



Global Mediation Panel Frequently Asked Questions

1. What is mediation?

Mediation is a voluntary, informal, and confidential process, which takes place with the consent of all parties involved. In mediation, a trained neutral person, a mediator, assists the parties to work toward a resolution of a dispute with the parties themselves remaining in control of the final decision.

2. How do I know mediation can be useful in my case?

Mediation is normally quicker and more cost-effective than litigation and arbitration. This has been proven by verified data (e.g., please see [here](#)). In addition, in mediation parties have an opportunity to discuss the issues in a confidential and informal environment, and often improve relationships and reduce the amount of stressful workplace conflict. Mediation may be useful in most cases provided that the parties are committed to discuss candidly their differences and find a solution to the problem.

3. What if I do not want to mediate with the alleged wrongdoer?

Mediation is a voluntary process, which means you do not have to go through it if you do not want to. However, if you are invited to mediate by the Office of Ombudsman you are expected to show up at the first meeting with the other party and the Mediator to make sure that the process receives proper consideration by all involved. If you are not interested in mediation, during that first meeting you can freely withdraw without any negative consequences.

4. What is the role of the mediator?

A mediator is impartial and independent and does not have any personal interest in the potential outcome. His/her role is to create a confidential, safe environment, which encourages all parties to participate in a problem-solving process. A mediator is not a judge or arbitrator and does not determine the final outcome of the dispute. A mediator uses his/her skills to allow the parties to be heard in a respectful, non-judgmental way, and assists them in reaching their own solution.

5. How were the mediators of the Global Mediation Panel selected?

The mediators of the Global Mediation Panel have been selected by the Office of the Ombudsman for United Nations Funds and Programmes taking into account their qualifications, proven mediation experience and background, and long-standing connection with the most reputable international mediation networks. These include recognized alternative dispute-resolution institutions such as the International Chamber of Commerce, The World Bank International Centre for Settlement of Investment Disputes (ICSID), the World Bank Group Compliance Adviser Ombudsman (CAO), and private mediation organizations. The mediators have undergone training sessions conducted by the Office of the Ombudsman and are further screened through a rigorous approval process in light of the rules and procedures established by the Office of the Ombudsman.



6. How a particular mediator is chosen for my case?

All requests for mediation will be promptly reviewed by the Office of the Ombudsman to ensure that mediation is an appropriate method for resolving the dispute. The parties and the referring entity, if any, will be notified once a determination is made whether the case is appropriate for mediation and accepted as a referral. Following such determination, the Office of the Ombudsman will propose to the parties a mediator candidate taking into account the nature of the dispute, geographical location of the parties, language(s) involved, and other relevant factors.

7. Can we use a mediator who is not on the panel of the Global Mediation Panel?

Yes, if all parties agree, you are free to engage a mediator who is not a member of the Global Mediation Panel. In this case, the parties should be mindful that certain key features of mediation, such as confidentiality, are ensured only if the process is conducted by a United Nations-mandated office. Moreover, please note that the Office of the Ombudsman will not bear the costs of an external mediator, and you will have to cover such expenses and fees. When you are contemplating where to go for mediation, we advise you to speak with the Office of the Ombudsman first to evaluate all the available options.

8. What type of disputes can be submitted to the Global Mediation Panel?

Work-related disputes involving the five United Nations organizations served by the Office of the Ombudsman for United Nations Funds and Programmes (UNDP, UNFPA, UNICEF, UNOPS, UN-Women) are eligible for consideration for mediation services provided by the Office of the Ombudsman, including through the Global Mediation Panel. A work-related dispute or difference is any formal or informal dispute or issue arising out of a relevant employment relationship between and among the United Nations organizations and its staff and related personnel.

9. What if I am not happy with the services rendered by my mediator?

If you have a concern or complaint against any of the mediators of the Global Mediation Panel in relation to the mediation that is pending or has concluded, please reach out to the Mediation Specialist of the Office of Ombudsman, who is the primary contact for the management of the Panel. Meeting your expectations is important to us. Your feedback will help us serve you better. The Office of Ombudsman is finalizing mechanisms to allow the complainant to elevate the complaint to the Ombudsman and the International Advisory Board established by the Office of Ombudsman.

10. Is there a conflict of interest if mediation is paid for by the country office and my counterparty is the management of the country office?

As a first course of action, the Office the Ombudsman uses its professional staff to conduct mediations, either in person or via video/telephone. When it is more appropriate to use an external mediator affiliated with the Office of the Ombudsman, the country office will have to reimburse the Office of the Ombudsman for the costs associated with the provision of the services, except in cases conducted via telephone or voice-over-internet protocol where this could



represent or be seen as representing a conflict of interest. In such cases, the costs will be borne by the Office of the Ombudsman.

11. How is the mediated settlement agreement enforced?

An application shall not be receivable by the United Nations Dispute Tribunal if the dispute arising from a contested decision has been resolved by an agreement reached through mediation. However, a staff member may submit an application directly with the Dispute Tribunal to enforce the implementation of an agreement reached through mediation within 90 calendar days after the deadline for the implementation specified in the mediation agreement has expired or, when the mediated settlement agreement is silent on the matter, within 90 days after the 30th day from the date on which the agreement was signed.

A non-staff member who becomes a party to a mediated settlement agreement may not file an application to the United Nations Dispute Tribunal to enforce such an agreement because he/she is not covered under the provisions of the formal administration of justice. Instead, the non-staff member may contact the Office of Ombudsman to request further mediation.