

OFFICE OF THE OMBUDSMAN  
FOR UNITED NATIONS  
FUNDS AND PROGRAMMES

WORKING TOGETHER TO FIND SOLUTIONS

# Mediating Around the World

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Network of Ombudsman  
and Focus Mediators of  
CEB Member Organizations

# Informal First Campaign

## PURPOSE

In line with the [UN General Assembly Resolution 77/260 dated 22 December 2022](#), in which the General Assembly emphasized that “all possible use should be made of informal components of the system to avoid unnecessary litigation” and requested to “explore informal resolution, including mediation, as a first step,” the UN Network of Ombudsman and Mediators is launching this campaign to place informal conflict resolution through the ombuds and mediation services as the first and safe option for any member of personnel affected by a workplace-related issue. This includes issues such as work environment, interpersonal differences, harassment, administrative decisions, recruitment, entitlements and benefits, performance assessment, or any work-related matter. These services are available to all personnel, regardless of their contract type or previous use of formal mechanisms.

## FOCUS

### Invitation to managers and policymakers to adopt the message of “Informal First”.

The UN Ombudsman Network encourages the Senior Leadership to systematically include key elements of the message below in their communication within their organizations. This message will also be included in the annual reports of the Ombuds offices within the UN Ombudsman and Mediators Network.

**Integrating Informal First into organizational policies, practices, and culture can support a healthy work environment where conflict is managed responsively and positively.**

**Encouraging managers and staff to explore informal options first, can limit escalation and avoid unnecessary litigation.**

**Members of personnel/staff are strongly encouraged to first attempt to have their conflicts and workplace concerns resolved through informal resolution mechanisms, such as direct conversations, negotiation, mediation, facilitated discussion, and conflict coaching.**

**Anyone who wishes to pursue informal resolution mechanisms is encouraged to approach [the Office of the Ombudsman/Mediation] as early as possible, especially if they have already attempted to resolve the concerns but have been unable to find a mutually agreeable solution.**

## CAMPAIGN AUDIENCE

1. Personnel affected by or witnessing a workplace issue
2. Personnel that have contacted the formal system
3. Team leaders and decision makers encountering conflict
4. Partners and stakeholders such as HR, Staff Association, Medical Services, Staff Counselling, Ethics Office, Legal, and Investigations/Audit

## KEY MESSAGES

### 1. What does the “informal” element of Informal First mean?

- ▶ “Informal” means that no record is created or kept for the organisation and no action is triggered
- ▶ The Ombudsman/Mediator will not disclose information shared, even in the unlikelyhood of being asked by the leadership, investigators, or a tribunal.
- ▶ No protocol or formal application is needed; just reach out via email, MS Teams or phone
- ▶ Creative options can be identified where you have full control over what is done and what is not done.
- ▶ All services offered by Ombudsman/Mediators are informal.

### 2. What does the “first” element of Informal First mean?

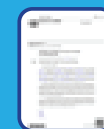
- ▶ Informal resolution of workplace issues should be the first (but need not be the only or final) resolution option taken.
- ▶ Personnel can gain a comprehensive understanding of the options available to address their specific concerns.

### 3. Why should you choose Informal First?

- ▶ The Office of Ombudsman and Mediation Services offers a safe, independent and neutral space to discuss workplace concerns
- ▶ Informal resolution is an amicable and confidential way to explore a mutually workable resolution.
- ▶ Choosing informal resolution first will not preclude use of other mechanisms — you retain all your rights while informally pursuing your interests
- ▶ Formal mechanisms take time, are costly (financially, health- and social-wise), and complex
- ▶ There are no negative consequences—the worst that can happen by approaching an Ombudsman is spending an hour in conversation
- ▶ Using Ombudsman and Mediation services is not a failure but an opportunity!

### NETWORK OF OMBUDSMAN AND MEDIATORS OF CEB MEMBER ORGANIZATIONS

The Network provides a forum for members to exchange information and experience; to collaborate on issues of common interest; to explore together the general applicability to their informal conflict resolution functions; to broaden the knowledge base of its members, enhance the professional capacity of the informal conflict resolution functions; and promoting standards of practice and core responsibilities for the informal conflict resolution function among member organizations.



**Resolution adopted by the General Assembly on 30 December 2022**



# Mediation Case: Finding a Solution to Workplace Conflict

*The names of the parties and the facts have been modified to ensure complete anonymity.*

## Background

Margaret joined a non-family duty station in August 2019 on a one-year FTA contract. Her terms of reference included supporting a construction project for two years. Shortly after starting the job, she noticed irregularities in the office, including allegedly by her supervisor Arun. After several months on the job, she reported Arun and a few other colleagues. The investigation concluded that Arun had nominal involvement in the incidents. Two other colleagues were charged but remained with the organization.

Margaret began avoiding the office because she was concerned that Arun and other colleagues might retaliate against her. Construction of important buildings was delayed. Arun regularly requested Margaret to be on the construction site, but she continued disregarding it. In March 2020, when the pandemic hit, her father got COVID, and she immediately left the country without seeking Arun's approval. After a few days, she requested and received approval following difficult exchanges with Arun and the Resident Representative. Her father passed away, and her mother was sick too. Margaret decided to continue working remotely due to difficult personal circumstances despite the fact that most of the work needed her support on the ground. Later in 2020, the office underwent restructuring due to a lack of funding. As part of a cost-saving measure, two IP posts, including Margaret's, were converted to national staff effective December 1, 2020.

Margaret received a notice of non-renewal of her contract effective December 1, 2020. She is considering formally challenging her non-renewal because she suspects retaliation, but first, she wants to find an amicable solution.

## Mediation

Margaret reached out to the Office of the Ombudsman by emailing [ombudsmediation@fpombudsman.org](mailto:ombudsmediation@fpombudsman.org). She received a response within 24 hours, and her first meeting was scheduled a few days later. First, the ombuds specialist conducted an intake session with Margaret to explore all her options to resolve the matter. Here are some of the options the ombuds specialist and Margaret discussed.

- What are some of Margaret's options?
  - First, Margaret may launch a request for management evaluation under Staff Rule 11.2 to challenge her non-renewal. However, before filing her request within 60 calendar days from the date she received notification of the administrative decision to be contested, she may try to resolve the dispute with the organization through the Office of the Ombudsman. The Office of the Ombudsman can request suspension of the 60-day deadline under Staff Rule 11.2, and she can mediate with the organization. If the case is not resolved amicably, she can still continue her management evaluation, and her formal options will remain intact.
  - Second, apart from mediation with the organization, Margaret may have a conversation with Arun. She can do so directly, but if she needs support with facilitation, the Office of the Ombudsman can provide mediation services to her and Arun. Mediation may help to understand the situation better, resolve some pending issues between them, such as remote work and performance, and establish better communication.
  - Third, if Margaret intends to formally report any misconduct, she can contact the investigation office of her organization. Margaret may also contact the ethics office of her organization to address her concerns about retaliation.

- Fourth, it seems that mental health issues were also present in this case. Hence, the Office of the Ombudsman informed Margaret about the possibility of working with a staff counselor.
- Finally, Margaret can "avoid" the conflict hoping that things will resolve by themselves.

## What did Margaret do in the actual case?

Margaret engaged in mediation with Arun. Arun explained the context and background of the reorganization of the office and its financial difficulties and expressed regret that he did not do so before. Margaret appreciated the information and shared her personal challenges. Margaret also expressed that she wished there was an opportunity for reconciliation after the investigation because she assumed Arun was angry with her and avoided the office, fearing retaliation. Arun was unaware of Margaret's loss and felt sorry about Margaret's situation. They both agreed on the remote work schedule and performance matters, which allowed Margaret to continue working remotely to support her mother until December 2020, and Arun to complete the project efficiently.



# How Mediators Can Play a Key Role in Mitigating the Effects of Climate change



**Anna Doyle**

Mediator of the Global Mediation Panel

Did you know that over 700 mediators globally have pledged to mitigate the effects of climate change by providing environmentally friendly mediation? As signatories to the Mediators' Green Pledge, we form a growing influence that seeks to empower people to creatively resolve disputes using sustainable mediation practices ([www.womacc.org](http://www.womacc.org)).

Listening to the UN Secretary-General on 20th March 2023 at the launch of the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report, I was reminded of the challenge ahead. Mr. Guterres essentially called on countries to bring their plans forward by ten years in order to keep the world on track in tackling climate change. Here's what he said:

*"The climate time bomb is ticking. But today's IPCC report is a how-to guide to defuse the climate time-bomb. It is a survival guide for humanity. As it shows, the 1.5C limit is achievable. But it will take a quantum leap in climate action. This report is a clarion call to massively fast-track climate efforts by every country and every sector and on every timeframe. In short, our world needs climate action on all fronts – everything, everywhere, all at once."*

The Secretary-General went on to say:

*"Today, I am presenting a plan to supercharge efforts to achieve this Climate Solidarity Pact, through an all-hands-on-deck Acceleration Agenda. It starts with parties immediately hitting the fast-forward button on their net-zero deadlines to get to global net-zero by 2050..." and he went on to add.*

*"Specifically, leaders of developed countries must commit to reaching net-zero as close as possible to 2040, the limit they should all aim to respect. This can be done. Some have already set a target as early as 2035."*

Ending on an optimistic note, he concluded: "We have never been better equipped to solve the climate challenge, but we must move into warp speed climate action now. We don't have a moment to lose. "

As a member of the UN Global Mediation Panel, I witness the unique, united, and untapped potential of the UN to accelerate global responses, and I am encouraged by the UN report on the Implications of Climate Change for Mediators and Peace Processes (September 2022) which stated:

*"As climate change is fast becoming a major test of our collective ability to prevent and manage crises, mediators will increasingly need to consider its **short-, medium- and long-term implications for their engagements and integrate climate-informed practices into mediation and other forms of peacemaking.** Such approaches are not only necessary to help conflict parties address the risks associated with the adverse effects of climate change, they also allow mediators to take advantage of potential opportunities for bringing conflict parties together to discuss shared responses to common climate-related threats."*

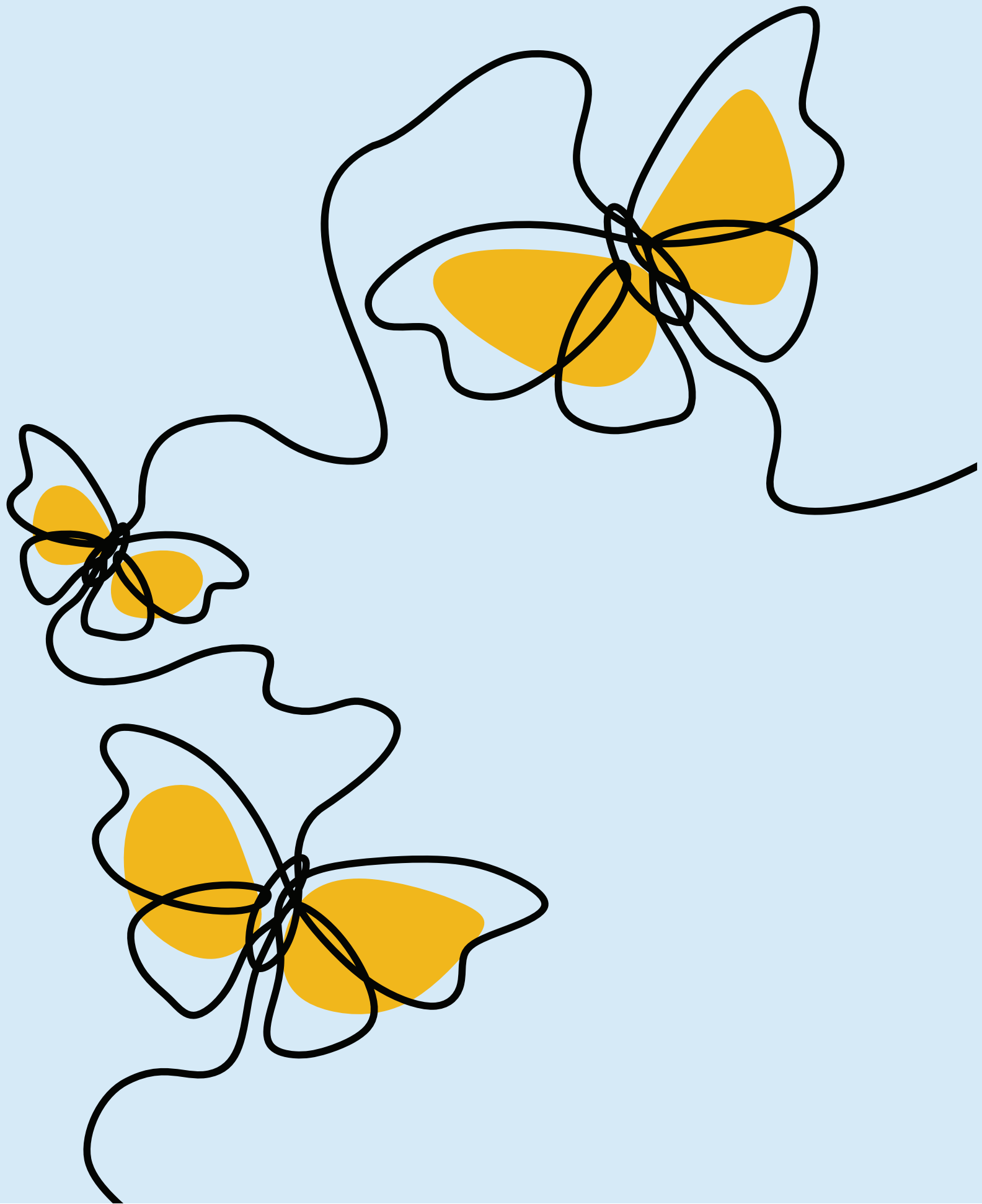
Herein lies the inspiration for what I now say to my mediation clients in private practice at the conclusion of every mediation:

*"Thank you for your trust and confidence in the mediation process. Together, you have shown how to join forces and become the pivot that could successfully turn things around. I am also very pleased that we were able to reach an agreement using sustainable mediation practices in line with the Mediators' Green Pledge. Hopefully, this can make a world of positive difference moving forward."*

So, let us not underestimate the power of small actions, collaboratively executed, to influence seismic shifts. Taking a step-by-step approach, we could also become first movers in the battle against climate change. As Nelson Mandela once said, *"It always seems impossible until it's done"*.



# My Butterfly



It felt warm and cozy inside my little brown and fuzzy cocoon as I slept and waited for my wings to grow a brand-new life for me. I am ready now after this long, long wait. I want to wake up and begin my new journey.

Today is the day... I am awake! I slowly opened my eyes to see the big bright yellow and orange sun awakening like me! It was shining so brightly. I looked away from the sun to notice the fluffy green grass I was comfortably resting on. I looked around to see pinks and purples, blues and greens all around me. A lovely flower garden protected me with yummy smells and a few buzzing bees dancing together between the trees. All these beautiful Colors and happy noises made me smile... they made me feel warm and excited to begin my little journey. I moved a bit, only to see I was changing from brown to green, green to yellow, and a bit black on my wings... I was becoming me! I stretched and turned and slowly saw my wings... so beautiful, big, and colorful, just like the flowers all around me. Today is the day I will be a vibrant and beautiful butterfly... you will see!

I love the sun, but the rainy days too...they bring water to my flower friends, grass, and trees. Rainy days and stormy weather also carry clean air and oxygen too! These days help me look far beyond the grey sky and wait for the rainbow to shine over these dark and gloomy days! Rain is clear and yummy, too; I love how it makes everything bloom and... I smile too!

Finally, I am a butterfly! I am free to dance from flower to flower, and with my beautiful, colorful wings, I blend well with nature's most amazing things! I am free from the noisy city life, the crowded streets filled with people, and the cold metal buildings the city holds without flowers to breathe... I am A butterfly.... beautiful, simple, and free!

*Staff member's daughter – age 14*

## Staff Member's Comments

This poem was written by my daughter at the age of 14. She was so proud of me..., a new Staff member onboarding during covid. This poem speaks about her awareness of her mother, who raised them since birth alone and was extremely excited to receive this assignment though she was comfortable in my little cocoon... It describes my time, with sunny days and stormy weather, and then...despite all the struggles and unfortunate events... became a beautiful butterfly!

She knew how much I compassionately believed in the mandate of supporting [theorganization]worldwide.Though the sacrifice was challenging, I was prepared and knew I would be away from my twins for 6-8 weeks at a time in a non-family duty station. My children were as committed to this as I was, and I was ready to do my best. To provide psychosocial support to staff members and their families, and living in a container proved challenging (covid, critical incident, difficulty with being accepted to the team) ... I remained resilient and strong and eventually... became a beautiful butterfly.



**We would greatly appreciate your  
feedback to our mediation services.**

PROVIDE FEEDBACK

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If you'd like to reach out to the Mediation Unit, you can  
contact us at:

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