes across developmental levels, results seem to leave some unanswered questions. Although it informed on outcomes stratification on AKSO dimensions across an IC developmental continuum, our results are not clear on the interaction of training methodologies to achieve such outcomes. When choosing thematic analysis to give an unaltered voice to experts' contributions, with no data reduction, we hindered the possibility of describing outcomes that could have been more fitting to training design as other studies have done (e.g. Jirwe et al., 2009). Still, given the adaptability of Delphi technique, these limitations could be overcome by including further rounds with current data systematization into a new questionnaire design and its distribution to a wider group of participants. Nonetheless, this study has shown the advantages of using the Delphi method to guideline development in field of IC in dispute mediation.

Future Directions and Implications

The Delphi methodology informed with relevant data that is consistent with suggestions on IC in mediation (Bhangoo & Pillay, 2006a; Hoffman & Triantafillou, 2014; LeBaron, 1998; LeBaron & Pillay, 2006; Zumeta & Lebaron, 2003) and psychology (American Psychological Association, 2003; APA, 2008; Fouad et al., 2009; Fouad & Arredondo, 2007; D. W. Sue et al., 1992b). However, the adjustment process of dispute mediation practices to become sensitive to intercultural diversity is still in its embryonic stages and its growth relates to different requirements. To start, the field should develop more evidenced-based resources on culturally relevant interventions with racially and ethnically diverse clients. This implies further efforts in consolidating mediation body of research (Coleman et al., 2015), clarifying effectiveness outcome criteria accordingly to multicultural assessment

methodologies (Suzuki & Ponterotto, 2008), and considering its replication over different mediation settings where cultural diversity is present, including how it may influence procedural preferences on mediation styles (Shestowsky, 2004). A collaborative multidisciplinary endeavour is needed to integrate such evidence with theoretical considerations regarding models of IC (Deardorff, 2009) and multicultural training design (Rogers & O'Bryon, 2014). Considering recommendations to culture-specific training design, an adapted framework of this work could be implemented to seek IC orientations to specific populations in other mediation contexts such as family, business, school, environmental, or restorative practices, just to name a few. We hope to have contributed to sensitize professionals and training bodies to the importance of developing more culturally competent interventions in mediation.

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Chapter 3 - A pre-test of self-report measures to assess training effectiveness

Introduction

Mediation can be generally defined as a "social process in which a third party helps people in conflict understand their situation and decide for themselves what, if anything, to do about it" (Noce, Bush, & Folger, 2012, p. 39). The mediator primary task is helping parties engage in collaborative and cooperative work towards a mutually satisfactory solution or agreement. This neutral third party, holding no power on the decisions, delivers a conflict resolution process in which parties are responsible for the decisions they make (Byrne & Senehi, 2009). Dispute mediation procedures require third parties to promote communication processes between conflicting parties. Ideally it should result in an understanding of the perspective of the other, in order to achieve a mutually satisfying agreement.

This process brings other requirements when participants from different language groups and cultures, with distinct sets of behaviour, rituals, and values, meet in mediation (Davidheiser, 2008). Mediation in intercultural contexts presents different obstacles to effective communication and different strategies are used to resolve disputes with parties from different cultures, particularly migrants and ethnic minorities. In past mediation literature reviews (Wall & Dunne, 2012; Wall & Lynn, 1993; Wall, Stark, & Standifer, 2001a), cultural factors in mediation context have only recently been addressed. Culture, due to its complex and multidimensional nature, is inadequately considered in mediation training, mediation process design, and intervention (Zumeta & Lebaron, 2003). Conflict mediators, as negotiation facilitators, should reflect on how cultural dimensions combine to affect disputing parties needs and agendas (Carnevale & Choi, 2000), their values and goals in the negotiating table, but also their available conflict strategies and reactions.

For a culturally sensitive process of mediation, a variety of aspects has been studied about the diversity of mediator characteristics, namely, age, gender, cultural background, academic backgrounds (e.g. law, psychology, social work, education), domain of mediation, mediation training, work environment, professional training and mediator style (Kressel, 2014; Kressel et al., 2012; J. A. Wall & Kressel, 2012). These factors can influence choice of techniques and interventions to be more problem solving or relation oriented (Kressel, 2006).

The Mediator Style

Literature in the field of mediation suggests that mediation styles influence the use of certain techniques and strategies, and management of the conflict resolution process (Butts, 2010; Charkoudian, 2012b; Kressel et al., 2012; J. Wall &, 2012). Conceptually, the style of the mediator can be defined as "a set of cohesive, interrelated behaviors that are strongly shaped by the mediators' explicit and implicit cognitions of the goals to be achieved and the behaviors that are acceptable (and unacceptable) for achieving those goals" (Wall & Kressel, 2012, p.412).

Some researchers designated a variety of styles to describe certain groups of mediators' behavior (e.g. Alexander, 2008, 2011; Bronson, 2000; Bush & Folger, 2005) that fostered intervention models that have been adopted by professionals. The styles of mediators had been studied and divided in three main groups: evaluative, facilitative and transformative (Bush & Folger, 1996; Kressel, 2006; Riskin, 1996), nonetheless there are other styles that have received less attention.

The only attempt to understand the effect of mediator style on outcome success in intercultural mediation is an experimental study on Turkish and American intercultural disputes using a virtual laboratory, with some limitations regarding external validity (Salmon et al., 2013). This study pointed that intercultural conflicts vary in a number of factors such as relationships with the third party, disputants' motivation, affect and behavioral intentions, which have also an impact on the process, besides mediator´s style. It concludes that the disputant difficulty characteristics have also impact in the mediaton style effectiveness. The same authors state that there is a need to explore the impact of mediation styles in intercultural disputes.

Intercultural Competence

It is important that professionals such as mediators in intercultural contexts are able to recognize that a person's culture is closely connected to value systems, health beliefs and behaviors, and communication styles (J. C. Hall & Theriot, 2016).

Intercultural competence in the mediation field applies to the processes with parties from different cultural backgrounds. Byram (2003) referes to it as an encounter where parties

are temporarily or permanently immersed in other cultures, wich involves components of dialogue and interaction..

Therefore, intercultural competence has been defined as a dynamic and complex process of being aware of and recognizing individual and cultural differences, consisting of three distinct, yet interrelated, components: 1) awareness of one's own cultural heritage, assumptions about human behavior, values, biases, preconceived notions, personal limitations and accompanying biases; 2) knowledge and understand of the worldviews and value patterns of culturally diverse populations and 3) specific, relevant, and sensitive skills for intervention with these populations (Sue & Sue, 2008).

As mentioned before, the emphasis on multicultural competencies of the last decades has stimulated the increase of scholarly publications on this topic, with a special focus on the development and application of assessment tools, intending to address the efficacy of the multicultural competencies in teaching, supervision, and practice (Hays, 2008; Arredondo & Tovar-Blank, 2014). Although there are various methods for assessing multicultural competencies, the majority of these instruments are available to measure on an individual level, which in turn have been mostly limited to self-report instruments (Arredondo & Tovar-Blank, 2014). Some exceptions were made by Worthington and colleagues (2000) and Cartwright et al. (2008), when these researchers examined counselors' multicultural competence using both self-reported and observer-reported multicultural counseling competence.

Furthermore, most of these instruments are based on Sue et al.'s (1982) conceptualization of multicultural competence; as such, these instruments primarily assess the degree of knowledge, awareness, and skills a counselor possess (or lacks) when reporting their work/experiences with multicultural clients (Hays, 2008).

Among the most common, analyzed and used instruments are: the CCCI-R (Cross-Cultural Counseling Inventory–Revised) developed by LaFromboise, Coleman, & Hernandez in 1991; the MCI (Multicultural Counseling Inventory) developed by Sodowsky, Taffe, Gutkin, & Wise, in 1994; the MAKSS (Multi-cultural Awareness-Knowledge-and-Skills Survey) by D'Andrea, Daniels, & Heck (1991); the MCKAS (Multicultural Counseling Knowledge and Awareness Scale) developed by Ponterotto, Gretchen, Utsey, Rieger, & Austin, in 2002; and the MCCTS (Multicultural Counseling Competence and Training Survey) developed by Holcomb-McCoy & Myers, in 1999 (for further review of the instruments, see Constantine & Ladany, 2000; Ponterotto et al., 2002; Hays, 2008).

Since the interest in the multicultural training has been growing in the last decade and considering the convenient features of the self-reported measures developed so far, these assessment tools have reached an outstanding use in this field (Ponterotto et al., 2002). However, a number of researchers have raised strong caution in using and interpreting these instruments, given their relatively recent development; lack of validation and replication research available and the predisposition of respondents to reply in socially acceptable ways. (Constantine & Ladany, 2000; Ponterotto et al., 2002; Arredondo & Tovar-Blank, 2014).

Current Study

The main goal of this study is to analyze the psychometric properties of two instruments. The first one is intended to evaluate the perception of intercultural competence among conflict mediators and the other one to describe the style of mediation used by mediators. The study of the psychometric characteristics of these instruments has the purpose of being a pre-test for the use of these measures in subsequent studies.

Method

Participants

Participants in this study were 95 Portuguese conflict mediators from different fields of intervention. The sample of participants from across the country was mostly women (81%), while 17% were male (2 missing values). The age of respondents was between 23 and 72 years old (M= 42.7; DP = 9.1). The majority was born in Portugal (88%), while others were from Portuguese Speaking Countries (7%; such as Brazil, Mozambique and Angola) or from other European Countries (4%; France and Germany). Two participants did not report their birth country.

Since mediation is a post-graduate training, there were different graduate backgrounds among mediators: 60% of the total number of participants who agreed to participate in this study were graduated in Law, 11% in Psychology, 6% in Social Politics and Social Service, 4% in Sociology, 4% in Education and other different areas (Economy, Administration, History, Pediatrics). Participants who responded to this questionnaire stated they had training in a specific theoretical approach (66%). These participants characterized their training approach on mediation as in Harvard School (40%), in Transformative Model (22%), in Circular Model (30%) and/or in other Models (8%; Integrative, Hybrid and Cochen model).

The participants reported between 1 and 15 years of experience as mediators (M=6.4; DP=3.9). They also reported the number of completed mediations along their professional activity distributed equitably as followed: less than 10 mediations – 15%, between 10 to 99 – 19%, from 100 to 499 – 18% and more than 500 – 15%. In terms of professional context where mediators work (those who reported to have professional experience), 44% developed their professional activity in public systems, 49% in private practice and 7% in both (public and private).

Procedure

Data were collected through an on-line survey that was distributed through different communication channels, including a specific mailing list of Portuguese mediators provided by the Direcção Geral da Política da Justiça (DGPJ – Public entity responsible for justice policies related to mediators). This study was also published on on-line platforms used to disseminate relevant information and studies in the mediation field.

After a brief description of the main proposals of this study, participants were asked to sign an informed consent and to complete a packet of questionnaires. In addition to the questionnaires, it was requested participants fill out socio-demographic characterization data such as academic background, years of experience, specific training for intercultural issues, type of mediation, and type of professional experience. Confidentiality and anonymity was explained to the participants who agreed to participate in this study.

The two instruments used were adapted for the purpose and context of the study.

Instruments

Cultural and Individual Diversity Competencies Inventory - CIDCI (Moleiro et al, 2010) is a scale consisting of 35 items of behavioral basis of self-reporting on a Likert 5-point scale (1-strongly disagree, 5-totally agree). The items that constitute the instrument were developed from a set of inventories and other questionnaires, specific for the evaluation of multicultural powers mainly developed in the USA. According to the authors, this scale allows to discriminate four factors of intercultural competence in particular openness, awareness, knowledge, and skills.

This instrument was originally developed to assess multicultural competence among Portuguese mental health professionals. A first step was necessary to adapt this instrument to

the context of mediation, since it was already adjusted to cultural and language of the participants of the study. This first step was conducted by a team of experienced mediators who have adapted the items to the reality of the professional context of mediation.

In a previous study (Moleiro, Marques & Pacheco, 2011; Moleiro et al, 2010) the internal consistency of the scale was good (α = .89) and gave rise to four factors: 1) Openness (α = .74; e.g., *"I demonstrate openness to possible differences that may exist between me and my clients of minority groups"*); 2) Awareness (α = .72; e.g., *"I am aware that my cultural roots influence my way of thinking and acting"*); 3) Knowledge (α = .84; e.g., *"I have knowledge about the characteristics and experiences of people from ethnic minorities and their possible impact on the well being"*); 4) Skills (α = .74; e.g., *"Where necessary, I try to include other professionals in the intervention process with clients of minority groups"*). For this study, from the original questionnaire consisting of 35 items, 5 items were not used related to diversity based on gender, sexual minorities, religious minorities, disability or others not suited to the goal of this study.

Attitude Towards Mediation Scale - ATMS (Butts, 2010) is a self-report scale, which consists of nine items, describing goals, behaviors and attitudes of the mediator face the mediation. Participants were asked to indicate the degree to which they identified their practice, on a Likert scale of 1 ("describes my approach poorly") to 7 ("describes my approach well") points. Each item is associated with one of the two foci of mediator intervention: focus on the agreement and resolution of the problem, or focus on the dialogue between the parties. Summing and averaging items for each dimension allows the identification of two subscales for mediator style: Resolution-oriented (5 items) vs. Dialogue-oriented (4 items). A total score for the scale is not computed, only for each subscale.

This instrument was developed in the North American context. Initially this instrument followed translation and back translation procedures of the original version in English into Portuguese. Items in the English version have been translated, independently, by a psychologist/mediator and a mediator proficient in English, then proceeded to the retroversion to the English language, work done by a bilingual translator (English and Portuguese). The items were compared in both versions and adjusted in order to not lose the original meaning or had to be adapted to the cultural context of the Portuguese mediators.

In previous study Butts (2010), the resolution-oriented subscale had a reliability of 0.87 (e.g., *"As a mediator, I often ask questions to test ideas I begin to develop about underlying causes or motives that are fueling a conflict"*) and the dialogue-oriented subscale had a reliability of 0.80 (e.g., *"Reaching a settlement should not be a mediator's primary goal"*).

Results

Means, standard deviations, internal consistency and correlations estimates from the present sample are presented in Table 1 for CIDCI. In this Table we can find the values for the entire scale and for the four subscales.

Table

Table 2 - Values of internal consistency, means, SD and correlations for total scale and subscales of CIDCI

	Total	Factor 1	Factor 2	Factor 3	Factor 4	Mean	SD	*N* items
Total	$\alpha = 0.91$	0.93**	0.76**	0.81**	0.86**	3.70	0.51	30
Skills		$\alpha = 0.75$	0.60**	0.80**	0.74**	3.67	0.60	9
Consciousness			$\alpha = 0.72$	0.38**	0.53**	3.70	0.60	7
Knowledge				$\alpha = 0.83$	0.65**	3.50	0.62	7
Openness					$\alpha = 0.87$	3.94	0.64	8

Cronbach`s alpha presented in diagonal **p < .01

In Table 1 we can find internal consistency reliability and correlations of the self-report measure and subscales (CIDCI). Alpha coefficients ranged from 0.72 to 0.91 The most significant result is for the entire scale (0.91) but for the four subscales the internal consistency was also good: Skills (0.75), Consciousness (0.72), Knowledge (0.83) and Openness (0.87). High levels of internal consistency were also reported in the original measure. In the same table we can find also correlations among the scale and subscales. We can see that for all factors, correlations were highly significant, with values from 0.38 to 0.93.

Participants' perceptions of their cultural diversity competence was examined by calculating means and standard deviations. In Table 1 is shown that participants perceived themselves with high levels of cultural diversity competence in general (3.70) and perceived more competence in terms of Openness (3.94), followed by Consciousness (3.70) and Skills (3.67) and at last in Knowledge (3.50).

No association was found between CIDCI and the following variables: graduation backgrounds (r=0.04, *ns*), models of mediation (r= 0.08, *ns*) or years of experience (r=0.03, *ns*).

In Table 2 results are shown for the two subscales of mediation style (Dialogue-oriented and Resolution-oriented) in terms of internal consistency, means and standard deviations for ATMS.

Table 3 - Values of internal consistency, means, SD for subscales of ATMS

	α	Mean	SD	*N* items
Dialogue-Oriented	0.48	3.67	0.60	4
Resolution-Oriented	0.66	3.70	0.60	5

Alpha coefficient in subscale Resolution-Oriented was modest and slightly exceeded the level of 0.60, which Nunnally (1978) mentions as the lower limit for a newly developed scale. For subscale Dialogue-Oriented alpha coefficient was poor (0.48) in our sample.

As already mentioned the subscales are independent, positioning participants in two styles of mediation and therefore no correlation between the two can be calculated.

Associations with ATMS were calculated but no statically significance was found in terms of gender (resolution scale, r=0.01, *ns*; dialogue scale, r=0.14, *ns*), graduation backgrounds (resolution scale, r=0.18, *ns*; dialogue scale, r=0.04, *ns*) or years of experience (resolution scale, r=0.05, *ns*; dialogue scale, r=0.02, *ns*).

Discussion

Concerning the work of conflict mediators in the context of cultural diversity, there seem to be few measures to evaluate perceived intercultural competence. Nonetheless, in some disciplines (e.g, psychology, counseling) specific measures for intercultural competence have been developed and the importance of training professionals in this area has been highlighted (Celik, Abma, Klinge, & Widdershoven, 2012; Whealin & Ruzek, 2008).

The results in *Cultural and Individual Diversity Competencies Inventory* – CIDCI- results revealed moderately high internal consistency reliabilities and moderately high interfactor correlations, as in the original scale (Moleiro, 2011). The tridimensional model of intercultural competence (Sue, Arredondo and Mc Davis, 1992) has a good application in this instrument, in the dimensions of Awareness, Knowledge, Skills (and Openness) all with good internal consistency. In general, conflict mediators perceived themselves highly intercultural competent. Previous studies (Moleiro, Marques & Pacheco, 2011; Freire et al, 2010) reported results of high levels of intercultural competence on self-report measures. The authors stated that professionals with low awareness about cultural differences and cultural belonging might have a tendency to over evaluate their competencesin this type of measures.

Literature on conflict mediation has referred the importance of mediator styles in mediation processes, although only few studies have been done about this subject (Goldfien & Robbennolt, 2007; Kressel & Gadlin, 2009). The lack of research in this area is also due to the fact that no study has successfully created a psychometric valid instrument to realiably and systematically measures variants of mediation styles (Butts, 2010). In this sense ATMS was built as a proposal to fill this lack of instruments and assessment. However, in this study the values of internal consistency of the *Attitude Towards Mediation Scale - ATMS* (Butts, 2010) were very low, comparing to the original scale (0.87 e 0.80). One possible explanation for these results is that mediators in Portugal are less familiar with different styles of mediators or do not recognize them as being very different from each other or mutually exclusive (Kressel, 2006).

We recognize the contributions of this study in providing specific knowledge in these self-report measures, we also acknowledge some limitations. First, it is important to note that the sample was small. For a study with these characteristics, a large number of participants are needed, to explore and validate psychometric properties of these instruments. Second, statiscally it does not enable comparative analyses regarding years of experience, training

experience, and graduation areas, which are considered to have an impact on mediation caractheristics.

Although participants were informed about anonymity in their responses, they may have tried to appear culturally desirable, on answers for CIDCI, given the present context encouraging diversity and inhibiting forms of prejudice and racism (Vala, Brito & Lopes, 1999). As pointed by many authors (e.g. D'Andrea, Daniels & Noon, 2003; Hays, 2008; Sadowsky, Taffe & Gutkin, 1991) self reported measures should be used with other types of methods, for example case vignettes, to avoid social and cultural desirability.

As stated in the initial objectives, this study intended to be a pre-test of these instruments. CIDCI showed good internal consistency to measure intercultural competence and to be used in the context of conflict mediation. As for ATMS, the adaptation for the Portuguese context and the correspondent study of psychometric characteristics reveal poor results. Given the low internal consistency results of the ATMS we decided not to use this instrument in future studies.

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Chapter 4 – Intercultural Competence Training for Dispute Mediators: A Pilot Study on Training Development and Evaluation

This chapter is based on the paper: Ramos, Moleiro & Roberto (under review) Intercultural Competence Training for Dispute Mediators: A Pilot Study on Training Development and Evaluation. *Cultural Diversity and Ethnic Minority Psychology*.

Abstract

Objectives

The purpose of this study was to assess the impact of a brief training program, designed in a tripartite module structure, to enhance intercultural competence of conflict mediators within dimensions of awareness, knowledge and skills.

Method

Effectiveness assessment was structured using a mixed methods approach by integrating a quantitative self-report measure and a qualitative case vignette to compare intercultural competence before and after training.

Results

The results of self-report measures reveal a statistically significant effect of the brief training program in increasing posttest perception of global intercultural competence, as well as in specific dimensions of awareness and skills. The case-vignette thematic analysis also shows qualitative differences in pre and post-training responses to conflict characterization, case and mediator facilitative/hindering characteristics, suggested mediator strategies, and supervision needs.

Conclusions

Our main findings suggest that training was effective in improving perceived and explicit intercultural competence of conflict mediators.

Keywords: Mediation, Culture, Intercultural competence, Training Development, Training Assessment

Introduction

Since Bush and Bingham's (2005) knowledge gaps study, the conflict resolution field is advised that "the role of culture as a construct and influence in conflict, though widely recognized as important, remains inadequately explored." (Bush & Bingham, 2005, p. 114). Within mediation, Zumeta and Lebaron (2003) have also "called to the profession" that the complex and multidimensional nature of culture is inadequately considered within training, process design, and intervention. As interdisciplinary fields, conflict resolution and mediation require a certain degree of cultural competence to navigate between their domains of knowledge without losing the horizon (Reich & Reich, 2006). However, when considering the problem of adjusting practices to cultural diversity, it seems mediation needs guidance from the path already taken from Psychology. In fact, mediators with a psychology background have a responsibility to try to influence cultural sensitivity within mediation systems and private practices. This is a responsibility that stems from the American Psychological Association Multicultural Guidelines (American Psychological Association, 2003) to guide ethical behaviour in diversity contexts, particularly guideline 6, that encourages the use of "organizational change processes to support culturally informed organizational (policy) development and practices". APA professional commitment has driven scholars and practitioners to develop a large set of research on multicultural competence, related to construct assessment (Roysircar, 2014), evidence based practice (Nagayama Hall & Yee, 2014), or training methodologies and curriculum development (Rogers & O'Bryon, 2014). As Arredondo and Tovar-Blank (2014) suggest, Multicultural Counseling Competences(MCC) could be adapted to different areas such as education or peacekeeping strategies. In fact, the influential work of Sue, Arredondo and McDavis (1992), despite criticism (Ridley et al., 2001; Ridley & Shaw-Ridley, 2011), has given a framework that became a standard in conceptualizing research, training, practice and supervision guidelines (D. W. Sue, 2001; D. W. Sue et al., 1992a; D. W. Sue & Sue, 2008). MCC continues to evolve by increasing professionals' sense of social responsibility and social justice concerns (Ratts & Pedersen, 2014; Ratts, Singh, Nassar-Mcmillan, Butler, & McCullough, 2016a) and has been applied to the field of multicultural conflict resolution, particularly for its implications for education and training (Pedersen, 2006a).

The tripartite MCC model (D. W. Sue, 2001; D. W. Sue et al., 1992a; D. W. Sue & Sue, 2008) conceptualizes three dimensions (beliefs and attitudes, knowledge, and skills) describing three characteristics of cultural competence (Awareness of one's own assumptions,

values, and biases; understanding client worldview, and development of appropriate interventions and techniques). Related to a culture-centred approach of training competences, Pedersen (Ratts & Pedersen, 2014) suggests a three-stage developmental sequence: from multicultural awareness, to knowledge and comprehension, to skills and applications.

Mediator cultural awareness

A concern for a culturally sensitive process of mediation is related to the diversity of mediator characteristics, namely, age, gender, ethnicity and cultural background, academic backgrounds (e.g. law, psychology, social work, education), domain of mediation, mediation training, work environment, professional training that relate to mediator style (Kressel, 2014; Kressel et al., 2012; J. A. Wall & Kressel, 2012). These factors can influence choice of techniques and interventions to be more problem solving or relation oriented (Kressel, 2006). These approaches could negatively impact the process if there is lack of congruence with parties' different cultural background or communicative style, and could be as much harmful as less aware the mediator is of this barrier and his/her own professional assumptions. The fact is that western mediation itself constitutes a reflection of certain cultural values, when promotes conflict resolution by contemplating equality between parties, or considering that problem-solving strategies should be focused on sharing the most information possible. The advocated mediator neutrality, impartiality and lack of power on the decisions can be challenging for parties that do not share the individualistic values of western cultures. In fact, if the question of lack of power in the decisions is central to ethical mediator behaviour (Byrne & Senehi, 2009), all professionals must ponder how much does their power over the process can effectively contribute to convey parties into situations that could be disrespecting from the point of view of their own cultural values. Within its very diverse body of theories, techniques and styles (Kressel, 2014), mediation has its own embedded cultural values that stem from the diversity of ontological and epistemological assumptions (Peterson, 1992). The transformative model of Bush and Folger (Bush & Folger, 2005; Folger & Bush, 1996) advocates mediation as a means of making society less individualistic and more relational. The facilitative model of mediation, as Brigg (2003) mentions, "embodies specifically Western views of conflict and selfhood and that it effects an operation of power that has significant political implications for mediation involving people of non-Western cultural background" (Brigg, 2003, p. 300). Narrative approaches of mediation take on a dialogical, relational, and constructionist approach that distance the process from the more liberal-

humanist and structuralist perspectives where the mediator can be neutral and impartial (Winslade & Monk, 2008). Winslade and Monk (2008) state that rather than from a place of neutrality, in a constructionist perspective “the mediator is fully prepared to acknowledge that her ethical, moral, and professional stance will shape and influence the way in which the conflict will be addressed" (Winslade & Monk, 2008, p. 114).

The lack of awareness of cultural aspects in mediation is reflected in the dearth of emphasis on cultural sensitivity guidelines within mediation accreditation processes (Law, 2009) and curriculum contents design of the majority of mediator training programs that might not be adequate to bridge the gap between theory and practice (Zariski, 2010). However, this is not so surprising when considering that, in mediation theory-building, cultural factors have only been superficially addressed in literature reviews (J. A. Wall & Dunne, 2012; J. A. Wall et al., 2001a).

Mediator cultural knowledge

The question remains on what knowledge to obtain to a more sensitive mediation practice within cultural diversity. It is important to have factual knowledge of cultural norms and traditions of individuals with whom the mediators work. However, often such knowledge contributes to the construction of stereotypes and prejudices over certain groups that could also hinder the process.

Actually, grasping culture can be a very demanding venture. Due to the complexity of construct of culture, several scholars have contributed to decompose it in a diverse set of dimensions, and some have taken the road of showing how cultural dimensions are embedded in peoples' perceptions and attitudes towards conflict, and modulate their strategies in solving it (Avruch, 2003; Brigg, 2003; M. Gelfand et al., 2011; M. J. Gelfand & Brett, 2004; LeBaron & Pillay, 2006; Menkel-meadow, 2011). Social psychology has provided a body of theories on the impact of culture processes in individual and group behaviour (A. K.-Y. Leung et al., 2011; Wyer et al., 2009), particularly in the field of negotiation (M. J. Gelfand & Brett, 2004) and organizational behaviour (M. J. Gelfand et al., 2007). However, these theories are just but starting points in helping mediators attune their practices to intercultural contexts. Nuances on how these (and other) dimensions are expressed may be found in the original works of Triandis (1995), Hofstede (2001), Trompenaars, Kitayama (1991), and other scholars dedicated to extricate the multidimensional nature of culture (A. K.-Y. Leung et al., 2011; Wyer et al., 2009). Research has suggested how some of these dimensions like individualism-

collectivism might influence preference of procedural methods for conflict resolution (K. Leung, 1987), or how power-distance values of the disputants relate to the conflict-resolution efforts of third parties (Tyler et al., 2000).

There are several considerations on theoretical cultural knowledge to develop and integrate in mediation (Avruch, 2003; Barnes, 1994; Brigg, 2008; Busch, 2012; Davidheiser, 2008; Deutsch, Coleman, & Marcus, 2006; Irving, Benjamin, & San-Pedro, 1999; Laukkala, 2015; Law, 2009; LeBaron, 2014; Leeds, 2001; Mason & Kassam, 2011; Menkel-meadow & Abramson, 2011; Rubenfeld & Cl, 2012; Ting-Toomey, 2011b; Ting-toomey & Kurogi, 1998; Ufkes, n.d.). However, due to theoretical fragmentation of both mediation (Zariski, 2010) and cultural competence fields there is still a lack of consensus on a unified theoretical framework that bridges theory, research and training practices to inform mediators to navigate within cultural diversity contexts.

Main goal of the study

In Portugal, IC has been studied in specific contexts, particularly in Clinical Psychology and Psychotherapy (Moleiro et al., 2014, 2013) or within IC training programs in child protection services (Moleiro et al., 2011). However, in the area of conflict mediation, there are no theoretical nor empirical studies related to the specificities of interventions with etnhic minorities or migrants, neither.

Our study is innovative at a worldwide level since it involved the development of a intercultural competence training curriculum specific for conflict mediation, based within the theory-based approach of multicultural competence (Constantine & Sue, 2005b; D. W. Sue et al., 1992b), that also influenced its training implementation and evaluation. We aimed at impact assessment of this short training, focusing on three key areas: awareness, knowledge and skills. For this purpose we used a mixed methods approach by integrating a self-report measure and a case vignette to compare intercultural competence perception before and after training. To achieve better data triangulation, an explanatory study within a focus group methodology was also developed but its results will be the target of a separate article.

Method

Intercultural Training Program

The brief training program was developed according to guidelines from a previous Delphi study, that gathered consensus from an expert panel on the various intercultural competence training outcomes (ICTO) in dispute mediation (Ramos, Moleiro, Roberto & Freire, in preparation). This consensus-building methodology outlined expected training outcomes to effective and appropriate intercultural competence of conflict mediators, according to different hierarchical levels of development (novice, intermediate, advanced and expert). The intercultural training program was designed in a tripartite module structure, focusing on awareness expansion (6 hours), knowledge acquisition (8 hours), and specific skills development (10 hours). Comprehending a total of 24 hours training, the sessions took place in LAPSO (Social Psychology Laboratory) facilities in ISCTE-IUL. Following Pedersen (2000) stage developmental sequence, awareness and knowledge training modules took place in consecutive weekends, and skills module after a 15 days break. The pedagogical methods were diverse, as recommended in multicultural literature (Constantine & Sue, 2005b; Rogers & O'Bryon, 2014), including role-play, debriefing discussions, and critical analysis of practice experiences that are also recommended in mediation training literature (Hedeen, Raines, & Barton, 2010; Raines et al., 2010a).

In the first section (6 hours) the purpose was to address awareness issues through develop critical consciousness that allows mediators to understand their individual relationship with cultural diversity as an inherent part of his/her vision of the world. For this goal experiential exercises were conducted for self-knowledge and group dynamics. In the second section (10 hours), the purpose was to acquire knowledge about the definition of culture and cultural differences; about the identity processes that are the basis of social representations, stereotypes and prejudices, and about the Portuguese migratory context and the specifics of the relationship with justice. This section used a theoretical approach of the concepts with small group work and discussion methods. In the third section (10 hours), the main goal was to know and analyze the facilitators' instruments of a sensitive mediation cultural diversity and to recognize different styles of mediation, intercultural communication, and the specific resources to the mediation context (translators or co-mediators). In this section we used role-play and simulations to develop specific skills for mediation in the cultural diversity context.

Participants

Participants in this study were 16 conflict mediators from different fields of intervention that were interested in the context of the cultural diversity mediation. The vast majority were women (15) only two men, with ages between, 23 to 62 years. All of participating mediators had Portuguese nationality, though some were born in a foreign country, namely: EUA, Swaziland and Venezuela. Participants had different years of mediation practice, ranging from 0 to 14 years, and also in terms of number of cases mediated over the past year (between 0 to 500). Participants had different areas of graduation: 29% were from Law School, 17% from Psychology, 17% from Sociology, and the remaining in other areas of the Social Sciences. Mediators' professional experience had an average of 4 years, although 41% of the sample had no professional experience. As to mediation in cases of cultural diversity, 60% of all participants had never had any experience. Regarding previous cultural diversity training, 59% of participants reported having had previously specific training in this area (3 participants in graduation; 2 in a interculturalism module along mediator training; 2 participants in a workshop about migration and 10 participants did not respond).

Procedure

Information about the training in the form of brochure (containing the general goal and specific goals for each module, names of the trainers, duration, dates and the venue of the course) was distributed through different communication channels, including a specific mailing list of Portuguese mediators provided by the Direcção Geral da Política da Justiça (DGPJ – Public entity responsible for justice policies related to mediators). The information was also published on on-line platforms used to disseminate relevant information and studies in the mediation field.

Mediators interested in participating in the training, submitted documents proving the qualifications required for the exercise of the profession. 30 people expressed their interest in participating, however 10 did not have the necessary documentation or were not qualified to exercise mediator´s profession. After confirming this information, the first twenty people registered by e-email were integrated in training.

In the first day of the training, participants signed an informed consent with a brief description of the training program, that was free of charges, with a trade-off of an initial deposit of 40 euros that was refunded after completion of all given pre and post-training

questionnaires. Confidentiality and anonymity was granted to all participants who voluntarily agreed to participate in the study.

Participants completed a four section questionnaire collection, comprehending (1) socio-demographic characterization, (2) a measure for mediator style approach, (3) a self-report measure of cultural competencies, and (4) a case-vignette with specific questions for case conceptualization. The socio-demographic section collected data on academic background, mediation training, length of practice experience, mediation intervention context, and organizational setting experience (private/public services). To control for instruments order effects, participants received the questionnaire collection in a randomized sequence of the four sections.

Instruments

Self-report measure of cultural competencies. CIDCI – Cultural and Individual Diversity Competencies Inventory (Moleiro et al, 2010) is a scale consisting of 35 items of behavioural basis of self-reporting on a Likert 5-point scale (1-strongly disagree, 5-totally agree). The items that constitute the instrument were developed from a set of inventories and other questionnaires, specific for the evaluation of multicultural powers mainly developed in the USA. According to the authors, this scale allows to discriminate four factors of intercultural competence in particular openness, awareness, expertise, and culturally appropriate intervention strategies (Freire et al., 2010).

In a previous study, Moleiro; Marques & Pacheco (2011) the internal consistency of the scale was good (α = .89) and gave rise to four factors: 1) Openness (α = .74; e.g., “I demonstrate openness to possible differences that may exist between me and my clients of minority groups”); 2) Awareness (α = .72; e.g., "I am aware that my cultural roots influence my way of thinking and acting”); 3) Knowledge (α = .84; e.g., "I have knowledge about the characteristics and experiences of people from ethnic minorities and their possible impact on the well being”); 4) Skills (α = .74; e.g., “Where necessary, I try to include other professionals in the intervention process with clients of minority groups”).

For this study, from the original questionnaire consisting of 35 items, 5 items were not used related to sexual minorities, religious, persons with disabilities or others because it didn’t suit the goal of this study. The analysis of internal consistency resulted in the values of Cronbach's alphas as follows: Full scale α = .88; Awareness α = .64; Knowledge α = .85; Skills α = .79.

Case Vignette – pre and post training assessment: Participants received case vignette. The case described a conflict situation between neighbours of the same building. One of the parties was a migrant family member from Syria and the other one a Portuguese man. As suggested by Moleiro et al. (2011), participants were asked seven open ended questions about the case, each of the questions had a space for three responses, concerning: 1) characterization of the conflict 2) intervention objectives and strategies; 3) case characteristics facilitative of the mediation process; 4) expected difficulties about the case; 5) facilitative characteristics of the mediator; 6) difficult characteristics of mediator; 7) supervision needs. We conducted a thematic analysis (Braun & Clarke, 2006) of the case-vignette across the cases, using NVivo software for data storage, coding, and theme development. The verification procedures included an independent coder with inter-coder agreement of 93% (Creswell, 2009).

Results

Self-report of cultural diversity competencies

The results of pre and post-training are presented in Table 2. Repeated measures ANOVAs were conducted in order to evaluate the impact of training on mediators' perception of cultural diversity competences(full scale and the 4 dimensions: openness, awareness, knowledge and skills). Normal distribution and sphericity of the variance–covariance matrix were evaluated with the Kolmogorov–Smirnov with Lilliefors correction. Mean values of the results for full scale and subcales, pre and post training, are presented in the table.

Table 4 – Pre and post-training results of the self-report measure of intercultural competence

CIDCI	Pre-training Mean (SD)	Post-training Mean (SD)	F-value	p
Full scale	3.78 (0.96)	3.96 (0.70)	7.09	0.018*
Openness	4.31 (0.10)	4.46 (0.09)	4.21	0.058
Awareness	3.76 (0.11)	4.03 (0.12)	8.29	0.011*
Knowledge	3.43 (0.76)	3.31 (0.67)	0.68	0.423
Skills	3.72 (0.53)	3.99 (0.41)	7.72	0.014*

* $\alpha < 0.05$

Mean differences were statistically significant for CIDCI full scale [F(1.15)=7.09, p<0.05] with an increase of means between pre and post training. Results were also statistically significant for two dimensions of CIDCI: Awareness [F(1,15)=8.29, p<0.05] and Skills [F(1,15)=7.72, p<0.05]. The means of both dimensions also increased from pre to post training, Awareness. No statistically significant differences were found between pre and post training on Openness [F(1,15)=4,21, ns] and Knowledge dimensions [F(1,15)=0,68, ns].

Case vignette for evaluation of cultural competence

Content analysis of the case vignette resulted in a total amount of 258 units of analysis in time 1 (pre-training) and 267 units of analysis in time 2 (post-training). The full details of unit distribution across themes can be seen at table 5.

Table 5 - Thematic analysis on the case-vignete for evaluation of intercultural competence

Themes	Pre-training		Post-training		Diference between moments
	Units of analysis	%	Units of analysis	%	%
1.Conflict characteristics	**44**		**46**		
Cultural, religious and individual diversity aspects	21	48%	25	54%	7%
Opposing interests and substantive aspects	6	14%	2	4%	-9%
Language barriers	7	16%	5	11%	-5%
Interpersonal dynamics	7	16%	5	11%	-5%
Prejudices and stereotypes	3	7%	9	20%	13%
2. Mediator strategies to address conflict	**41**		**45**		
Clarification strategies	17	41%	17	38%	-4%
Relational strategies	8	20%	8	18%	-2%
Problem-solving strategies	6	15%	6	13%	-1%
Strategies to address cultural specificities	10	24%	14	31%	7%
3. Case facilitators	**30**		**35**		

Table 5 - Thematic analysis on the case-vignete for evaluation of intercultural competence

Themes	Pre-training		Post-training		Diference between moments
	Units of analysis	%	Units of analysis	%	%
Party's positive attributes	9	30%	4	11%	-19%
Communication in a common language	2	7%	5	14%	8%
Display of integration intention	5	17%	5	14%	-2%
Shared interests and experiences	8	27%	10	29%	2%
Other	6	20%	11	31%	11%
4. Case difficulties	**41**		**40**		
Language barriers	9	22%	8	20%	-2%
Cultural and religious differences	11	27%	10	25%	-2%
Hostility between the parties	2	5%	2	5%	0%
Inflexibility and opposing interests	11	27%	8	20%	-7%
Stereotypes and cultural prejudices	2	5%	4	10%	5%
Other	6	15%	8	20%	5%
5. Mediator facilitators	**36**		**43**		
Cultural impartiality attitude	4	11%	1	2%	-9%
Mediation technical capabilities	16	44%	25	58%	14%
Knowledge and openness to cultural differences	8	22%	9	21%	-1%
personal qualities	6	17%	7	16%	0%
Other	2	6%	1	2%	-3%
6. Mediator difficulties	**35**		**26**		
Lack of cultural specificities knowledge	7	20%	6	23%	3%
Lack of proficiency in a common language	5	14%	4	15%	1%
Stereotypes and cultural prejudices	9	26%	12	46%	20%
Profile and professional experience inadequacy	13	37%	2	8%	-29%
Other	1	3%	2	8%	5%
7. Supervision Needs	**31**		**32**		

Table 5 - Thematic analysis on the case-vignete for evaluation of intercultural competence

Themes	Pre-training		Post-training		Diference between moments
	Units of analysis	%	Units of analysis	%	%
Specific cultural knowledge	11	35%	10	31%	-4%
General mediation strategies	10	32%	9	28%	-4%
Strategies to address cultural specificities	6	19%	10	31%	12%
Other	4	13%	3	9%	-4%
Total	**258**		**267**		

Between pre and post-training results, the group atributed as roots for the conflict more cultural, religious and individual diversity aspects (>7%), as well as prejudices and stereotypes (>13%), and a lower focus on opposing interests and substantive aspects (<9%). Concerning the case characteristics, facilitative features were more explained by communication in a common language (>13%), and difficulties were less related to inflexibility and opposing interests (<6%), and more to stereotypes and cultural prejudices (>7%).

Regarding mediator strategies to address conflict, post-training results showed a switch from clarifying, relational, or problem-solving strategies to an enhanced focus on strategies to address cultural specificities (>7%). As mediator's facilitative characteristics, participants described more mediation technical skills (>12%) and a less cultural impartiality attitude (<9%). However, although participants manifested less profile and professional experience inadequacy (<29%), they showed a highly increased report on their personal stereotypes and cultural prejudices (>24%) as professional difficulties to address the conflict. These findings relate to the supervision demands that were less related to specific cultural knowledge (<6%) and general mediation strategies (<6%), but more focused on acquiring specific mediation strategies to address cultural specificities (>12%).

Discussion

The purpose of this study was to assess the impact of a brief training program, designed in a tripartite module structure, to enhance intercultural competence of conflict mediators within dimensions of awareness, knowledge and skills. Effectiveness assessment was structured within a mixed methods approach by integrating a quantitative self-report measure and a qualitative case vignette to compare intercultural competence perception before and after training.

Our main findings suggest that training was effective in improving perceived and explicit intercultural competence of conflict mediators. The results of self-report measures revealed a statistically significant effect of the brief training program in increasing post-test perception of global intercultural competence, as well as in specific dimensions of awareness and skills. The case-vignette thematic analysis also shows qualitative differences within group pre and post-training responses to conflict characterization, suggested mediator strategies, case and mediator facilitative/hindering characteristics, and supervision needs.

A more detailed analysis of self-report measures shows that, before training, the mediator's group had a starting high perception of their overall intercultural competence. The pretest results within intercultural competence dimensions revealed the highest mean in openness factor which did not change significantly between time 1 and 2. This peculiarity may be related to the particular professional development of mediators who, along their training and practice, are expected to be open and receptive to explore parties' interests, accommodating the most varied and complex disputes with a spirit of neutrality and impartiality (Laukkala, 2015). Also, the fact that participants volunteered to this training might suggest that they would be previoulsy interested in diversity issues and thus highly open on learning about cultural diferences (R. C.-L. Chao, Wei, Spanierman, Longo, & Northart, 2015; Fischer, 2011). However, we know that in the psychologist's context, that also shares some of these ethical principles, several studies have demonstrated evidence of perceived cultural competence relating (or not) to effective competence (Cartwright, Daniels, & Shiqiang, 2008a; Gargi, Roysircar, and Hodges, 2012; Sehgal et al., 2011). As suggested by Sue (2001), beyond individual biases, prejudices, and misinformation, professional culture-bounded definitions or ethnocentric standards could hinder the process of providing appropriate services within diversity contexts of intervention. Nonetheless, it is also relevant to consider potential influences related to the characteristics of the self-report measure of

intercultural competence (CIDCI), which was originally designed to the mental health professionals and later adjusted to the professional context of mediation. In this sense, results may be associated with issues of recurring social desirability effect within self-report measures in these settings (Cartwright, Daniels, & Shiqiang, 2008b; Constantine & Ladany, 2000; Liu, Sheu, & Williams, 2004; Schnabel, Kelava, van de Vijver, & Seifert, 2015). In fact, the tendency to over-estimate their own competencesin self-report also shown in groups that have not had previous training in intercultural competence as referred by Moleiro and colleagues where the original instrument was applied (Moleiro et al., 2011). As Gillem and colleagues (2016) recall, social psychology literature has given evidence for this bias of consistently overrated levels of competence and accomplishment across different contexts (Dunning, Johnson, Ehrlinger, & Kruger, 2003). The classic Dunning-Kruger effect revealed this overestimation of certain abilities particularly in people who are unskilled in those domains, and that "their incompetence robs them of the metacognitive ability to realize it" (Kruger & Dunning, 1999, p. 1121). Nonetheless, despite initial overestimation of perceived intercultural competence, the fact is that posttest results show statistically significant changes in increasing perception of global intercultural competence, as well as in specific dimensions of awareness and skills. As Kruger and Dunning (1999) suggest, training in metacognitive skills can significantly calibrate the accuracy of self-assessment. A curious detail of the self-report measure is the slight reduction of post-test mean in the knowledge dimension. Although this result was not statistically significant, associated with the increased awareness, it suggests a move from the participants' initial unconscious incompetence to a stage of conscious incompetence. This progress hints the first step in increasing intercultural awareness as Fischer (2011) stated when reporting a drop in self-rated cognitive and metacognitive cultural intelligence (CQ) after brief training. Actually, the learning progress from unconscious incompetence, via conscious incompetence and conscious competence, to unconscious competence, is expected in developmental models in the cross-cultural training (Bhawuk & Brislin, 2000) or mediation training skills (Hedeen et al., 2010).

Self-report measures applied exclusively do not appropriately measure competence in a given domain. There are several references in the literature that consider other measures to triangulate data and better assess intercultural competence (Constantine & Ladany, 2000). Constantine and Ladany (2000) proposed the inclusion of supervisors' ratings on the same measures, or direct means (e.g. videotape, direct observation) of simulated situations as solutions to mitigate the social desirability effect of self-report measures, and provide a more objective assessment of intercultural competence. In our study, the thematic analysis of the

case-vignette objective measure allowed a different reading of the quality of the impact of training. Participants' responses in post-test revealed a different distribution of units of analysis across themes, suggesting a different awareness in intercultural case conceptualization, than what was shown before training. Participants attributed a greater importance to cultural, religious and individual diversity aspects of the case, as well as the role of prejudices and stereotypes between parties. This suggests that participants have integrated a greater awareness of cultural factors on what may constitute the conflict, declining to devote as much causality to substantive aspects as in the case-vignette pre-test. This effect is congruent with mediator experiences related by Albrecht (2010) within a intercultural-neighbourhood mediation programme that state the "conflicts are often about more than the concrete complaints that are firstly forwarded by the parties and require an enhancement of cultural understanding and tolerance on both sides" (Albrecht, 2010, p. 11). One aspect revealed by the thematic analysis is the participants' greater awareness of their cultural belonging and biases, denoted by increased report on their stereotypes and cultural prejudices as professional difficulties to address the conflict. Within a skills dimension, the case-vignette results report an increased supervision need in sharing more experiences with each other and broaden their range of specific mediation strategies to address cultural specificities. It seems to reflect the participants awakening to the journey, as Hoffman and Triantafillou state, that "becoming a culturally competent mediator is a process, not a destination" (Hoffman & Triantafillou, 2014, p. 251).

Future Directions and Implications

We acknowledge that our findings cannot be inferred to the general population of mediators due to the lack of internal and external validity issues. In fact, the small group of research participants was drawn from a nonrandomized sample, and the absence of a control group makes it impossible to infer that observed changes are attributed to training exposure and not to other possible causes.

Nonetheless, results provide some relevant preliminary data and accentuate the need for future investigations. This study uncovers a positive impact of training in a group that consisted mostly of women, with moderate experience in mediation practice, and a general homogeneity of cultural background (Portuguese and Caucasian). Further studies should consider the possibility of developing further quasi-experimental designs to measure training effectiveness by comparing more heterogeneous and homogeneous groups, considering

variations of gender, ethnic origin, level and context of professional experience, mediation style, or previous training in cultural competence. It could be interesting to explore the potential interaction effect race/ethnicity in intercultural training dimensions (Ruth Chu-Lien Chao, Wei, Good, & Flores, 2011), particularly to inform solutions that have been put forward to better adjust the mediation setting to cultural diversity, such as matching mediators cultural backgrounds to the parties (Hedeen, 2004), or culturally balanced co-mediation (Mason & Kassam, 2011).

One of the major contributions of this study to the field of conflict resolution is the proposal of an intercultural competence training program, and an assessment methodology grounded in perceived and objective measures, providing some answers to previous concerns in mediation training and education (Law, 2009). This mixed methods approach has proven useful to assess training effectiveness, yet it uncovers the need for further developments of different curriculum designs and competencesassessment methodologies. The mediation training field requires further dissemination of cultural competence training modules and would benefit from previous endeavours in multicultural psychology education (Rogers & O'Bryon, 2014). Considering the context-specific nature of intercultural competence, future steps should include the development of separate workshops focusing in specific ethnic groups or intervention contexts (i.e. family, commercial, organizational). However, we agree with Rogers and O'Bryon suggestion that the optimal approach should focus on "infusing the entire curriculum and applied training experiences with multicultural perspectives" (Rogers & O'Bryon, 2014, p. 663). Theory-driven and research-based multicultural evidence within conflict mediation are also indispensable to integrate them in education interventions as these were proven to increase training effectiveness (Smith et al., 2006).

The globalised society raises such daily complex cultural challenges that practicing mediation within contexts of diversity could be viewed as a cornerstone of ethical practice, as it was suggested in the multicultural psychology field (Arredondo & Toporek, 2004). The risks of professional bias, prejudices and ethnocentric mediation practices are present and challenge its central principles of third parties neutrality and impartiality. Conflict resolution field researchers and practitioners must integrate the debate on the notions of mediation power and its responsability towards social justice. It is crucial to prevent, discuss, research, and start training.

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Chapter 5 – Intercultural Training of Conflict Mediators: Follow-up explanatory study on outcome assessment and participants' experience of a brief training program

This chapter is based on the paper: Ramos, Moleiro & Roberto (in preparation for submission) Intercultural Training of Conflict Mediators: Follow-up explanatory study on outcome assessment and participants' experience of a brief training program.

Abstract

Objectives

The study aims to explore participant's views about the intercultural competence training program where they participated four months before. This qualitative explanatory case study sought to identify their views on the personal impact of the training program, and throught the comments to the major quantitative and qualitative findings refine and explore the results in more depth.

Method

We conducted a focus group discussion with four conflict mediators who have participated in the training programe. Data from the focus group reported views and comments regarding findings of the previous study. This information was analyzed according to thematic analysis resulting in themes and sub themes and using pairwise agreement among judges to reach consensus.

Results

Thematic analysis resulted in 6 main themes (Openness to cultural diversity; Intercultural awareness; Intercultural knowledge; Skills for cultural diversity; Developmental processes of training; Outcome assessment review) and 20 categories in a total amount of 152 units of analysis. This analysis was also organized in four major dimensions of intercultural competence (openness, awareness, knowledge and skills).

Conclusions

Results in this study allowed insight about changes on the perceived impact of the intercultural training program on personal and professional activities and explicit intercultural competence assessed pre and post-training and revealed an important.

Keywords: Mediation, Culture, Intercultural competence, Training Development, Training Assessment

Introduction

Cultural issues in mediation

When defining core knowledge and skill areas for mediation practice, Herman and colleagues (Herrman, Hollett, Gale, & Foster, 2001) classified under “knowledge on personal skills and limitations” a fundamental issue: the "mediator’s awareness of his or her personal characteristics and how these characteristics might affect mediation participants, the process, and the outcome" (Herrman et al., 2001, p. 142). Multicultural psychology scholars (American Psychological Association, 2003; Carter, 2005; Constantine, Gloria, & Ladany, 2002; Cornish et al., 2010; Pedersen, 2006b; Ratts & Pedersen, 2014; S. Sue, 2006), and particulary those who propose tripartide models of multicultural competence (D. W. Sue, 2001; D. W. Sue et al., 1992a; D. W. Sue & Sue, 2008) have also advocated that to be a culturally competent professional, practicioners should assess their own balance of cultural awareness, knowledge and skills, to provide appropriate services to diverse clients. Hence, since the beginning of the 21st century, mediation practitioners and trainers are advised to develop their undestanding on "personal sensitivities that might affect impartiality, including how one’s cultural background and gender might impact a mediation" (Herrman et al., 2001, p. 143). The Mediator Skills Project (Herrman et al., 2001) provided suggestions on a variety of knowledge issues to develop towards a culturally competent mediation. These issues relate to cultural definitions, theoretical concepts and models (e.g. culture, cultural frameworks, racial/ethnic identity development), specific knowledge about the communities (e.g. their traditions, values, communication styles, ways of dealing with conflict, cultural responses to oppression and power), and how these interrelated dimensions influence behavior within mediation processes, either from disputing parties or mediators (see Herrman et al., 2001, p. 145 for aditional details). These suggestions reproduce some of the American Psychological Association multicultural guidelines (American Psychological Association, 2003) including orientations from recent scholars on social justice concerns (Ratts & Pedersen, 2014; Ratts, Singh, Nassar-Mcmillan, Butler, & McCullough, 2016b).

Several of the above general knowledge issues can be explored in the social psychology literature that unpacks the multidimensional concept of culture and its multilevel dynamic processes (e.g. A. K.-Y. Leung et al., 2011; Wyer et al., 2009). Literature is also vast regarding how some cultural dimensions relate to the broad field of conflict resolution (Deutsch, 2002; Deutsch et al., 2006; e.g. K. Leung, 1987; Tyler et al., 2000), negotiation and

organizational behaviour (e.g. M. J. Gelfand & Brett, 2004; M. J. Gelfand et al., 2007; M. J. Gelfand, Leslie, Keller, & de Dreu, 2012).

A good example on how to provide mediators with culture-specific knowledge comes from a family mediation article that provides a systemic view on the specificies of mediating with latino families (Irving et al., 1999). At that time, the authors concluded that attention to cultural-diversity issues was "scant, in both the mediation literature and the curricula of most mediation training programs" (Irving et al., 1999). Most recently, Trujillo, Bowland, Myers and Richards (2008) explored the role of culture, race, and oppression in resolving disputes, and where a variety of authors addressed such issues as culturally sensitive mediation practices, the diversity of perspectives in conflict resolution literature, and power dynamics. A revealing aspect of the scarcity of culture-specific research in mediation arises from Hairston (1999) study, where she uncovered that no single article in Mediation Quarterly, between 1983 and 1997, was writen "by, for, or about people of African descent" (Hairston, 2008, p. 159). A decade after, she still found that the conflict resolution field still lacks acknowledging contributions of people with diverse backgrounds, showing a diversity resistance ‘‘firmly rooted in racism’’ (Hairston, 2008, p. 161). Actually, subtle forms of racism are pervasive within other professions. For example, Constantine and colleagues (2008) exposed in a qualitative study the perceived experiences of racial microaggressions directed against Black faculty working in counseling and counseling psychology programs (Constantine, Smith, Redington, & Owens, 2008).

Currently there is an extensive knowledge pool regarding potential factors that influence the use of mediation, its process and mediator behavior (Coleman et al., 2015; Kressel, 2006, 2014). Some authors have conceptualized the effect of a practitioner’s worldview on conflict resolution practice (Goldberg, 2009), or how dimensions of identity and culture relate to obdundsman practice (Brothers, 2014). Other scholars from law, social work, and intercultural communication have coined new terms as cultural fluency (Bhangoo & Pillay, 2006b; LeBaron, 2014; LeBaron & Pillay, 2006) for describing the navigation process for mediators faced with cultural diversity. Other authors have argued the strategic advantages of a culturally balanced co-mediation (Mason & Kassam, 2011), the effectiveness of racial/ethnic matching between mediators and disputing parties (Charkoudian & Wayne, 2010a), and other questions of inequality on the mediation table (Wing, 2009).

Despite the multidisciplinary body of theories and intervention models in mediation (Coleman et al., 2015), and some considerations on how culture can influence the mediation process (J. A. Wall & Dunne, 2012; J. A. Wall et al., 2001a), empirical research addressing

cultural diversity associated to mediator behaviour is still rare. One experimental study observed the effectiveness of mediator styles in intercultural disputes (Salmon et al., 2013), however it was developed in a virtual lab, using standardized strategies, and thus compromising external validity to the way mediators proceed in real disputes. Actually, mediator style of intervention has been categorized in multiple ways (Kressel, 2014; Kressel et al., 2012; J. A. Wall & Kressel, 2012) which might lead to the question if any of the priveleged set of techniques might be more or less sensitive to cultural diversity in mediation. Within the ample realm of styles, models or schools of mediation, Winslade and Monk (2008) challenged conventional mediation theories and provided an extensive chapter on a mediation constructionist framework that integrates a view of culture as narrative. In narrative mediation, neutrality in not a sacred axiom, since it acknowledges the mediator role as bearer and co-constructor of meanings in the process. Within this paradigm, practitioners are encouraged in "using a deconstructive approach to conflict constantly interrogates the possible prejudices, dogmatisms, biases, and certainties that could shut down avenues of exploration and inquiry with disputing parties" (Winslade & Monk, 2008, p. 115).

If mediator neutrality has been addressed as an ambiguous ethical value (Bailey, 2014), particularly in post-modernist approaches (Bagshaw, 2001), cultural diversity posits ethical concerns that ultimately can entail the mediator refusal or termination of the process (Menkel-meadow & Abramson, 2011). Hairston (1999) recalls the ethical principals of malfeasance and beneficence to state a social responsiblity of mediation that remains current until the present day: "without a solid conceptual base and cultural competence of understanding the unique characteristics and cultural diversity of people, mediators violate these ethical principles (Hairston, 1999, p. 359). Hairston (1999) recalls the ethical principals of malfeasance and beneficence to state a social responsiblity of mediation that remains current until the present day: "without a solid conceptual base and cultural competence of understanding the unique characteristics and cultural diversity of people, mediators violate these ethical principles" (Hairston, 1999, p. 359).

Although recentely some professional bodies have published some guidelines or good practice recomendations considering cultural diversity issues (e.g. International Mediation Institute, 2011; Menkel-meadow, 2008), the question of intercultural competence training still remains unanswered (Law, 2009).

Multicultural competence training

The fact is that most mediator training programs might not be adequate to bridge the gap between mediation theory and general practice (Zariski, 2010). When considering a culture-centred approach for training competences, mediation might profit from an interdisciplinary collaboration with multicultural counseling. The field has not only provided a framework for conceptualizing training, practice and supervision guidelines (D. W. Sue, 2001; D. W. Sue et al., 1992b; D. W. Sue & Sue, 2008), but also have enough research evidence over the last 20 years that suggest specific positive and perceived changes resulting from multicultural training participants (Dunn, Smith, & Montoya, 2006; Smith et al., 2006). Besides its implications for education and training of cultural competence, this framework was previously applied to the field of multicultural conflict resolution (Pedersen, 2006a).

Pedersen (2014) considered that the maturity of appropriate multicultural skills would only be achieved with previous development of competence in awareness and knowledge, in this order. To provide a culturally adapted skill one must reflect on Pedersen recollection of the proverb "that “one size does not fit all” and that each skill must be adapted and adjusted to each cultural context." (Ratts & Pedersen, 2014, p. 98). However, Pedersen says this flexible mindset can only be established with a previous exploration of the professionals' own values, assumptions and potential biases when observing, interpreting and assessing of clients' problem. It is only with adequate awareness of potential preconceptions and stereotypes that any professional is able to seek appropriate informations to debunk their myths and distorted perceptions about the clients’ worldviews and cultural background. It is the awareness of incomplete or inaccurate information that drives the need for seeking resources for learning about the diverse clients' socioeconomic backgrounds, values, customs, attitudes, language or even patterns of nonverbal communication. This knowledge-seeking attitude of the culturally competent professional also extends to the skills dimension since a proper intervention planning also requires a needs assessment phase on the most culturally appropriate techniques or behavior styles for establishing adequate and empathic rapport. According to Pedersen (2014), the ability to provide a service that respects the clients worldviews depends on the needs assessment balance of awareness, knowledge and skills, to then outline the appropriate interventions objectives. The fact is that each professional has different levels of maturity within these dimensions configuration. Those interested in crafting its own developmental plan for increasing their intercultural competence could benefit from Pedersen's suggestion to draw a sequence of learning objectives. Within a

"matrix in which the same objective has an awareness aspect, a knowledge aspect, and a skill aspect" (Ratts & Pedersen, 2014, p. 95), these learning goals should also be drafted in a S.M.A.R.T. design (Specific, Measurable, Attainable, Relevant, and Time-framed). Considering the developmental nature of competence, culture-general and culture-specific skills should be critically analyzed on an ongoing basis, in process towards intercultural maturity (King & Baxter Magolda, 2005)m.

Rational on our research design

Literature review in the field has shown that cultural diversity has received some attention regarding potential challenges it brings to the mediation process. However, the concept of intercultural competence has been poorly defined to the context of mediation. Also, there are no specific guidelines regarding training outcomes, neither in terms of what competences to achieve in the diverse developmental levels of mediation practice (i.e. novice, intermediate, or advanced), nor on how to train them (i.e. what pedagogical methods and training lenght). Although the field of cultural competence has delivered several empirical studies regarding training effectiveness within such diverse contexts as counseling, psychotherapy, medicine, nursing, social work, no studies have been developed regarding intercultural competence training within conflict mediation. As part of an explanatory sequential design (Ivankova, Creswell & Stick, 2006; Fetters *et al*. 2013), the present study stems from two previous phases, dedicaded to explore some of these questions related to intercultural competence of conflict mediators.

In a preceding Delphi study, we endeavored in outlining expected training outcomes to effective and appropriate intercultural competence of conflict mediators, according to different hierarchical levels of development (novice, intermediate, advanced and expert). We achieved this purpose by resorting to expert knowledge within a consensus-building methodology, and by structuring data collection and results according to the theory-driven framework of the tripartide model of multicultural competence (awareness, knowledge, skills).

In a second phase, we designed and implemented a brief intercultural training program based on the delphy study recommendations, and assessed its effectiveness within a mixed methods approach. Perceived and explicit intercultural competence of conflict mediators

were assessed pre and post-training with a self-report measure and a case vignette, respectively.

This present qualitative explanatory case study draws on data from a postcourse focus group dedicated to explore trainees' views on the personal impact of the training program, and also their comments over the major quantitative and qualitative findings regarding pre and post-training assessment report. This final analysis of our sequential design allows to "*refine and explain those statistical results by exploring participants' views in more depth*" (Ivankova *et al*., 2006, p.5).

Method

Participants

Participants in this study were 4 conflict mediators that participated in a previous brief intercultural training program. This group of mediators was constituted by 3 women and 1 man, with ages between 47 to 62 years, all born in Portugal. Participants were evenly distributed by the areas of graduation: 2 from Law School and 2 from Social Service. All of them had professional practice in conflict mediation from 6 to 11 years and developed their practice in private practice (2) or in public systems (2). Regarding the context of cultural diversity, 3 participants reported having mediating conflicts in which were present cultural differences, but only 1 participant referred previous training on individual and cultural diversity (training on sign language and a seminar on deaf people).

Table 6 – Comparative of demographic characterization between Training Program and Focus Group participants

Demographic caracterization	Training Program Group		Focus Group	
	n	%	n	%
Total participants	17		4	
Men	2	12	1	25
Women	15	88	3	75
Age				
Years [min-max]	23-62		47-62	

Table 6 – Comparative of demographic characterization between Training Program and Focus Group participants

Demographic caracterization	Training Program Group		Focus Group	
Mean	23-62		47-62	
Academic background				
Law	5	29	2	50
Psychology	3	18	0	0
Sociology	3	18	0	0
Social Sciences	6	35	2	50
Mediation practice				
Years [min-max]	[0-14]		[6-11]	
Mean	4		8	
Mediation practice in cultural diversity				
Yes	7	41	3	75
No	10	59	1	25
Training in cultural diversity				
Yes	10	59	1	25
No	7	41	3	75

Procedure

Participants in this study attended a previous intercultural training program for conflict mediators. This program (24 hours) was designed in a tripartite module structure, focusing on awareness expansion (6 hours), knowledge acquisition (8 hours), and specific skills development (10 hours). After 4 months following the end of the training program mediators were contacted by e-mail. All of the 18 mediators participating in the intercultural training program were invited to participate in a focus group discussion. It was also explained the main goal of the meeting, that was to discuss information about training assessment and its impact on personal and professional practice. After the first contact 10 mediators responded affirmatively to the invitation, but only 4 were present in the focus group discussion. Although there was a great level of sample attrition, the focus group permits an overall reflection of the training program group.

The group discussion was conducted by the main researcher and an independent researcher. None of the senior trainers that participated in the intercultural training program were involved in the follow-up assessment to avoid influencing participants' reports. A script with a pre-established set of questions (a full description is provided in the technical appendix) guided the group discussion with an approximate duration of 2 hours. Participants signed an informed consent. Confidentiality and anonymity was granted to all participants who voluntarily agreed to participate in the study.

Participants completed a socio-demographic characterization: collected data on academic background, mediation training, length of practice experience, mediation intervention context, and organizational experience (private/public services).

Data analysis

The discussion promoted in the group was recorded in audio format and was later transcribed by a research assistant, and revised by the first author. The data *corpus* was constituted by all the transcribed information from the focus and the analysis followed the six steps described above: 1) familiarization with the data; 2) initial creation of codes 3) search for themes; 4) review of themes; 5) defining and naming them; 6) drafting the report (Braun & Clarke, 2006).

The first step was the familiarization with the data through the streamlining of focus group conducted by the first author, who also systematized the thematic analysis. The second step corresponded to the initial creation of the codes started with the assignment of an initial general code. In this stage one or two words were generated in order to aggregate the meaningful information. In the next step the codes with the same thematic relation were grouped and through new and systematic readings of the data corpus themes were outlined (fourth step). In this process initially created codes were merged to generate more general topics. On the fifth step of naming and renaming topics we benefited from the participation of one researcher as an independent coder. This researcher independently coded all the participants' answers in the domains agreed upon before the analysis. Pairwise agreement among judges resulted in a 87.6 agreement rate, Krippendorff's Alpha of 0.866. Consensus on all units of analysis and categorization was achieved through discussion.

Results

The results of thematic analysis performed for the focus group are shown in Table 7. The main themes and categories summarize the participants' discussion about the impact of training on personal and professional practice, and their perspectives on the major outcomes from training assessment on intercultural competence.

Thematic analysis of the focus group resulted in 6 main themes and 20 categories in a total amount of 152 units of analysis.

Table 7 – Thematic analysis of focus group discussion with conflict mediators

Themes / Categories	Frequency	%
1. Openness to cultural diversity	[5]	[3,3]
Increased openness to cultural diversity	5	3,3
2. Intercultural awareness	[38]	[25,0]
Increased awareness of cultural differences	25	16,4
Awareness of personal values and preconceptions	6	3,9
Implicit prejudice	7	4,6
3. Intercultural knowledge	[23]	[15,1]
Increased knowledge about cultural diversity	7	4,6
Specific knowledge about diverse and minority groups	12	7,9
Lack of information on cultural diversity	4	2,6
4. Skills for cultural diversity	[12]	[7,9]
Adaptation of mediation skills in cultural diversity	8	5,3
Application of training in professional practice	2	1,3
Language proficiency	2	1,3
5. Developmental processes of training	[37]	[24,3]
Experiential and active learning pedagogy	11	7,2
Reinterpretation of past situations	3	2,0
Training duration	11	7,2
Contact with cultural diversity	10	6,6
Limitations of training	2	1,3
6. Outcome assessment review	[37]	[24,3]
Outcome assessment confirmation	7	4,6

Themes / Categories	Frequency	%
Limitations on case conceptualization	13	8,6
Dissonance expression regarding assessment	7	4,6
Increased openness previous to training	5	3,3
Social desirability in openness dimension	5	3,3
Total	152	100

Participants' discourse was organized in four major themes that relate to dimensions of intercultural competence (openness, awareness, knowledge and skills), and replicate the factors assessed by the quantitative measure - CIDCI. The leading prevalence was observed in the theme Intercultural awareness (25%), followed by the themes Intercultural knowledge (15.1%), Skills for cultural diversity (7.9%), and Openness to cultural diversity (3%). Two other major themes relate to participants' views regarding Developmental processes of training (24.3%), and Outcome assessment review (24.3%).

Throughout the discussion, participants revealed accounts of increased awareness, not only of cultural differences (16.4%) (e.g. "*An awareness of the differences ... have an open mind to respect them ... Essentially it."),* but also of their personal values and prejudices (3.9%) about migrants and ethnic minorities. One participant stated: "*our awareness of our values and our prejudices in confrontation with others, in the sense that when we take this awareness, or at least we consider that they exist, and that in relation to the other we have to be more attentive, more able and available to understand the other person".* These observations are accompanied with accounts of a different openness attitude toward cultural diversity (3%), as confirmed by another participant: "*Yes! It had an impact on my attitude. Again I think it is at the attitude level and availabilty for being over attentive".* However, a content analysis of some discourses revealed some implicit prejudices (4.6%).

Some participants referred that they still lack information on cultural diversity (2.6%) (e.g. "*it is the lack of knowledge of the culture, too ...*"). Nonetheless, discourse revealed an increased knowledge about cultural diversity (4.6%) in general, but also specific knowledge about the different minority groups (7.9%). A participant commented on the acquired knowledge to *"understand how this family, which are the cultural codes that they have to value certain types of behavior, certain expectations."* Or even regarding conflict resolution cultural knowledge: *"They may have their own problem-solving systems or conflicts within their culture."* Another participant unveiled: "*I was not so aware of these details before, in*

fact, our training ... So I have said earlier, that for me was a new title. Intercultural mediation was new to me."

In terms of skills, some mediators of this group recognized the application of the training in their professional practice (1.3%), while others valued the specific skills for mediation in cultural diversity they have learned and practiced during the training (5.3%). One of the trainees recalled: "*Intervention strategies, for example, when preparing the room to mediation. Maybe I would prepare it with the round table with only a few sofas, and perhaps I wouldn't recall of cultural differences, such as the distance, approximation or the touch*. Participants also pointed out the importance of language proficiency (1.3%) as a skill for mediating conflicts in cultural diversity.

In this group, mediators also referred potentialities and limitations in Developmental processes of training (24.3%). In this theme, participants acknowledged a need for further initiatives and longer Training duration (7.2%) and the appreciation of Experiential and active learning pedagogy (7.2%): *"Unfortunately the training was brief, a short time. It was really unfortunate ... because those are experiences that we should be able to exercise more times;" "And we lived unique experiences in the training. I had cultures with me, completely different in a mediation, for me, totally different from the usual!"* Other category relates to Reinterpretation of past situations (2%) as one participant recalled: *"After this training I remembered many issues that I had lived before."* However, mediators highlighted the lack of Contact with cultural diversity in a professional context (6.6%) (e.g.*"In our day-to-day, I think the minorities groups do not interact with mediation... they live in small numbers. There isn´t a very strong interaction."),* and some limitations of the training (1,3%) (e.g *"It was more luggage, but nothing sensational or revealing."*)

Themes were also very diverse in the participants' review and feedback on Outcome assessment (4.6%) regarding the evaluation on intercultural competence (pre and post training). The quantitative results elicited two reactions that express in equal quantity (4,6%). The results on increased global intercultural competence and within dimensions of awareness and skills were confirmed: "*It's a bit what we were saying… This confirms…; I think before you show us the results, we were reflecting a little on this, too, right? ...*." However, participants expressed dissonance to non-significant results regarding changes in openness: *"Ahhh! ... I was saying just the opposite! Wasn't it? ... (Laughs) Now ... Not statistically significant. I find it strange...," "Sometimes when these results happen means that we change everything to not change anything, that is complicated."* Nonetheless, participants provided some tentative explanations to these incoherent results. Some suggested that there was high

openness to cultural diversity prior to training*;* others also made some remarks that relate to an effect of social desirability in openness dimension

Regarding questions on the case-vignette results, participants' remarks were generally categorized as Limitations on case conceptualization (8.6%):

Discussion

Our study intended to explore participants' views on the impact of a brief intercultural training program, within their personal and professional activities, but particularly to gain insight regarding potential developmental changes on perceived and explicit intercultural competence assessed pre and post-training.

Our main findings are summarized in three sets of interpretations that stem from the thematic analysis of participants discussion in the focus group: 1) how their discourse expose accounts that relate to dimensions of competence described within multicultural models; 2) how participants describe experiences associated to the received training and development of intercultural competence; 3) what perspectives they reveal concerning the report on the major outcomes from pre and pos-test quantitative and qualitative measures of intercultural competence.

Regarding the first issue, the participants' descriptions emphasize aspects of intercultural awareness, and fewer references within themes of knowledge and skills, showing a clear support for what the literature suggest on early developmental stages toward intercultural competence (Ratts & Pedersen, 2014). Our content analysis on the awareness theme shows that participants describe experiences of increased awareness of cultural differences, but also an understanding on their own personal and professional biases and assumptions. These results provide consistency to the statistically significant effect revealed by self-report measures that showed an increase on post-test perception of the awareness dimension of intercultural competence. This effect is congruent with meta-analyses on studies assessing the effectiveness of multicultural education of single course and workshops (Smith et al., 2006), that have shown increased awareness as the key outcome of culture-general training, as our curriculum was designed. Also, thematic analysis of the case-vignette (Ramos, Moleiro & Roberto, in preparation), envisioned as an explicit measure of intercultural competence, reveals a corresponding effect. Between pre and post-test assessment, participants increased references to cultural issues, prejudices and stereotypes between parties when conceptualizing the case, and also increased acknowledgement of

mediator personal stereotypes and cultural prejudices as professional difficulties to address the conflict. However, it is interesting to reflect on certain participants' remarks in the focus group that where categorized under implicit prejudices. In fact, a careful contextual analysis of the participants' discourse revealed some statements that embody what Sue (2010) has conceptualized as microaggressions, and that Gross (2016) already discussed its influence at a mediation table. Given that it is a phenomenon of difficult access for its implicit and cloaked character, these subtle prejudices can promote defensiveness or hinder the required impartiality in a mediation process.

Regarding the domain of cultural knowledge, participants' discourse reflects more culture-specific issues about minority groups than cultural diversity in general, however some references convey their lack of information on cultural knowledge. In fact, this outcome, associated with the references within the theme "skills for cultural diversity", can be related to the case-vignette analysis (Ramos, Moleiro & Roberto, in preparation) where the participant supervision needs increased its focus on acquiring specific mediation strategies to address cultural specificities.

The second cluster of issues regarding contents on training experiences reinforces the need for critical thinking on future designs. Participants suggested that training duration should be extended, and reinforced the need for further initiatives to refresh and increase additional learning (e.g. follow up case supervision). These reports are a reflection on the awareness of the developmental process intercultural competence, for which this training was perceived insufficient to become fully competent. Another interesting finding is the participants' reminiscing on past situations that were reinterpreted in light of the training experiences, which is congruent with an integration of a different awareness at play. This can be seen as first steps on the path from unconscious incompetence to conscious incompetence, as refered by Gudykunst (1991). Actually, the path towards multicultural competence is a "lifelong process" as many counseling scholars refer (Arredondo & Tovar-Blank, 2014; Bassey & Melluish, 2012, 2013; Lee, Blando, Mizelle, & Orozco, 2007). Another positive result of the group discussion is the reference on experiential and active learning pedagogy. Participants recognized the importance of sharing experiences with other mediators, simulations and discussions, supporting our choice for experiential perspectives of training methods to develop intercultural competence. Actually experiential training designs are recommended throughout the literature of the field of cultural competence (Castillo, Brossart, Reyes, Conoley, & Phoummarath, 2007; Constantine, Melincoff, Michele, Torino, & Warren, 2004; Fawcett & Evans, 2013; Hays, 2008; LeBaron, 2014; Lee et al., 2007; Miville et al.,

2009; Rogers & O'Bryon, 2014; Roysircar, 2004). As Graf (2004) summarized, "experiential training designs are favoured as they allow to train the cognitive, affective and behavioural component of intercultural competencies" (Graf, 2004, p. 199), and participants value opportunities to share experiences in interactive activities (Alhejji, Garavan, Carbery, O' Brien, & McGuire, 2016).

Participants refered a lack of contact with cultural diversity in their professional context after training, which might inhibit their continuous work of integrating training contents and learning experiences. Actually, in the field of cross-cultural training of expatriates, Lenartowicz, Johnson and Konopaske (2014) stated that new diversity related experiences are fundamental for successful learning on a tacit dimension of cultural knowledge (Lenartowicz et al., 2014). In their attempt to integrate five relevant learning models, the authors proposed a model of multiple sequential stages in which "tacit knowledge, sometimes referred to as 'implicit' or 'advanced procedural' knowledge, is acquired through repeated experience" (Lenartowicz et al., 2014, p. 1698). In their framework, a cultural learning process starts with an interaction experience with the people from other cultures (clarion call stage), followed by stages of debriefing, revision, and recurring experience. The development of the desired level of competence is achieved in the iterative process of these sequential stages, with the interaction between the two types of knowledge (tacit/explicit). Adapting this theory framework to our training context, and considering the participant's accounts in the focus group, fosters a reflection on the need for integrating a more diverse learning group, with different cultural backgrounds, and a balanced composition of individual diversity (e.g. gender, academic background). Such contexts, when fostering adaptive mind-sets and reducing time constraints, enhances creativity and could lead to more effective training programs, as suggested in the development framework of cultural intelligence (A. K. Leung, Maddux, & Galinsky, 2008). We also ponder that intercultural training of mediators should integrate an opportunity for this experiential learning in mediation processes with real people from other cultures. This training methodology was also present in suggestions from an expert panel of mediators from a previous Delphi study (Ramos, Moleiro, Roberto & Freire, in preparation).

The last group of findings relate to the participants perspectives concerning the report on intercultural competence outcomes, resultant of quantitative and qualitative measures in pre and post-training assessment. Participants gave explicit endorsement on the significant effects of increased global intercultural competence and within dimensions of awareness and

skills. Besides these explicit comments, participants stated that their previous remarks on perceived individual changes also support the validation of these results. Participants suggested that the lack of change in the dimension of Openness might be related to a previous high openness that could be associated to skills profile of any mediator (due to mediation training). Participants also commented on potential social desirability effects in responses to questions related to openness, which is commonly referred as a weakness of self report measures in general, and in multicultural competence assessment (Constantine & Ladany, 2000; Hammer, Bennett, & Wiseman, 2003; Liu et al., 2004). In fact, in the educational context, "interventions that recruit volunteers as participants have generally been found to produce more positive change in participants than those that are prescribed as mandatory" (Whitehead & Wittig, 2004, p. 4).

Participants' views related to the case-vignette showed concerns on their case conceptualization proficiency, particularly a struggle on how to interpret questions and coordinate theory and practice. In fact, one participant mentioned that some of these difficulties in conceptualization relate to an intuitive aspect of the mediation practice. He suggested that mediation is commonly a process of exploration and navigation without pre-established shorelines, and that is shared in either intracultural or intercultural situations. This somewhat coherent with an idea that Wall and Kressel (2012) consider "that mediator self-reports about their stylistic behaviors are not accurate reflections of what they are doing in session" (J. A. Wall & Kressel, 2012, p. 407). The authors also mention Picard's study (2004, cited in J. A. Wall & Kressel, 2012, p. 407) with a similar methodology of our case-vignette, where mediators were asked open-ended questions on how they would to deal with a role dilemma presented within vignettes. Picard's results (2004, cited in J. A. Wall & Kressel, 2012, p. 408) supported the notion of mediators ecletism on intervention styles, with mixed approaches, combining pragmatic and relational orientations. However, Charkoudian and colleagues (2009) clearly propose that "mediators may want to consider carefully how they describe their approaches to mediation, and whether or not the stated description matches what they actually do" (Charkoudian et al., 2009, p. 313). This lack of articulation could be explained by the gap between theory and practice that subsists in mediator training programs as Zariski (2010) suggests. We agree that promoting better theory-practice integration would have implications to curriculum contents design, practice and research in mediation. As Charkoudian (2009) proposes, future research should combine data on what mediators they think they do (and know) and observational measures of effective practice. However, a final haunting thought comes to mind: Will our trained mediators, who perceive themselves as

more aware of cultural differences and interculturally competent, be able to provide appropriate and effective mediation process in culturally diverse contexts?

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Chapter 6. General Discussion

Revisiting our research questions and choice of methods

Modern mediation has been one of the solutions for conflict resolution, where a third party essentially aims at bridging differences and promote shared meanings, maintaining equidistance between disputing parties, and abstaining from any power of enforcing solutions. The role of cultural diversity has been recently considered as it potentially challenges the process of conflict mediation, particularly its foundational ethics that rule practice. Some scholars, practitioners and professional bodies have acknowledged this importance and provided some considerations on the need to be culturally sensitive to assure the quality of the mediation process. The main goal of this research focuses on the problem of how to help mediators in becoming more competent in contexts of cultural diversity. To achieve this complex task we started by dissecting it in different objectives. First, what is mediation competence in those settings? Also, "becoming" competent suggests a learning process of the criteria for effectiveness and appropriateness of intervention techniques, and implies knowing what to train for a given level of competence development. Moreover, how can we confirm that our training was effective in achieving its goals?

Hence, our thesis followed a mixed sequential design to answer the following research questions:

What are the criteria for effective and appropriate mediator competence in cultural diversity contexts?

Literature on competence within cultural diversity is vast and multidisciplinary, providing different models on how to achieve cultural proficiency, according to the discipline they work from (Deardorff, 2009; D. A. Lieberman & Gamst, 2015; Pedersen, 2006b; Ponterotto, 2010; Ratts et al., 2016a; D. W. Sue et al., 1992b; D. W. Sue & Sue, 2008; S. Sue, 2006; Ting-Toomey, 2011a, 2011b). However, like mediation itself, these fields still lack further interdisciplinarity work to integrate knowledge and research methods from different disciplines, to form a coordinated and coherent whole (Buanes & Jentoft, 2009; Stember, 1991b). In fact, supporting this insufficient interdisciplinary work within cultural competence issues is the lack of cross-referenced publications between domains of Multicultural Competencies and Intercultural Communication Competency (D. A. Lieberman & Gamst, 2015). In the specific context of conflict mediation, the development of cultural competence has been poorly defined and researched. In our exploration for a theoretical framework to

identify effectiveness and appropriateness criteria for a culturally sensible practice of mediation, we attempted to integrate the different contributions of the fields (MC and ICC), and other contributions (e.g. Social Psychology, Negotiation theory). However, seeing the integration of such dispersed body of research as nearly a Herculean task, we recognized that a better solution would be to ask for help from others. Hence, we resorted to expert knowledge, from an academically diverse pool of practitioners/researchers in mediation, and implemented a Delphi methodology (study 2) to gather a consensual proposal on intercultural competence criteria. Nonetheless, assuming the psychology domain of knowledge of this thesis, we structured data collection and analysis according to the theory-driven framework of the tripartite model of multicultural competence. Our research objective in the first round of the Delphi study was to structure culturally sensitive practices of mediation within its dimensions of awareness, knowledge, and practical skills.

How can we define training goals for an intercultural training of mediators in a developmental continuum?

Although study 2 informed on certain aspects of the previous research question, its fundamental purpose was that the intercultural competence criteria should reflect learning objectives for the development of a training program for conflict mediators. The main focus in the second and third round of the Delphi methodology was to achieve the experts' consensus on how these competencies could be organized throughout the diverse developmental levels of mediation practice (i.e. novice, intermediate, advanced or expert).

How can we assess the effectiveness of a brief training program in changing intercultural competence of mediators?

The outcome of the Delphi study enabled the design of curriculum contents and pedagogical methods applied in a brief and initial intercultural training program for conflict mediators. We followed a mixed methods approach in a sequential explanatory design to assess the training impact (study 3). Before and after training, all mediators participated in a concurrent assessment, consisting of a self-report measure of perceived intercultural competence (developed in study 1) and a case vignette designed to evaluate case-conceptualization abilities. In the qualitative explanatory study (study 4), we organized a postcourse focus group, to seek a more comprehensive view of the participants' experiences and to receive their feedback over the main conclusions concerning the pre and post-training assessment.

Major findings

The multilayered composition of intercultural competence in mediation and its stage learning progression

One of the main outcomes of study 2 was the opportunity of deconstructing the concept of intercultural competence within the particular context of civil and commercial conflict mediation, with migrants and ethnic minorities. Structuring a Delphi methodology within the theoretical framework of the multicultural competence models (American Psychological Association, 2003; APA, 2008; Fouad & Arredondo, 2007; D. W. Sue et al., 1992b) allowed for a distribution of learning objectives into awareness, knowledge, and skills dimensions. From this structure emerged several ideas for the development of practice and mediators skills training. Our findings suggest not only a *stratification of intercultural training outcomes within every dimension* but also an *embedded progression across developmental stages* (novice, intermediate, advanced and expert). Supporting this idea is the final consensus among our experts' panel on the distribution of the intercultural competence training outcomes. The recommendations related to the development of practical skills were nearly equivalent to the combined number of proposals on awareness and knowledge dimensions. Also, the distribution across developmental levels favored more of the novice and intermediate levels, than advanced or expert levels of intercultural competence. A superficial interpretation of these findings could suggest some inconsistencies to what the field of multicultural competence training supports. Actually, Pedersen (1983, 2000) supports a three-stage developmental sequence that seems different from our experts' outcomes. Pedersen (2000) suggested that intercultural competence training should start from a needs assessment. According to the author, only after a new awareness towards the desired change has been achieved, does it become possible to acquire the relevant knowledge, and then develop culturally appropriate and effective skills. Our study 2 results present a different emphasis to the intercultural competence dimensions, with an increased number of proposals within skills rather than awareness or knowledge. However, it is important to consider that the expert number of proposals does not imply a ranking or sequence of these dimensions. In fact, it is the contextual interpretation of the experts' consensus in each dimension, and across developmental stages, that provides the notion of an embedded progression. Study 2 discussion provides a more in-depth analysis on these progressive nuances of training recommendations, particularly in novice and intermediate levels of development, where

experts converged in dedicating more training outcomes. In our analysis of the expert consensus, we discovered that different complexities of awareness, knowledge, and skills within each level.

In novice levels, awareness outcomes focus on how mediators understand the conflict and acknowledge their own cultural background as potential biases in shaping their interpretation of the underlying sources. As knowledge to support this new awareness and facilitate assessment of cultural diversity expressions, mediators should explore basic concepts and cultural theories that illustrate how cultural identity develops. The integration of these previous dimensions should then help mediators to anticipate more appropriate preparatory details of early stages of pre-mediation, such as setting adjustments, procedural flexibility, and the need for including interpreters or mediators that share the cultural background of the parties.

At an intermediate level of intercultural competence, mediators should achieve an enhanced systemic awareness on the influences of cultural diversity. Experts suggest the need for a dialogic perspective on the process, focusing on recognizing that cultural filters extend to all stakeholders and that their interpretations shape their behavior. Acknowledging that mediator preferences and behaviors are also a target of potentially biased interpretations by the parties, practitioners should be more aware of their personal reactions, particularly those that may evoke discomfort or dissonance throughout the process. Awareness at this level incorporates an intersubjective dimension of the relation between all parties and mediator, occurring over the sessions. To achieve such mindful approach (Ting-Toomey, 2015), and to better adjust the focus on this "intercultural positioning tool" (J. Bennett, 2009, p. 126), experts recommended increasing knowledge about cultural theories, and about verbal and non-verbal communication styles of certain cultural groups. With the integration of previous dimensions, mediators are advised to adjust their intervention styles, being directive or facilitative, depending on parties' mutual needs. Furthermore, when in ambiguous or uncertain situations, experts suggest that practitioners could learn how to navigate, seeking discourse attunement between parties to achieve mutually shared meaning.

Such an intercultural competence outline of novice and intermediate standards becomes more congruent to Pedersen's suggested developmental sequence (Pedersen, 1983, 2000). It also conveys some of the clarifications we have given the experts on how to organize the developmental levels of intercultural competence, based on the Psychology Practicum Competencies Outline (Hatcher & Lassiter, 2007, p. 57) which was developed from Dreyfus model for the development of expertise and competence acquisition in a given domain (H. L.

Dreyfus & Dreyfus, 1986; S. E. Dreyfus, 2004). In fact, if novices have limited experience and seek rules for decision-making, the experts' recommendations fitted their needs by suggesting the development of awareness, knowledge and skills outcomes that could help mediators gain a different understanding of how to analyze problems and intervention skills. Indeed, developing diagnostic and setting preparation tasks that could be more sensitive to the context of cultural differences are a way to gain a sense of control over the process. However, at an intermediate level, the experience through practice and supervision, refocus training needs on how the process can be fine-tuned to select more appropriate strategies to address the cultural diversity challenges. These progressive nuances are consistent with other scholars efforts in evolving the definition of multicultural counseling competencies to incorporate developmental levels within its tridimensional framework (e.g., Cornish et al., 2010). Bearing in mind that cultural competence is context-specific, professionals are advised to seek guidance on the most appropriate and effective practices associated with the populations whom they work. This assumption is shared in either intercultural communication competence theories (Deardorff, 2015; Guilherme, 2011; Koester & Lustig, 2015; Ting-Toomey, 2011a), or in multicultural competence models (D. W. Sue, 2001; D. W. Sue et al., 1992b; Toporek & Reza, 2001). In fact, the seminal work of Sue, Arredondo, and McDavies (D. W. Sue et al., 1992b) suggested the deconstruction of multicultural competence around the attitudes, awareness, and skills needed to function across multiple dimensions such as gender, social class, sexual orientation, race or ethnicity, just to name a few. However, the debate has pushed the need to clarify that cultural competence (2001) should be systematized according to its focus as individual, professional, organizational, or societal. To shift from ethnocentric monoculturalism to ethno-relative multiculturalism, all of these levels need attention. Our study 2 has contributed to the needed debate on professional standards to a culturally sensitive mediation practice. Counseling professionals have developed training guidelines to work with migrants and ethnic minorities (A. G. Inman & Tummala-Narra, 2010). Our findings from the Delphi study provided a similar structure to inform mediation processes, within civil and commercial disputes, that could be more sensitive to the cultural background and worldviews of these parties, which inevitably impacts the ways they address conflict. It organized a consensual proposal on the awareness, knowledge, and skills needed by mediators to provide effective and appropriate interventions within this context. Tony Whatling, an experienced practitioner and influential mediation trainer in Europe, has stated that "attempts to define good quality ‘culturally sensitive mediation practice’ can result in discovering that it is nothing more or less than ‘good quality

sensitive mediation practice' generally." (Whatling, 2016, p. 57). His appeal to the ethical aspiration for an ideal of mediation has its merits, as all professionals should thrive towards the most competent practice. However, the danger of expunging cultural and individual diversity complexity is the maintenance of a culture-blind approach that ultimately perpetuates practices that may cause harm to the parties involved. In fact, as Sue alerted on the barriers of "culture-bound definitions of psychology and ethnocentric standards of practice/ codes of ethics" (D. W. Sue, 2001, p. 802). Other mediation scholars have cautioned over questions of inequality in the process (Wing, 2009), the mediator neutrality (Bailey, 2014), or how these relate to post-modernist (Bagshaw, 2001), or socio-constructivist perspectives of mediation (Winslade & Monk, 2008) where questions of power and implicit biases of mediators may perpetuate solutions and narratives of the dominant cultural traditions (Brigg, 2003). Even in counseling, there is a recent movement for the decolonization of multicultural competence on the basis of social justice prespectives (Goodman & Gorski, 2015; Ratts, 2011; Ratts & Pedersen, 2014; Ratts et al., 2016a). Every helping professional need to be aware that power and its asymmetrical distribution can contribute to systemic, institutionalized discrimination (Gorski & Goodman, 2015). Even considering that a mediator holds no power on the decisions parties make regarding settlement of their opposing issues, professionals must not discard the perception of their power over the facilitation of the process. Hence, as our expert panel suggests, practitioners should be aware of their individual cultural background, integrating a self-awareness and self-reflecting practice. Returning to Whatling`s comment, he clarifies that "all mediation practice should be sensitively designed around the particular needs of each and every individual party in dispute, regardless of the dispute context." (Whatling, 2016, p. 57). Our delphi study outcomes contribute to the debate on ethical behavior of mediators in multicultural contexts (Menkel-meadow & Abramson, 2011) and it is implications for training and process design (Zumeta & Lebaron, 2003). For example, in the first stage of the Delphi study, the expert panel recommended many more training outcomes that were ultimately condensed by the consensus methodology. Although the development of practical skills was the main source of experts' contributions, the agreement on the distribution of training outcomes across developmental levels was inconsistent, with a lot of diverse perspectives. This diversity on experts`perspectives expresses how mediation itself is a multidisciplinary body of practitioners, characterized by theoretical fragmentation (Zariski, 2010), by diversity on ontological and epistemological assumptions (Peterson, 1992), and by the mediator cultural background and training wich shapes the mediator style (Kressel, 2014;

Kressel et al., 2012; J. A. Wall & Kressel, 2012) and influence the choice of techniques and strategic interventions (Kressel, 2006).

Our proposal to organize the suggestions of the experts in a developmental approach contributed to finding basic competencies that should be considered to an ethical practice of mediation in cultural and individual diversity contexts. In terms of our research program, it helped us designing a short training program to address these needs. Furthermore, considering a continuum of developmental levels helps professionals pinpoint their stage on the life-long journey of cultural discovery. Actually, our expert panel recomendations in training methodologies suggest an implicit respect for what intercultural scholars have been considering, particularly that pedagogical methods need to be more responsive to the developmental levels of the students (M. J. Bennett, 2004), and respecting of each individual continuum towards intercultural maturity (King & Baxter Magolda, 2005). By dedicating more training outcomes to novice and intermediate stages, experts' consensus assume those are the levels that mediators would benefit most from guidance and skills training, to help them progress from ethnocentric considerations of other cultures to more ethno-relative conceptions (M. J. Bennett, 2004). In advanced and expert levels, experts' recommendations relate to a more independent personal growth, shifting from authority assistance to a more autonomous learning path, as posited within developmental models of intercultural maturity (King & Baxter Magolda, 2005). While the experts did not explicitly refer it, the literature in multicultural competence of counselors expresses the importance of supervision in early developmental stages, particularly when a significant practice has begun (Falender & Shafranske, 2007; Neufeldt et al., 2006; Pope-Davis & Coleman, 1997; Warner, 2015). However, as Pope-Davis (1997) states, competence achievement of trainees is contingent to the multicultural competence of instructors and supervisors. Although studies and outcomes of supervision in mediation have not been discussed thoroughly in the fields' literature, the importance of this self-reflective practice within peer supervision groups was recommended within the cultural diversity context (Hoffman & Triantafillou, 2014). Our findings provide a broad variety of discussion starting points. However, high experienced mediators who may want to start a structured practice of multicultural supervision may benefit from counseling and psychotherapy models (A. G. Inman & DeBoer Kreider, 2013; A. G. Inman & Ladany, 2014; A. G. Inman & Tummala-Narra, 2010).

The impact of training in intercultural competence of mediators

Our work has given some answers to many of the questions related to intercultural training and accreditation practices of mediators. Siew Fang Law (2009) proposed a framework to develop intercultural mediation training, and our previously reported findings helped to further define culturally sensitive mediation, learning objectives, and relevant training methods. Our major countribution was to respond to these questions in light of the tripartide model of multicultural competence, given the richeness of its integrated conceptual framework, and the multicultural psychology body of theory, research, and practice (C. C. I. Hall, 2014; D. W. Sue & Sue, 2008; S. Sue, 2006). The resulting criteria and training goals (study 2) were embedded in an innovative training approach dedicated to develop cultural competence of mediators in its dimensions of awareness, knowledge and skills. Our 24 hour training program involved developping materials, resources, and pedagogical methods that are recommended both in multicultural psychology literature (Constantine & Sue, 2005b; Rogers & O'Bryon, 2014), and also in mediation training literature (Hedeen et al., 2010; E. Lieberman et al., 2005; Raines et al., 2010a). The mixed methods approach of study 3 and 4, in an explanatory sequential design, is response to Law's question of "what are the effective and relevant evaluation tools to measure cultural awareness?" (Law, 2009, p. 167).

Our main discoveries express empirical evidence that intercultural training was effective in improving conflict mediators' perceived cultural competence and promoting changes in case conceptualization. The self-report measures revealed an increased post-test perception of global intercultural competence, and particularly within factors related to the mediator awareness about their own values and prejudices, and perceived skills for culturally appropriate intervention strategies. This increased awareness as key outcome of culture-general training is suggested in a meta-analysis of training effectiveness of single course and workshops (Smith et al., 2006). Besides these quantitative outcomes, the thematic analysis for the case-vignette also revealed qualitative differences within group pre and post-training responses in themes such as conflict characterization, suggested mediator strategies, case and mediator facilitative/hindering characteristics, and supervision needs. In this qualitative methodology, the positive results of the training effects are expressed by participants' responses that suggest an increased awareness of cultural factors and their impact at the level of conflict assessment, as well as their self-awareness as cultural beings. We highlight the finding related to the case analysis in post-training responses over prospective difficulties to address the conflict. Participants justified those difficulties less with personal and

professional experience inadequacy, and gave more importance to the barriers placed by their personal stereotypes and cultural prejudices. This reflection suggests a different level of self-awareness, apparently related to a stage of conscious incompetence. Also, in post-test responses to the case-vignette, particularly within the supervision topic, participants added more accounts of their need for discussing specific mediation strategies to address cultural diversity issues. Literature has suggested that multicultural case conceptualization ability was not related to self-reported multicultural competence (Ladany, Inman, Constantine, & Hofheinz, 1997) but a recent study has associated it with multicultural exposure and Openness-to-experience (Weatherford & Spokane, 2013).

Our group data showed the highest mean scores in the oppenness factor of our self-report measure both before and after training revealing the importance of considering multiple methods for improved assessment of multicultural competence in it multiple dimensions (Constantine & Ladany, 2000).

Our study 4 provided another source of rich information related to the experience mediators had after training. In the context of the focus group, it was also evident that the trainees positively evaluated the impact of the training in such a way that they are more attentive of cultural differences in their everyday lives. Their testimonies revealed that experiential training strategies have enabled them to access a critical thinking about their personal assumptions on cultural diferences. Returning to Pedersen (1983, 2000) in his three-stage developmental sequence, it seems participants have just arrived to the first stage of a new awareness, starting to surpass a culture-blindness stage. Actually, participants also referred that, although they have learned how to seek resources to develop cultural knowledge, they still lack of information. This is also congruent with the lack of significant changes in the knowledge dimension in the post-test self-report measure. Although the CIDCI showed significant positive changes in the skills dimension, the case-vignette showed further needs on supervision issues related to culturally appropriate strategies. The focus group also reported the need for the extension of training duration and further learning initiatives. It seems participants recognize that training was insufficient to achieve intercultural competence in mediation. In fact, full competence is probably never achievable, being a "lifelong process" (Arredondo & Tovar-Blank, 2014; Bassey & Melluish, 2012, 2013; Lee et al., 2007). However, as Pedersen (1983, 2000) would state, they are now more prepared to the next stages of aquiring relevant knowlegde and develop more appropriate skills to the cultural diversity challenge. As an individual path, every participant has now the responsability to review his/her own balance of intercultural awareness, knowledge and

skills. While being more aware of their prejudices, the focus group revealed some participants' statements that still reflect implicit prejudices. Sue (2010) has alerted that, in everyday life, discourses frequently contain microaggressions, when addressing issues as race, gender, sexual orientation. These are expressed as "brief and commonplace daily verbal, behavioral, and environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial, gender, sexual-orientation, and religious slights and insults to the target person or group" (D. W. Sue, 2010, p. 5). The danger for these behaviours is its hidden, implicit nature that often are more prejudicial to victims than explicit forms of racism, sexism or homophobia. The fact is that attribution of cultural differences might be an expression of prejudice and racism (Vala, Pereira, & Costa- Lopes, 2009). As Vala and colleagues state, "hetero-ethnicization, ontologization, and infra-humanization are processes of minorities' devaluation that express different dimensions of racial prejudice" (Vala et al., 2009, p. 25). Hence, although the anti-racism norm is prevaling throughouth society, inhibiting overt and explicit expressions of racism, its core racist beliefs still find expression by subtle and implicit behaviours. Gross (2016) has already described how microaggressions influence a mediation process and provided examples on how to integrate such debate in training activities for mediators. Actually, one of the risks of intercultural training is also that it can perpetuate these expressions if it fails to promote a safe environment to promote open discussions, and instill simple discourses focused on differences. The focus group participants' valued the experiential and interactive training activities because of the oportunity to debate and discuss among peers. This is an effect that other authors have observed in the field of diversity training (Alhejji et al., 2016). Experiential methods are recommended in multicultural competence as they provide oportunity for self-reflection and affective exploration (Castillo et al., 2007; Constantine et al., 2004; Fawcett & Evans, 2013; Hays, 2008; LeBaron, 2014; Lee et al., 2007; Miville et al., 2009; Rogers & O'Bryon, 2014; Roysircar, 2004). To multiply the potential of these activities, it would be interesting that the learning group could be more diverse and balanced composition of cultural individual diversity.

Limitations, policy implications, and future research directions

Results from studies should be regarded with caution as to the generalization of conclusions. Regarding sample sizes, our Delphi study could benefit from a larger number of participants and a wider diversity of profiles. Although more than 30 experts were invited,

only a small number of them were interested and available in participating in such a demanding process with no promise of financial or other compensation. The engagement of participants in such a methology can be quite challenging, and motivation can be difficult to manage as revealed by the sample attrition along the different phases of the method. Nonetheless, our study provided pilot data that can be used to develop further analyses, survey instruments for aditional dissemination, or even adapted to collect other specific intercultural competencesin other intervention contexts, such as family or organizational mediation.

Our research design of study 3 also contains some threats to internal and external validity, considering a single group and a self-report measure for intercultural competence. In fact, originally, we intended to develop the training impact assessment as a quasi-experimental study. However, even promoting extensively the training program as free of charge, due to the low number of enrolments of interested and eligible participants, we were not able to constitute a waiting list of future applicants that would establish a control group. As the limitations for the self-report measures that are extensively debated in the literature (Cartwright et al., 2008b; Constantine & Ladany, 2000; Liu et al., 2004; Schnabel et al., 2015), we included the case-vignette and the focus group study as a way to gather more sources of qualitative data that could explain the impact of training. The sample attrition of post-course focus group was also high. However, the participants in this study are considered to be representative of the socio-demographic caracteristics of the trainee group.

Although we recognize these limitations, as Mook states, "even an experiment that is clearly “applicable to the real world,” perhaps because it was conducted there will have some limits to its generalizability" (Mook, 2016, p. 88). In fact, we were more interested in discovering the new and unexplored ground of cultural diversity training and development of mediators. Our expectation is for the needed debate.

Regarding policy development, throughout our literature review, and in the Delphi outcomes, there are several arguments for the need to adapt services to cultural diversity challenges. Intercultural competence assessment of organizations is advised, particularly if mediator directories and mediation program administrators want to ensure some consistency on quality assurance, either in public services or private practices. Professional bodies of mediators and policy makers may benefit from integrating cultural assessement lenses to plan the design and implementation of mediation systems. Attention is needed regarding the promotion and accessibility to users, referral of mediators, adequacy throughout the different phases of mediation process, and the evaluation of its outcomes.

However, after such needs assessment, as Sue (2001) suggests, several changes of can be addressed according to the focus of intervention: individual, professional, and organizational. As our research illustrates, intercultural competence training is one of the solutions for increasing mediators' awareness of the challenges of cultural diversity. Within the practice of intercultural disputes where cultural and linguistic diferences between parties are pronounced, it is expected that more intervenors are summened to the process, such as lawyers as legal advisers, or interpreters to facilitate communication. However, this others intervenors bring their cultural backgrounds also to the process that simultaneously heighten the complexity of the situation, burdening even further the mediators' tasks. Some authors have been advocating for the need to sensitize lawyers to the specific methods of mediation as part of their own education (Frenkel & Stark, 2015), others have informed how interpreters can understand the specifics of their role in the process (Dominguez-Urban, 1997). As likely as mediators benefit from intercultural training, so these consultants should. There are inumerous mediation contexts, organizations and levels of intervention that require intercultural competence training to sensitize practices to individual and cultural diversity. The main recommendation when choosing an approach or methodology for conducting such training programs is determining an agency's training needs and selecting appropriate training options (Rogers-Sirin, 2008). However, in our view, the mediation field should strive for presenting an integrated proposal, based on interdisciplinary work and seeking broad consensus by making use of Delphi methodologies. Future proposals on training design in intercultural competence could be improved by incorporating the recommendations of APA Assessment of Competency Benchmarks Work Group (Fouad et al., 2009) and the Cube model (Rodolfa et al., 2005). These could support an integrated framework for articulating the essential components and specific behavioral indicators for each competence within the major levels of professional development. Besides this top-down approach, the critical dialogue and reflection could also benefit from bottom-up approaches, including training design based on action research with mixed methodologies to uncover context especificities on training incultural competence.

At a professional level, guidelines for a culturally sensitive mediation are at an emergent stage and its progress relates to different requirements. To start, the field could benefit from develop more evidenced-based resources on culturally relevant interventions with racially and ethnically diverse clients. This implies further efforts in consolidating mediation body of research (Coleman et al., 2015), clarifying the outcome criteria for mediation effectiveness accordingly to multicultural assessment methodologies (Suzuki &

Ponterotto, 2008), and considering its replication over different mediation settings. The mediation field could indeed strive to develop knowledge in a integrated and interdisciplinary framework. This endeavour also requires for a certain amount of intercultural competence among its multiple disciplines. Awareness on the diversity of approaches and its integration in colaborative research and practice demands so (Hawala-Druy & Hill, 2012; Pecukonis, Doyle, & Bliss, 2008; Reich & Reich, 2006).

Related to future research on mediation effectiveness is the mediator style of intervention. We return to an interesting result from the analysis of the consensus process in the Delphi methodology, i.e, the experts' group had greater difficulty in reconciling views on what particular level of development should many of the practical skills belong. One possible explanation of this phenomenon may lie in the diversity of academic background and mediation intervention styles. In fact, we did not controll homogeneity of these variables since their diversity was one of the criteria we wanted in the group constitution to ensure a transversal consensus. However, this finding may implicitly corroborate something that literature in the field of mediation suggests, that is, indeed, mediation styles influence the use of certain techniques and strategies, and management of the conflict resolution process (Butts, 2010; Charkoudian, 2012b; Kressel et al., 2012; J. Wall & Kressel, 2012). Hence, it is probable that the mediation experts might give priority to certain procedural practices when facing the challenges of cultural diversity. A latent research question arises from this predicament. Is there any evidence that supports that certain mediation styles could be more appropriate and effective to address cultural influences within the process? The only attempt to understand this effect of mediator style in outcome success is an experimental study on Turkish and American intercultural disputes using a virtual laboratory (Salmon et al., 2013). As in all experimental studies, this findings should be carefully pondered for its lack of external validity as the authors ilustrate in a number of ways (Salmon et al., 2013). However, a noteworthy recommendation is its suggestion that "mediators should be aware of the unique difficulties of intercultural disputes, especially disputants' motivation to interact with people from other cultures, when selecting tactics" (Salmon et al., 2013, p. 903). In fact, as posited by Pedersen (1983, 2000), this dimension of awareness is paramout to drive the developmental process towards intercultural competence. We agree with Salmon an colleagues (Salmon et al., 2013) that future research should go to community samples to explore the impact of mediation styles in intercultural disputes (Salmon et al., 2013). As Charkoudian (2009) proposes, future research should combine data on what mediators think they do (and know) and observational measures of effective practice.

In sum, one of the greatest problems of mediation at global level is still its lack of empirical evidence, that can support evidence-based guidelines for pratice, training and research. Although there is already a large body of research in this field, the number of research-related publications in the European context is practically null, especially when compared with the US. Undoubtedly the problem is rooted in the fact that mediation has a very recent history within Europe, and its professional body has been converging efforts for its affirmation as a valid and financially viable alternative in the context of justice, either nationally or at the European level. As long as mediation is not recognized as a real alternative and a justice priority within European Union policy, we will not see its sustained growth. While professionals struggle to assert their identity, they may lack the energy or foresight to developp research on the field. Actually funding research schemes are scarce in this field, and if so many are involved in spreading the mediation message, critical thinking over the process could be seen as an attack or promote a perspective of weakness. However, mediators should recognize that only by evolving research, discussion and consensus among the practitioners, trainers and scholars, will mediation build a clear, specific and well-defined identity in its various contexts, allowing its affirmation with security, dignity and validity of their practices. What also contributes to the lack of theoretical thinking and empirical research is the weak liaison of mediation practitioners to the organizational context of higher education and their research centers. Besides this academic context, senior practitioners and trainers have also been away from positions of management and political decision of mediation public systems. Certainly, conflict mediation carries a potential transformation of society towards a new perspective of social justice. Inevitably, when formally assigning to parties the main power to decide on the solutions for their conflict, mediation is contributing to a change of perception of power in justice, transforming the existing canon that justice is only awarded by a higher power, in the judicial context of the courts (Schoeny & Warfield, 2000). Perhaps this is one of the main barriers for the mediation implementation and development. Although mediation is increasingly recognized within legal frameworks in different countries as a legitimate process with specific procedures, the fact is that the current culture of justice is overly focused in litigation, on epistemology of decision-making power of the holders of legal expertise (lawyers, judges, courts), and sees this empowerment to the parties as a threat to its institutionalized power. The problem is actually in the oppositional debate between ontological and epistemological foundations of justice present among these adversarial and collaborative models. In fact both fields should relocate the discussion to the main interest of those who ask for justice: the citizens.

To conclude, one aspect that we highlight from this investigation is its innovative nature at the theoretical and methodological level. The adaptation of the theoretical framework from the literature on intercultural competence (from the context of communication and education sciences) and multicultural (from the context of psychology and counseling) is pioneer in the context of mediation research. The accumulated literature of these fields, both in terms of epistemological foundations, theoretical models, and in terms of evidenced based practice, enriches the conceptualization of intercultural competences in mediation. The methodological innovation of our research is reflected in the transversal use of the model of multicultural competences as a framework of conceptual organization throughout the several studies presented. When we provide results based on empirical data integrated in theoretical and methodological conceptualizations, we respond to an already identified need in the field of conflict mediation. In addition to theoretical integration, the research methodologies employed are equally innovative.

For the first time, guidelines for intercultural competence are drawn for application to the training of mediators, from a three-dimensional and developmental perspective, based on a consensus-building methodology in an interdisciplinary panel (Delphi). Building a curriculum based on this perspective and conducting competency training with an assessment of effectiveness is equally innovative. The novelty is reflected in the assessment of competencesusing quantitative and qualitative methodologies, with instruments designed specifically for the context of cultural diversity and adapted to mediation. In addition to these measures, the evaluation was complemented by an additional explanatory study of the results, seeking to explore the impact of training in the voice of the mediators who participated in it.

Conflict mediation, as an interdisciplinary and innovative field in conflict resolution, finds here a research perspective that in itself reflects these characteristics. We anticipate that the interdisciplinarity between intercultural competence and mediation will constitute a dynamic paradigm for addressing conflicts in the 21st century, for its inclusive, context-sensitive and personalized needs for people living in a globalized, increasingly inter-communicating and diverse world.

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Chapter 7. Appendices

Appendix A

Technical report for the different phases of the Delphi methodology

(Study 1)

Intercultural Training in Conflict Mediation: Guidelines from a Delphi Methodology.

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- Technical annexes -

INDEX

Round 1 – Data generation

Thematic analysis

Table 8 - IC training outcomes within themes and categories

Themes/ Categories [a]	Total
A.1. Sensitivity to the impact of cultural differences	7
Parties cultural diversity as a focus of tension or conflict	5
Recognize mediator's cultural background has an impact on the process and parties	2
A.2. Understand the other on its cultural specificity	9
A.3. Openness attitude	3
K.1. Theories on Culture	
Acculturation processes and group relations	1
Cultural theories applied to intercultural mediation	4
General definition of concepts and theories of Culture	5
Limitations of theories about culture - constructions of stereotypes and generalizations	2
K.2. Theories on social identity construction	3
K.3. Policies and dynamics involved in the migration process	2
K.4. The importance of verbal and nonverbal communication in cultural diversity context	5
K.5. Cultural knowledge should be informed by the participant's experiences	6
O.1. Suggestions on training structuring and intercultural training methods	
Experiential methodologies	4
Field experience / internship	3
Observation experience and discussion	1
Role-play experience	2
Setting and learning methods diversity	1
Theoretical knowledge transfer	3
S.1. General mediation skills	
Mastering communication techniques	7
Promote a trusting environment and dialogue between the parties	6
Respect equidistance and impartiality	3
Respect ethical and deontological principles of mediation	6
S.2. Specific skills of mediation sensitive to cultural diversity	
Adapt the mediator communication styles and between the parties	9
Appropriateness of theories of culture to the practice of mediation	1
Deal with ambiguous and uncertain situations	3
S.3. Prepare a mediation setting sensitive to parties cultural differences	
Being able to assess the need for cultural match between mediator and parties	2
Being able to assess the need for interpreters or co-mediators	1
Design processes and interventions that proactively meet the cultural patterns of the parties	6
Flexibility of procedures and intervention styles in mediation	8
S.4. Facilitative process management in the face of cultural differences	

Table 8 - IC training outcomes within themes and categories

Themes/ Categories [a]	Total
Choice and appropriateness of the most favorable mediation styles for each step of the process	5
Discourse attunement between parties	3
Using the Caucus (separate meetings) to manage the diversity of cultural perspectives	1
Total	122

Round 2 - Feedback and consensus phase

ICTO within themes/categories and developmental levels

Table 9 - Round 2 Consensus analysis - Units of analysis distribution within themes and accross developmental levels

Themes/ Categories [a]	Developmental levels [b]				Excluded [c]	Total
	Novice	Intermediate	Advanced	Expert		
A.1. Sensitivity to the impact of cultural differences	2	3	1		1	7
Parties cultural diversity as a focus of tension or conflict	1	3			1	5
Recognize mediator's cultural background has an impact on the process and parties	1		1			2
A.2. Understand the other on its cultural specificity	4	5				9
A.3. Openness attitude	2		1			3
K.1. Theories on Culture						
Acculturation processes and group relations		1				1
Cultural theories applied to intercultural mediation	1	2			1	4
General definition of concepts and theories of Culture	2	1			2	5
Limitations of theories about culture - constructions of stereotypes and generalizations		1	1			2
K.2. Theories on social identity construction	2		1			3
K.3. Policies and dynamics involved in the migration process			1		1	2
K.4. The importance of verbal and nonverbal communication in cultural diversity context		2	1		2	5
K.5. Cultural knowledge should be informed by the participant's experiences		2			4	6

Table 9 - Round 2 Consensus analysis - Units of analysis distribution within themes and accross developmental levels

Themes/ Categories [a]	Developmental levels [b]				Excluded [c]	Total
	Novice	Intermediate	Advanced	Expert		
O.1. Suggestions on training structuring and intercultural training methods						
Experiential methodologies		1	1	2		4
Field experience / internship	1			1	1	3
Observation experience and discussion		1				1
Role-play experience	1		1			2
Setting and learning methods diversity		1				1
Theoretical knowledge transfer	2				1	3
S.1. General mediation skills						
Mastering communication techniques	2	2			3	7
Promote a trusting environment and dialogue between the parties		2			4	6
Respect equidistance and impartiality	1	1			1	3
Respect ethical and deontological principles of mediation		3			3	6
S.2. Specific skills of mediation sensitive to cultural diversity						
Adapt the mediator communication styles and between the parties	1	3	1		4	9
Appropriateness of theories of culture to the practice of mediation			1			1
Deal with ambiguous and uncertain situations		1		1	1	3
S.3. Prepare a mediation setting sensitive to parties cultural differences						
Being able to assess the need for cultural match between mediator and parties	1				1	2
Being able to assess the need for interpreters or co-mediators	1					1
Design processes and interventions that proactively meet the cultural patterns of the parties	1	2			3	6
Flexibility of procedures and intervention styles in mediation	3				5	8
S.4. Facilitative process management in the face of cultural differences						

Table 9 - Round 2 Consensus analysis - Units of analysis distribution within themes and accross developmental levels

Themes/ Categories [a]	Developmental levels [b]				Excluded [c]	Total
	Novice	Intermediate	Advanced	Expert		
Choice and appropriateness of the most favorable mediation styles for each step of the process		3	1	1		5
Discourse attunement between parties		1			2	3
Using the Caucus (separate meetings) to manage the diversity of cultural perspectives					1	1
Total	27	38	11	5	41	122

IC training outcomes in awareness dimension

Table 10 - Round 2 consensus analysis - IC training outcomes in awareness dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Recognize and understand the tension or conflict arising from cultural diversity between the parties	Novice	50%	2	2,25	3	1,5	4
Mediators should be conscious of their own culturally-influenced practices including how culture may form lenses through which they view and interpret the behavior of others.	Novice	50%	1,5	2	3	1,414	4
Capacity for decentration and comprehension of others' point of view	Novice	50%	2	2,25	3	1,5	4
Empathy	Novice	50%	2,5	2,5	3	1,732	4
Comprehension of others' point of view	Novice	50%	2	2,25	3	1,5	4
Ability to reflect on themselves and others	Novice	50%	2,5	2,5	3	1,732	4
Ability to approaching others	Novice	50%	1,5	2	3	1,414	4
Cultural relativism ability	Novice	50%	1,5	1,5	1	0,577	4
Mediators should consider how their culturally shaped preferences or behavior might be viewed and interpreted by participants.	Intermediate	50%	2	1,75	2	1,258	4
Mediators should learn to recognize signs of their own surprise, discomfort, or cognitive dissonances when facing cultural differences, and develop adaptive strategies for re-establishing balance, coping with cultural ambiguities, and managing unfamiliar or contrary practices.	Intermediate	50%	2	2,25	2	1,258	4

Table 10 - Round 2 consensus analysis - IC training outcomes in awareness dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Mediators should be sensitive to the participants' possible perceptions of the behavior of the mediator, the behavior of other participants, and preferences in handling procedural issues or substantive topics.	Intermediate	50%	2,5	2,5	1	0,577	4
Mediators should not react negatively when faced with different ways of doing things, unless the behavior violates the mediator's fundamental personal values.	Intermediate	50%	2	2	3	1,633	4
Ability to recognize each participant's culturally-shaped perspectives of behaviors or events.	Intermediate	50%	2,5	2,75	2	0,957	4
Ability to understand and appreciate participants' similar and different cultural perspectives, and possible imbalances between them.	Intermediate	50%	2,5	2,75	2	0,957	4
Should understand mentally and sensitively each participant, their reality, their situation, their feelings, and fundamentally their needs	Intermediate	75%	2	2,5	2	1	4
The skills have to include empathy and understand for difficulties being from diverse backgrounds.	Intermediate	50%	2	2,25	2	1,258	4
Recognize one's own cultural influences and their possible effect on the mediation as well as what are the typical triggers of human behaviours in conflict that are not necessarily cultural (e.g. neuropsychological)	Advanced	50%	2,5	2,25	2	0,957	4
Should know that one may study these cultures from anthropology, psychology, sociology, anatomy, law, not to use this knowledge in mediation, but to achieve a level of understanding without limits on participants in the mediation.	Advanced	50%	2,5	2,25	2	0,957	4

IC training outcomes in knowledge dimension

Table 11 - Round 2 consensus analysis - IC training outcomes in knowledge dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Theoretical knowledge on identity	Novice	75%	1,00	1,25	1	,500	4
The theory and approach shall include an appreciation of similarities and differences among cultures.	Novice	50%	1,50	1,75	2	,957	4
Must understand there are human groups with a social, cultural, ethnic organization, which leads them to think and to act in and to act in a very different manner.	Novice	50%	1,50	2,00	3	1,414	4
Theoretical knowledge on acculturation and its mechanisms and dynamics (assimilation versus separation versus integration versus inclusion versus marginalization; e.g. Berry)	Novice	50%	1,50	1,50	1	,577	4
Knowledge on the dialectics of identity / alterity	Novice	50%	1,50	1,50	1	,577	4
Theoretical knowledge (data and facts) as to categorization and modeling of cultural diversity and orientation (e.g. Hofstede, Trompenaars, Spencer Oates, Hall, etc.)	Intermediate	75%	2,00	1,50	2	1,000	4
Understanding culturally shaped norms and expectations can help explain parties' different perspectives and think about possible impasses that these perspectives may create. However, it is important to avoid considering culture as an overly inclusive concept to try to explain all behaviors that individuals may manifest, which may not always be group-related but also can be linked to individual considerations (e.g., age, gender, residence, etc).	Intermediate	75%	2,00	2,25	1	,500	4
Knowledge on compared ethnography	Intermediate	50%	2,00	1,75	2	1,258	4

Table 11 - Round 2 consensus analysis - IC training outcomes in knowledge dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
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.	Intermediate	50%	2,00	1,75	2	1,258	4
Theoretical knowledge (...) cultural indicators' systems, culture shock (e. g. DuBois/Oberg)	Intermediate	50%	2,00	1,75	2	1,258	4
knowledge on compared proxemia	Intermediate	50%	1,50	1,25	2	,957	4
Theoretical knowledge regarding the verbal and non-verbal communication of the own cultural group. E. g. Watzlavick (Axioms of Communication), Schultz Thun (4 ears/4mouths model), Rosenberg (non-violent communication), Geiger (non-violent body language), etc.	Intermediate	50%	2,00	2,25	2	1,258	4
We work among so many cultures in Australia that we need members of diverse communities to tell us of their needs, goals and aspirations.	Intermediate	50%	2,00	2,00	2	,816	4
We also need to have a greater awareness of their expectations and values towards punishment, forgiveness, apology, restitution and reparation.	Intermediate	50%	2,00	2,00	2	,816	4
Theoretical knowledge of migration issues and dynamics; locally nationally, internationally + relevant legislation	Advanced	75%	3,00	2,25	2	1,500	4
Any selected framework should provide suggestions as to how to use culture, and possible Cultural Focus Areas that have been identified using the theory (or theories) taught, while avoiding stereotyping when setting up and participating in mediations.	Advanced	50%	2,00	1,75	3	1,500	4
Knowledge on identity construction and reconstruction in people with heterogeneous socio-cultural trajectories.	Advanced	50%	2,50	2,00	3	1,414	4
Mastery of intercultural communication	Advanced	50%	3,00	2,75	2	1,258	4

IC training outcomes in skills dimension

Table 12 - Round 2 consensus analysis - IC training outcomes in skills dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Mediators should be flexible and open to re-assessing and modifying their procedural preferences and styles of intervention, as illustrated by the following examples: Whether to convene a pre-mediation meeting with each party, certain parties only, or their representatives.	Novice	67%	1,333	1,67		1	3
Promote attentive listening and active listening	Novice	50%	2,00	2,25	3	1,500	4
Should able to listen and get participants to listen each other and be sensitive to the reality of the other	Novice	50%	2,50	2,50	3	1,732	4
Technical impartiality	Novice	50%	1,50	2,00	3	1,414	4
Mediators may need to be prepared to help the participants render explicit what may have been implicit in their behavior, or to state less explicitly what a participant may prefer to learn implicitly.	Novice	50%	1,50	2,00	3	1,414	4
Mediators should learn to prepare for inter-cultural mediations by researching and anticipating possible culture affects and by figuring out what process may work best for the participants based on any Cultural Focus Areas that the mediator may have identified.	Novice	50%	1,00	1,00	2	,816	4
Where the mediation should take place, who should attend, and what venue, food, dietary needs, external resources, social activities or welcoming rituals should be considered.	Novice	50%	2,00	2,25	3	1,500	4
Whether to work with the parties to design a procedure to meet any needs for mutual respect, autonomy, affiliation, certainty, or procedural fairness, in which statuses and roles are relevant (e.g. dress code, seating arrangements, and forms of address).	Novice	50%	1,00	1,00	2	,816	4

Table 12 - Round 2 consensus analysis - IC training outcomes in skills dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
When managing multiple cultural perspectives, mediators should consider how and whether to co-mediate with neutrals from other cultures or involve interpreters as cultural consultants when preparing for and participating in mediations.	Novice	50%	2,00	2,25	3	1,500	4
Decision making criteria which characteristics of a mediator are most appropriate to work with certain cultural groups (male mediator in mediations with Arab males, female mediator in mediations with Arab females, or similar cases)	Novice	50%	2,00	2,25	3	1,500	4
Communicate cross-culturally	Intermediate	50%	2,00	2,00	3	1,633	4
Development of general verbal communication skills (active listening, empathy, assertivity, non-aggressive refraiming, culturally neutral paraphrasing, questioning techniques) and related communication techniques of the target cultural group(s)	Intermediate	50%	2,00	2,25	2	1,258	4
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.	Intermediate	50%	2,00	2,00	3	1,633	4
Learn to promote cooperative dialogue	Intermediate	50%	2,00	2,25	2	1,258	4
Be able to develop the equidistance in relation to the parties	Intermediate	50%	2,00	2,25	2	1,258	4
Know how to animate groups and moderate meetings	Intermediate	50%	2,50	2,50	1	,577	4
Must be trained in mediation as philosophical and social proposal for coexistence. As a human interrelation proposal.	Intermediate	50%	2,00	1,75	2	1,258	4
Take responsibility: that participants obtain all the necessary information to decide, that participants become aware of their needs, that participants make decisions that meet and satisfy all the needs presented	Intermediate	50%	2,50	2,75	2	,957	4

Table 12 - Round 2 consensus analysis - IC training outcomes in skills dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
When working with multiple cultural perspectives, mediators should learn to deal with possible uncertainty, ambiguous information or circumstances, unintentional mistakes (e.g. cultural malapropisms), and possible unconscious biases or behavioral scripts of participants.	Intermediate	50%	2,50	2,75	2	,957	4
Mediators also might/should help the participants generate a new set of behavioral norms for the purposes of the mediation.	Intermediate	50%	2,50	2,75	2	,957	4
Mediators need to check for compatible communication styles among the participants and consider whether, how and when to assist participants in communicating in the event of possibly incompatible communication styles.	Intermediate	50%	1,00	1,00	2	1,155	4
Mediators should be able to assist participants in understanding how information may be conveyed in different ways across cultures.	Intermediate	50%	2,00	2,25	2	1,258	4
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.	Intermediate	50%	2,00	2,00	3	1,633	4
When considering interests, mediators should consider the possibility that there may be wider interests at stake than only those of the participants at the table. Those interests may include the interests of other constituencies or stakeholders (e.g., family members, elders, communities, tribunals, affiliates, and regional, national or political groups or entities). This analysis also should consider whether there may be impediments due to the participants' different sense of status or different needs for procedural certainty, autonomy, fairness, or relatedness.	Intermediate	50%	2,50	2,75	2	,957	4

Table 12 - Round 2 consensus analysis - IC training outcomes in skills dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Although managing the process is important in all mediations, this responsibility requires special attention in intercultural mediations where signposts of progress and impediments may be less evident. Also, suitable interventions may be different.	Intermediate	50%	2,50	2,75	2	,957	4
Due to cultural considerations, mediators may need to become more or less directive or facilitative at times on procedural issues, depending on the mutual needs or requests of the participants.	Intermediate	50%	2,00	1,75	2	1,258	4
Mediators should consider the best styles and processes for dealing with issues related to multiple perspectives. This includes whether to address them in caucuses or joint sessions or directly or indirectly with the participants, as well as how to generate procedural options that all participants can work with.	Intermediate	50%	2,00	2,00	3	1,633	4
Even though the mediator and the participants may feel they are advancing well, each individual may think they are heading in a direction whose outcome may be culturally influenced and different. In order to provide a check and elicit the range of different understandings, mediators should be able to assess the extent to which participants' expectations are aligned, can be reconciled, or can be respected.	Intermediate	50%	2,00	2,00	2	,816	4
Although there are many recognized and respected theories, the goal is not to learn comparative theories about culture or to master a particular theory. The goal is to be able to apply a selected theory or theories about culture in such a way as to help mediators consider appropriate issues when setting up and facilitating an inter-cultural mediation.	Advanced	50%	3,00	3,00	2	,816	4

Table 12 - Round 2 consensus analysis - IC training outcomes in skills dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Mediators should be able to employ suitable inter-cultural communication skills when interacting with participants as well as with co-mediators from other cultures. For example, under one theory, the communication style suitable for mediators may involve pinpointing a point on the direct-indirect communication continuum, a point that can be influenced by a number of other cultural parameters such as the power distance index and relationship orientation of the participants or co-mediators.	Advanced	50%	3,00	2,50	3	1,732	4
Our skills have to include being able to support mentors from these backgrounds and not impose of professionalism on them.	Advanced	50%	1,50	1,50	3	1,732	4
Ability to manage ambiguities and mistakes that may emerge in multi-cultural situations.	Expert	50%	3,00	2,50	4	1,915	4
Ability to detect whether, when and how cultural considerations 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.	Expert	50%	3,50	3,25	2	,957	4

IC training outcomes in other dimension

Table 13 - Round 2 consensus analysis - IC training outcomes in other dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Theoretical knowledge on stereotyping and mechanisms of enforcement, awareness, recognition, empowerment, etc.	Novice	75%	1,00	1,50	2	1,000	4
a sound, detailed, diversified (and humble) self-knowledge in theory and practice. Theory: e. g. the iceberg model, the Johari-windows, the Iterative-Learning-Loop-Theory and similar;	Novice	75%	1,00	1,50	2	1,000	4
Role-play experience (put trainees "in the shoes" of individuals belonging to other cultures) to try and make them feel the dynamics (even only simulation, this is better than "nothing"	Novice	50%	1,50	2,00	3	1,414	4
They [the people from diverse backgrounds] may be able to share with us photos or suggest short films to help us to understand and become more aware of their specific and general needs	Novice	50%	2,50	2,50	3	1,732	4
Thus trainees should be exposed to as many different learning/acting environments as possible. Trainings should provide…	Intermediate	50%	2,50	2,75	2	,957	4
Observation experience (e. g. via videos, study visits) in order to provide and promote insight in verbal and non-verbal communication dynamics, intra- and cross cultural behavior in conflict (in different stages of escalation), behavior in daily life (private and business etiquette, dining manners) and celebrations' rituals. Best would be to invite persons from the observed cultures to the following classes to promote competent and diversified feed-back and discussion.	Intermediate	50%	1,50	1,25	2	,957	4

Table 13 - Round 2 consensus analysis - IC training outcomes in other dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
Physical (and in case there is no physical contact possible virtual) contact with members of target cultures (Videos, Visits, Meetings, etc.) focused on the exploring of "the other perspective" and "the other's perspective" = intra-cultural perception/narratives versus inter-cultural perception/evaluation. Feed-back from the "other culture" towards "my culture". (E.g. – for better understanding: How do I (Portuguese) see f. ex. Germans and Chinese? Do Germans see the Portuguese like the Portuguese see the Chinese?. The outcome is a spectrum-understanding rather than a fixed categorization.	Intermediate	50%	3,00	3,00	2	1,155	4
Awareness on manipulation mechanisms. E.g. influence of (social) media dynamics on perceptions via analysis exercises like the comparison of messages transmitted by media that operate from different cultural perspectives German-Portugal reporting of the economic crisis; Russian-American reporting on the Ukraine crisis, Portuguese-Romanian reporting on gypsy migration, etc.	Advanced	50%	3,50	3,50	1	,577	4
Practical experience via exercises. Sound debriefings to "save" results.	Advanced	50%	3,00	2,75	2	1,258	4
The people from diverse backgrounds are the experts of their experiences. They can share with us and during such conversations we can ask them to reveal some of the cultural issues that confront them and leave them further marginalized.	Expert	75%	4,00	3,50	2	1,000	4
A good "toolbox" of methods and exercises to raise participants' awareness for existing cultural diversities between each other (and/or eventually between the participants and the mediator) and the expression and effects of those cultural differences in certain stages or during the whole mediation process	Expert	50%	3,00	2,75	3	1,500	4

Table 13 - Round 2 consensus analysis - IC training outcomes in other dimension

Intercultural Competence Training Outcomes	Level	Agreement	Median	Mean	IQR	SD	*n*
A good "toolbox" of short quick-to-do exercises and icebreakers that can be implemented on-the-spot to work with cultural differences and their expression during a mediation – in order to change communication dynamics if desirable or to de-block communication and conversation deadlocks if necessary	Expert	50%	3,50	3,25	2	,957	4

Final results

Units of analysis distribution within themes and accross rounds

Table 14 - Units of analysis distribution within themes and accross rounds

Themes within Dimensions [a]	Units of analysis						
	Round 1	Round 2		Round 3			
		Selected	Excluded [c]	Developmental levels [b]			
				Novice	Intermediate	Advanced	Expert
Awareness							
A.1. Sensitivity to the impact of cultural differences							
Parties cultural diversity as a focus of tension or conflict	6	5	1	2	3		
Recognize mediator's cultural background has an impact on the process and parties	1	1				1	
A.2. Understand the other on its cultural specificity	9	9		4	5		
A.3. Openness attitude	3	3		2		1	
Subtotal	19	18	1	8	8	2	
Knowledge							
K.1. Theories on Culture							
Acculturation processes and group relations	1	1			1		
Cultural theories applied to intercultural mediation	4	3	1	1	2		
General definition of concepts and theories of Culture	5	3	2	2	1		
Limitations of theories about culture - constructions of stereotypes and generalizations	2	2			1	1	
K.2. Theories on social identity construction	3	3		2		1	
K.3. Policies and dynamics involved in the migration process	2	1	1			1	

Table 14 - Units of analysis distribution within themes and accross rounds

Themes within Dimensions [a]	Units of analysis						
	Round 1	Round 2		Round 3			
		Selected	Excluded [c]	Developmental levels [b]			
				Novice	Intermediate	Advanced	Expert
K.4. The importance of verbal and nonverbal communication in cultural diversity context	5	3	2		2	1	
K.5. Cultural knowledge should be informed by the participant's experiences	6	2	4		2		
Subtotal	28	18	10	5	9	4	
Skills							
S.1. General mediation skills							
Mastering communication techniques	7	4	3	2	2		
Promote a trusting environment and dialogue between the parties	6	2	4		2		
Respect equidistance and impartiality	3	2	1	1	1		
Respect ethical and deontological principles of mediation	6	3	3		3		
S.2. Specific skills of mediation sensitive to cultural diversity		0					
Adapt the mediator communication styles and between the parties	9	5	4	1	3	1	
Appropriateness of theories of culture to the practice of mediation	1	1				1	
Deal with ambiguous and uncertain situations	3	2	1		1		1
S.3. Prepare a mediation setting sensitive to parties cultural differences		0					
Being able to assess the need for cultural match between mediator and parties	2	1	1	1			
Being able to assess the need for interpreters or co-mediators	1	1		1			
Design processes and interventions that proactively meet the cultural patterns of the parties	6	3	3	1	2		

Table 14 - Units of analysis distribution within themes and accross rounds

Themes within Dimensions [a]	Units of analysis						
	Round 1	Round 2		Round 3			
		Selected	Excluded [c]	Developmental levels [b]			
				Novice	Intermediate	Advanced	Expert
Flexibility of procedures and intervention styles in mediation	8	3	5	3			
S.4. Facilitative process management in the face of cultural differences		0					
Choice and appropriateness of the most favorable mediation styles for each step of the process	5	5			3	1	1
Discourse attunement between parties	3	1	2		1		
Using the Caucus (separate meetings) to manage the diversity of cultural perspectives	1	0	1				
Subtotal	61	33	28	10	18	3	2
Other							
O.1. Suggestions on training structuring and intercultural training methods							
Experiential methodologies	4	4			1	1	2
Field experience / internship	3	2	1	1			1
Observation experience and discussion	1	1			1		
Role-play experience	2	2		1		1	
Setting and learning methods diversity	1	1			1		
Theoretical knowledge transfer	3	2	1	2			
Subtotal	14	12	2	4	3	2	3
Total	122	81	41	27	38	11	5

Appendix B

Quantitative and qualitative measures for intercultural training assessment

(Study 2, 3)

Código de resposta: _____

A ação de formação *Competências Interculturais para mediadores de conflitos* decorre no âmbito de um projecto de investigação do Centro de Investigação e Intervenção Social (CIS) do Instituto Universitário de Lisboa (ISCTE-IUL).

No sentido de compreender a forma como é vista a prática profissional em situações de mediação com clientes de grupos minoritários, solicitamos o preenchimento de um conjunto de questionários.

Tente responder da forma mais sincera possível, e próxima da forma como vê a sua prática profissional. Não há respostas certas ou erradas.

Por favor, certifique-se de que está a responder a todas as questões. Caso não complete o questionário, os dados recolhidos não poderão ser utilizados.

Todas as respostas são anónimas e confidenciais. Todos os dados recolhidos serão tratados com privacidade.

Para possibilitar a comparação com outros momentos de auto-avaliação ao longo da formação, pedimos preencha o campo superior direito com o código de resposta que lhe for atribuido aleatoriamente.

Agradecemos a sua colaboração.

☐ Tendo tomado conhecimento da informação disponibilizada sobre este estudo, aceito participar.

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Código de resposta: _____

Informações Gerais

Idade: _____ **Sexo:** ☐Masculino ☐Feminino

País de origem: _____ **Nacionalidade:** _____

Nível de Escolaridade Obtido:

- ☐ Licenciatura
- ☐ Mestrado
- ☐ Doutoramento

Área em que obteve o seu grau mais elevado (por exemplo, Direito, Psicologia, Serviço Social, etc.)

_____

Teve formação específica sobre a diversidade cultural e individual (imigrantes, minorias étnicas, género, religião)**:**

☐Sim ☐Não

Título da formação:

_____

Entidade formadora:

_____

Número total de horas de formação:

_____

Número de disciplinas:

_____

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Código de resposta: _____

Experiência de Mediação

Experiência geral

Teve formação em alguma filosofia/abordagem específica para a mediação?

☐Sim ☐Não

Indique os modelo(s) teóricos/abordagem(s) em que teve formação específica:

- ☐ Modelo Linear (Escola de Harvard)
- ☐ Modelo Transformativo (Bush e Folger)
- ☐ Modelo Circular Narrativo (Sara Cobb)
- ☐ Outras abordagens que considere pertinente para a sua formação:

_____

Aproximadamente, quantos anos de experiência de mediação tem? _____

Aproximadamente, quantas disputas mediou?

Número de casos mediados	< 10	[10-30]	[31-99]	[100-499]	> 500
No total do último ano	☐	☐	☐	☐	☐
Total da carreira	☐	☐	☐	☐	☐

Do total de disputas que mediou ao longo da sua carreira, quantas considera ter envolvido clientes onde estariam presentes diferenças culturais? _____

Caso tenha mediado situações onde tenha identificado diferenças culturais entre as partes, assinale que diferença esteve presente (sempre que se verifique):

- ☐ Uma das partes era de uma minoria étnica (se desejar, especifique)

_____

_____

- ☐ Uma das partes era imigrante (se desejar, especifique)

_____

☐ As partes eram de diferentes religiões (se desejar, especifique)

_____

☐ As partes eram de diferentes países de origem (se desejar, especifique)

_____

☐ Outras diferenças (se desejar, especifique)

_____

Tipo de experiência em mediação

Para cada contexto de mediação onde tem desenvolvido actividade, indique a percentagem do seu total de experiência (*o total deverá corresponder a 100%).*

Tipo de mediação	% de experiência
Sistemas públicos de mediação	
Outros contextos de mediação (privada)	

Indique quais os contextos de mediação pública onde tem desenvolvido actividade.

☐ Julgados de Paz
☐ Sistema de Mediação Familiar
☐ Sistema de Mediação Laboral
☐ Sistema de Mediação Penal
☐ Centros de Arbitragem

Indique quais os contextos de mediação onde tem desenvolvido actividade privada.

☐ Mediação Civil
☐ Mediação Familiar
☐ Mediação Laboral
☐ Mediação Organizacional
☐ Mediação Escolar
☐ Mediação Ambiental
☐ Mediação Comunitária
☐ Mediação Intercultural
☐ Mediação Comercial
☐ Centros de Arbitragem

☐ Outro: _____

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Código de resposta: _____

Abordagem à Mediação

Abaixo estão afirmações que descrevem comportamentos do(a) mediador(a), objectivos do(a) mediador(a) e atitudes face à mediação.

Estamos interessados na aproximação de cada afirmação à sua abordagem típica à mediação.

Para cada descrição assinale, com um círculo, o número que melhor expressa o grau com que a sua abordagem como mediador(a) é descrita adequadamente por cada afirmação.

Não descreve de todo a minha abordagem	1	2	3	4	5	6	7	Descreve muito bem a minha abordagem

1. É importante que o(a) mediador(a) aponte os custos do contínuo desacordo às partes, a fim de os manter no rumo certo.	1	2	3	4	5	6	7
2. Chegar a acordo não deve ser o objectivo primário de um(a) mediador(a).	1	2	3	4	5	6	7
3. Uma parte importante do trabalho de um(a) mediador(a) é confrontar as partes que estão a ser excessivamente competitivas, rígidas ou desrespeitosas.	1	2	3	4	5	6	7
4. Como mediador(a), frequentemente coloco questões para testar ideias que começo por desenvolver sobre as causas ou motivos subjacentes que estão a alimentar um conflito.	1	2	3	4	5	6	7
5. Sou um(a) promotor(a) do diálogo, não um(a) orquestrador(a) de acordos.	1	2	3	4	5	6	7
6. As reuniões separadas podem ser especialmente úteis para proporcionar a uma das partes um feedback franco sobre as suas posições de negociação excessivamente rígidas ou irrealistas.	1	2	3	4	5	6	7
7. Como um meio para despolarizar o conflito, um(a) mediador(a) deve ser frequentemente um(a) diagnosticador(a) prático que tenta ajudar as partes a entender onde e porque razão se encontram num impasse.	1	2	3	4	5	6	7

Código de resposta: _____

Não descreve de todo a minha abordagem	1	2	3	4	5	6	7	Descreve muito bem a minha abordagem

8. O foco no acordo como objectivo primário da mediação limita desnecessariamente o potencial da mediação para ajudar as pessoas a crescer e aprender.	1	2	3	4	5	6	7
9. O(A) mediador(a) pode necessitar colocar questões práticas ou fornecer informação precisa e realista para afastar as partes de posições excessivamente irracionais ou rígidas.	1	2	3	4	5	6	7

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Código de resposta: _____

Sobre mediações de contexto de diferenças culturais assinale, com um círculo, a opção que melhor expressa a sua opinião:

1 Discordo totalmente	2 Discordo	3 Não concordo nem discordo	4 Concordo	5 Concordo totalmente

1. Reconheço a existência de barreiras (ex. institucionais) que podem dificultar a utilização dos serviços de mediação de conflitos pelas pessoas de grupos minoritários.	1	2	3	4	5
2. Estou consciente da forma como a minha herança cultural e experiências influenciaram as minhas atitudes relativamente aos processos de resolução de conflitos.	1	2	3	4	5
3. Interesso-me de forma genuína em saber mais acerca da cultura, costumes e valores dos clientes de grupos minoritários.	1	2	3	4	5
4. Estou ciente de que as minhas raízes culturais influenciam a minha forma de pensar e agir.	1	2	3	4	5
5. Tenho conhecimento de tipos de intervenção e resolução de conflitos que podem ser mais adequados aos diferentes grupos minoritários.	1	2	3	4	5
6. Reconheço que diferenças culturais entre mediador e cliente na conceptualização do problema e objectivos da mediação podem diminuir a credibilidade do mediador.	1	2	3	4	5
7. Reconheço que podem existir enviesamentos na avaliação diagnóstica de clientes de grupos minoritários.	1	2	3	4	5
8. Tenho conhecimento sobre as especificidades e experiências de pessoas com incapacidades (ex. física, visual, auditiva), bem como o seu possível impacto nas formas de experienciarem e resolverem conflitos.	1	2	3	4	5
9. Consigo dar exemplos de como os estereótipos sobre clientes de diferentes culturas ou grupos podem ter impacto na relação entre mediadores e clientes.	1	2	3	4	5
10. Tenho conhecimento sobre as especificidades e experiências de pessoas de minorias étnicas, bem como o seu possível impacto nas formas de experienciarem e resolverem conflitos.	1	2	3	4	5

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Código de resposta: _____

1	2	3	4	5
Discordo totalmente	Discordo	Não concordo nem discordo	Concordo	Concordo totalmente

11. Consigo indicar diversas barreiras que dificultam o uso dos serviços de resolução de conflitos pelos grupos minoritários (étnicos, religiosos, sexuais, etc.).	1	2	3	4	5
12. Consigo demonstrar abertura às características únicas dos meus clientes de grupos minoritários.	1	2	3	4	5
13. Tenho conhecimento sobre as especificidades e experiências de pessoas de diferentes níveis socioeconómicos, bem como o seu possível impacto nas formas de experienciarem e resolverem conflitos.	1	2	3	4	5
14. Procuro saber quais as competências linguísticas e comunicacionais dos clientes imigrantes ou de minorias étnicas.	1	2	3	4	5
15. Tenho conhecimento sobre as especificidades e experiências de pessoas imigrantes, bem como o seu possível impacto nas formas de experienciarem e resolverem conflitos.	1	2	3	4	5
16. Consigo discutir as diferenças intra-grupais no que diz respeito a diversos grupos minoritários (por exemplo, afro-descendentes de diferentes religiões, homens gay de diferentes gerações).	1	2	3	4	5
17. Reconheço que é importante ver para além dos estereótipos e preconceitos para perceber o que melhor se adequa a clientes culturalmente diferentes de mim.	1	2	3	4	5
18. Consigo discutir como a cultura pode influenciar a manifestação de conflitos.	1	2	3	4	5
19. Consigo identificar a influência que as minhas bases culturais têm no meu estilo de comunicação.	1	2	3	4	5
20. Compreendo o papel da cultura (incluindo o racismo, etnocentrismo e heterocentrismo) no desenvolvimento da identidade em grupos minoritários.	1	2	3	4	5

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1	2	3	4	5
Discordo totalmente	Discordo	Não concordo nem discordo	Concordo	Concordo totalmente

21. Tenho conhecimento sobre as especificidades e experiências de pessoas que têm diferentes práticas religiosas, bem como o seu possível impacto nas formas de experienciarem e resolverem conflitos.	1	2	3	4	5
22. Quando necessário, procuro incluir outros profissionais (como intérpretes linguísticos, mediadores culturais, líderes associativos) no processo de mediação de conflitos com clientes de grupos minoritários.	1	2	3	4	5
23. Demonstro vontade de conhecer os clientes de grupos minoritários como indivíduos com experiências únicas.	1	2	3	4	5
24. Tenho conhecimento sobre modelos de aculturação de vários grupos étnicos minoritários.	1	2	3	4	5
25. Consigo identificar os preconceitos positivos e negativos que tenho em relação a pessoas de diversos grupos étnicos, de orientação sexual ou religiosa.	1	2	3	4	5
26. Tenho conhecimento de associações/instituições que dispõem de serviços e profissionais (como intérpretes linguísticos, mediadores culturais, mentores associativos) no âmbito do trabalho com grupos minoritários.	1	2	3	4	5
27. Procuro saber qual a língua de preferência dos clientes imigrantes ou de minorias étnicas.	1	2	3	4	5
28. Demonstro abertura às possíveis diferenças que possam existir entre mim e os meus clientes de grupos minoritários.	1	2	3	4	5
29. Procuro incentivar os meus clientes de grupos minoritários a partilhar as suas expectativas (positivas e negativas) sobre a intervenção.	1	2	3	4	5
30. Reconheço a importância do meu auto-conhecimento e desenvolvimento pessoal nas competências para trabalhar com clientes diferentes de mim.	1	2	3	4	5

Código de resposta: _____

Por favor, leia o caso apresentado e responda às questões que se seguem. Por favor, responda da forma mais sincera possível, e próxima da forma como vê a sua prática profissional. Não há respostas certas ou erradas.

Para possibilitar a comparação com outros instrumentos de investigação ao longo da formação, pedimos preencha o campo superior direito com o código de resposta presente no cartão que lhe for atribuido aleatoriamente.

Caso de mediação

A situação que vem ao gabinete de mediação é relacionada com uma queixa num dos apartamentos do prédio onde vive uma familia de refugiados, realojada pelo Conselho Português de Refugiados (CPR). Está a ser ponderado pelo condomínio o pedido que o CPR faça a recolocação desta família noutras instalações.

O caso envolve a família C, vinda da Síria, sendo candidata a asilo político. O Sr. C e a Srª. C têm 2 filhas, jovens adolescentes que querem ingressar numa universidade portuguesa. Todos têm grandes dificuldade com o domínio da lingua portuguesa, mas as filhas falam bem inglês. São uma família devota do islamismo, sendo que as mulheres usam vestes tradicionais, não mostrando a face em público.

A denúncia veio de um vizinho português, o Sr. A, de 65 anos, que vivia no seu apartamento já há muitos anos. Numa primeira sessão individual com o Sr. A, este insistia que o barulho da família C estava a tornar sua vida miserável. “Estes refugiados islâmicos, de tempos a tempos, fazem muito barulho, prolongado-se pela noite dentro. E em outros momentos escuto uma das filhas deles a gritar durante a noite... Já pensei em chamar a polícia com receio pela sua segurança.”

Uma ocasião o Sr. A convidou uma das filhas da família C ao seu apartamento para lhe devolver um lençol que havia caído na sua varanda. Confessou-lhe que não percebia como ela também iria se ajustar aos trajes da sua mãe, e agora que está em Portugal pode escolher uma vida melhor e diferente dos seus pais. O Sr. A dizia

"que queiram andar em casa assim vestidas é um problema delas. Mas na rua ou na praia, mais do que delas, é um problema nosso!" E dizia-se preocupado pelas filhas, dado que seria impossível que uma pessoa assim pudesse ir à escola, ser atendida num serviço público, num banco ou até conduzir qualquer veículo.

Depois deste episódio, o Sr. C teve uma atitude violenta. Bateu à porta do Sr. A, gritando em árabe, gesticulando, e chegando a empurrá-lo enfurecidamente para dentro de casa, ao ponto deste ter caído ao chão.

O Senhor A. confessava que toda esta situação o deixava muito inseguro. Desde o seu divórcio que a maior parte do dia se encontra sozinho em casa, e tem tido cada vez menos visitas de familiares e amigos. Desde que regressara da Guerra do Ultramar que estava naquele prédio. Todos os vizinhos do condomínio o conheciam e também achavam que deveria ser feito algo para endereçar estas dificuldades com a integração desta família C do prédio.

A administração do condomínio sugeriu o contacto do Conselho Português de Refugiados. O Sr. C, o Sr. A, o administrador do prédio, e um tradutor foram todos convidados para uma sessão de mediação.

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Código de resposta: _____

Tendo em conta o caso apresentado indique:

Até 3 características relevantes do conflito neste caso:

1. _____

2. _____

3. _____

Até 3 estratégias que poderia abordar com as partes envolvidas:

1. _____

2. _____

3. _____

Até 3 caraterísticas do caso que poderiam ser facilitadoras de alguma intervenção:

1. _____

2. _____

3. _____

Até 3 caraterísticas do caso que poderiam ser dificultadoras de alguma intervenção:

1. _____

2. _____

3. _____

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Código de resposta: _____

Até 3 caraterísticas suas, enquanto técnico/a, que poderiam ser facilitadoras da sua intervenção com as partes:

1. _____

2. _____

3. _____

Até 3 caraterísticas suas, enquanto técnico/a, que poderiam ser dificultadoras da sua intervenção com as partes:

1. _____

2. _____

3. _____

Até 3 aspetos do caso que gostaria de discutir com outros colegas mediadores ou em supervisão sobre este caso:

1. _____

2. _____

3. _____

Agradecemos a sua colaboração!

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Código de resposta: _____

Appendix C

Program for intercultural training of mediators

(Study 3)