



Resolving people's land disputes through mediation

In Sri Lanka people face many disputes over government and privately owned land. In order to strategically address these disputes and to facilitate amicable settlements, the government will establish Special Mediation Boards (Land) around the country. In recognition of the complexity of the post war situation, the first boards will be established in the Northern, Eastern and North Central Provinces. These boards are set up according to the provisions of the Mediation (Special Categories of Disputes) Act No 21 of 2003 by the Ministry of Justice working in close collaboration with the Ministry of Land and Land Development.



Special Mediation Boards (Land) are important because of the:

- Complex nature of disputes involving land
- Large numbers of disputes over land
- Vulnerability of victims of war and their rights
- Need for an Alternative Dispute Resolution mechanism to provide speedy and low cost resolutions to land related disputes
- Complex nature of laws dealing with State land and private land, especially
- Complexity of the state lands and private land disputes prevailing in the Northern and Eastern Provinces

Special Mediation Boards (Land) will be first established in the Districts of Jaffna, Kilinochchi, Trincomalee, Batticaloa and Anuradhapura. Later Special Mediation Boards (Land) will be established in all other districts.

Special Mediation Boards (Land) are unique because of several reasons:

- Government intervention - Ministry of Justice, (MOJ), Mediation Boards Commission, Ministry of Land, District and Divisional Secretariats and other government institutions dealing with land
- Easy Access for disputants
- Timely and speedy resolution of issues and disputes
- Confidentiality assured
- A voluntary process
- Amicable settlements agreeable to all disputing parties
- Cost effective
- Restoring relationships and promoting reconciliation
- Empowering parties to the disputes

Ministry of Justice

Some important facts about Special Mediation Boards (Land):

- All disputes over land below the value of 2 million rupees must be presented
- Disputes over such value can also be presented
- The State or representatives of the State as well as private parties can be parties
- On settlement, the mediation board will issue a Settlement Certificate and provide guidance on formalizing the settlement if necessary/
- If the dispute cannot be settled, a Non Settlement Certificate will be issued and guidance provided on next steps

Types of disputes

Any dispute or issue over land including disputes over ownership, documents, boundaries, permits and any other dispute.

How to approach a mediation board

- Women and men can submit a complaint in writing in person or by post to Chairperson of the mediation board in your area.
- Or speak with the Divisional Secretary, District Secretary, Provincial Land Administration Department, Police, or any government officers dealing with land and seek a referral.

- Once a complaint is sent to the mediation board, disputants will be informed in writing, within two weeks to come to the mediation board. The date, time and location of the mediation will be informed.
- The mediation process will be completed within 60 days or less
- Several sessions will be held if needed

Mediators

- There will be 15-20 mediators (men and women) in each board
- They are well qualified with expertise in land related issues and procedures.
- They will be supported by technical resources from the government including surveyors, valuers, legal experts and other land experts.
- They may conduct 'field visits' or inspections with or without the involvement or presence of disputing parties.

