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Administration of justice at the United Nations

Activities of the Office of the United Nations Ombudsman and Mediation Services

Report of the Secretary-General

Summary

In paragraph 15 of its resolution [75/248](#), the General Assembly reaffirmed that the informal resolution of conflict is a crucial element of the system of administration of justice and emphasized that all possible use should be made of the informal system to avoid unnecessary litigation.

The present report covers the activities of the Office of the United Nations Ombudsman and Mediation Services, which serves the Secretariat, for the period from 1 January to 31 December 2020. It provides an overview of operational developments against the backdrop of the coronavirus (COVID-19) pandemic, with an emphasis on dispute-resolution services, outreach activities to promote greater conflict competence among staff and managers and observations on systemic issues.

The report also includes an overview of the functioning of the pilot project to offer access to informal dispute-resolution services to non-staff personnel as of the time of reporting.

* [A/76/50](#).



I. Introduction

1. The year 2020 will be remembered around the globe both for the coronavirus disease (COVID-19) pandemic, which nearly brought the world to a halt, and for a long overdue awakening to systemic racism, which galvanized societies to act and move the needle towards change. For the United Nations, these unprecedented circumstances, combined with the liquidity crunch and a continuous flow of emerging crises around the globe, required new ways of thinking, managing and working, and a need for all concerned to demonstrate relevance, resilience and adaptability. Remarkable efforts were made by United Nations personnel around the world to go the extra mile, change habits, work together to emerge stronger as a community and power through their days with determination to fulfil the critical mandates entrusted to them by Member States.

2. The transition to teleworking from home or alternate locations seemed relatively smooth for most at the start of the pandemic, but the cracks soon began to show. The inevitable erosion of work-life boundaries shifted mindsets to permanent work mode. Virtual supervision became the norm without warning and with little preparation. Miscommunication emerged as a common and recurring challenge for virtual teams. It was also a time of social isolation, fear of the unknown, separation from loved ones and, for many, dealing with loss and grief. Exhaustion, fatigue, mental health issues and high stress were frequent concerns, mostly expressed in private, for fear of retaliation or stigmatization.

3. For the United Nations Ombudsman and her regional teams, it was vital to remain available to staff and managers in their time of need. It was a time of important growth, with a strong impetus for change, innovation and cross-regional collaboration in a virtual world with no boundaries. The Office of the United Nations Ombudsman and Mediation Services achieved important strides by expanding its digital outreach and conflict-competence portfolios, including as a convener of dialogues on dignity through civility, and racism in the workplace.

4. There were circumstances, however, that hampered service delivery and ultimately led to a drop in cases of 16 per cent. As a direct consequence of the pandemic, in-person intervention – by far the most optimal for conflict resolution – was not possible and had to be replaced with virtual sessions. Mission visits by ombudsmen and mediators, which usually generate a high number of requests for assistance, had to be suspended. Furthermore, the liquidity crisis and recruitment freeze, the effects of which have affected the scope and level of activities since 2019, made it difficult to tackle operational needs and fill vacancies in a timely and efficient manner. In certain locations, lack of access to communications equipment, the Internet and other platforms made it difficult to access the virtual services of the Ombudsman. As developments continue to unfold with regard to the COVID-19 pandemic, trends will continue to be analysed for future reporting.

II. Overview of the Office of the United Nations Ombudsman and Mediation Services

Operational developments

5. Owing to the unprecedented circumstances generated by the pandemic, the Office rapidly shifted to full virtual servicing to ensure continuity of access for its constituents. Various platforms were used to conduct private sessions with visitors. Ombudsmen and mediators continued to provide the range of services in the preferred official language of the visitor, parties in conflict and stakeholders at the regional

level. Essential conflict competence workshops that had previously been delivered face-to-face were adapted for virtual delivery, and efforts are ongoing to adapt other modules for virtual delivery. Overall, evaluation response rates from participants and stakeholders have been positive, and further opportunities to improve virtual outreach and training activities are being identified and prioritized on the basis of that feedback. The Office's online dispute-resolution practice will continue to be refined, as it has proven to be a valuable complement to in-person services.

6. Mindful of the need to ensure the well-being and cohesion of her global team, the Ombudsman tried to keep pace with developments related to the pandemic and the consequences of systemic racism. In this context, she initiated a number of activities with her global team, including a book club, to stimulate thinking and self-awareness regarding meaningful action on diversity and inclusion. This helped guide the design of dialogues to inspire conversations on racism across the Organization, the expert panel discussions on racism and other initiatives. The Ombudsman's team remains engaged in this area, and continues to conduct internal briefing sessions and conversations on racism, assumptions, stereotypes and unconscious bias, which also help inform its activities in this area.

7. In 2020, the Ombudsman chaired three regular sessions of the network of ombudsmen and mediators serving entities on the United Nations System Chief Executives Board for Coordination (CEB). Three informal sessions were also convened to review recent developments, and the ways in which the various ombudsman offices were adapting to, and dealing with, the unprecedented circumstances imposed by the pandemic and how they were contributing to organizational efforts to eradicate systemic racism. The network was initiated by the Ombudsman in 2019 as a forum for ombudsmen and mediators from the United Nations system to share knowledge, exchange views on important organizational priorities and promote standards of practice and core responsibilities for the informal conflict-resolution function among CEB member organizations. The Secretary of CEB is regularly invited to brief the network on its perspectives and issues of priority for the United Nations and the world.

8. As demonstrated in practice through in-person and virtual interventions, even in times of when using virtual means is a necessity, locally based practitioners who are in the same time zone, who are familiar with the regional context and culture and who speak the local and/or predominantly used language provide for optimal intervention in the area of conflict resolution. In the spirit of ensuring equal access by all staff to the services of the Ombudsman, regardless of location, the Office began a process of realigning its resources to create greater conflict resolution capacity across its regional offices. As part of this process, a temporary presence has been embedded within the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) from within existing resources. It is anticipated that, should this initiative prove effective, the Office will submit a request to the General Assembly for a more permanent arrangement and a redeployment of resources.

9. The Office has also begun to implement the decision of the General Assembly decision to create two new positions of Conflict Resolution Officer for mediation support in Geneva and Nairobi, respectively, using resources previously concentrated at Headquarters. Enhancing the capacity and effectiveness of mediation, including in the regions where the United Nations Dispute Tribunal is also located, will continue to be a priority in the years to come in order to ensure that the regional offices are well equipped to provide the range of dispute-resolution services to staff at the local level.

III. Global presence and regional activities

A. Ombudsman missions

10. Although the Office makes considerable efforts to plan regular visits to its constituents in order to maximize its global reach and presence, its staff and resources are comparatively limited, which makes it a challenge to reach and serve all personnel equally. Consequently, some duty stations do not receive regular visits or any visits at all. This, in turn, creates inequity of access to in-person, professionalized ombudsman and mediation services among United Nations personnel deployed globally. The pandemic and fiscal crisis have compounded the problem by limiting travel, which made it difficult to reach staff in peacekeeping missions. Several planned visits were cancelled, and only 5 in-person missions were conducted in 2020, compared with 50 the previous year.

11. One of the key innovative approaches adopted by the Office in 2020 to ensure business continuity was the design of the “virtual mission model” as an alternative to in-person visits. Once all necessary modules had been converted to a virtual platform, virtual missions were launched across the eight regional offices. Such visits consist of stakeholder engagement with leadership and staff representation in the entities concerned, awareness-raising sessions and conflict-competence workshops, as well as virtual team-building and other activities suited to the needs of the relevant constituencies.

12. In the first quarter of 2020, five in-person ombudsman visits were conducted in Bukavu and Kinshasa (Democratic Republic of the Congo); and Khartoum, El Fasher and Zalingei (Sudan). In addition, 29 virtual missions were carried out by regional ombudsman teams to the following countries and/or duty stations: Belgium (Brussels); Cameroon (Yaoundé); Canada (Montreal); Central African Republic (Bangui, Bouar, Kaga Bandoro and Bria); Colombia (Bogotá); Cyprus (Nicosia); Democratic Republic of the Congo (Beni, Bunia, Butembo, Kalemie, Kinshasa and Lubero); Denmark (Copenhagen); France (Paris); Germany (Bonn); Guinea-Bissau (Bissau); Italy (Brindisi); Iraq (Baghdad, Mosul, Basrah and Erbil); Japan (Tokyo); Kenya (Nairobi); Libya (Tripoli); Mexico (Mexico City); Niger (Niamey); Panama (Panama City); Rwanda (Kigali); Senegal (Dakar); Spain (Valencia); South Sudan (Gok Machar, Juba and Wau); Sudan (Khartoum, El Fasher and Zalingei); Switzerland (Geneva); Tunisia (Tunis); United States of America (Washington, D.C., and New York); Zambia (Lusaka); and Western Sahara (Laayoune).

13. The virtual visits were instrumental in keeping a relevant presence at least in the offices visited during this challenging period. Remote access to ombudsman and mediation services gave staff and managers an opportunity to address brewing and ongoing disputes early, with a view to resolving issues informally and without further escalation to the formal avenues of justice. The virtual missions focused, inter alia, on the adaptation to the “new normal”, the potential conflicts arising from the changed workplace and work-life boundaries for remote workers. It was noted that for national staff and non-staff personnel in particular, it may have been difficult to fully benefit from online dispute-resolution services owing to connectivity issues or a lack of access to communications equipment, among other factors.

B. Anti-racism efforts and the promotion of dignity in the Organization (dialogue highlights)

14. As part of the call to address racism in the United Nations, in September 2020 the Secretary-General established the Task Force on Addressing Racism and

Promoting Dignity for All in the United Nations. He announced a commitment to organizational action to guarantee the equal treatment and full inclusion of all United Nations staff and zero tolerance for any behaviour to the contrary.

15. The Office of the United Nations Ombudsman and Mediation Services led a project on awareness and dialogue to support the work of the Task Force. This initiative is a continuation of the ongoing discussions and work done in the past two years on the theme of dignity in the United Nations workplace, this time with a focus on racism. As a neutral convener of dialogues, the Office developed a dialogue model that provides a framework using conversation guidelines and carefully considered questions to create a safe space for participants to exchange perspectives and experiences related to racism in the workplace. In addition to creating an environment for open sharing, the dialogues serve as a way for staff to transmit information anonymously to the Task Force. Built into the dialogue model is a methodology for collecting the participants' comments and ideas, without attribution, through a "harvest" document that is then provided to the Task Force to inform the future strategic action plan for the Organization.

16. In 2020, colleagues from more than 10 departments from Secretariat offices on three continents participated in the dialogue sessions conducted in three of the official languages of the United Nations. The perspectives and input received from these sessions allowed the Office to adjust and refine the model to enhance the impact of the dialogues. Participants in these early sessions comprised senior managers and key stakeholders, such as officers and representatives of staff associations. Feedback from participants has been overwhelmingly positive, with many expressing that the dialogues provided a first-ever opportunity to speak about racism openly with their colleagues in a safe space. Some also acknowledged and commended the commitment demonstrated by senior management through their visible presence in the dialogue.

17. The dialogue series gathered momentum in 2021, with the Office moving to fully implement it across the global Secretariat. As of mid-2021, the Office had hosted 41 dialogue sessions for nearly 1,650 United Nations personnel from various Secretariat entities across Africa, Asia, the Middle East, Europe and Central and North America. Dialogue sessions were offered in different time zones so that all Secretariat personnel who wished to participate could do so conveniently. The conversations yielded a number of ideas on ways to tackle racism within the Organization, which can be seen as a concrete step towards affirming, restoring and promoting dignity for all in the United Nations.

18. In paragraphs 22 and 23 of its resolution [75/248](#), the General Assembly noted the efforts of the Secretary-General to promote knowledge and awareness of and action on racism within the Organization, and requested that he provide information on racism and cases involving racial discrimination in his next report on the activities of the Office of the United Nations Ombudsman and Mediation Services. On the basis of the information compiled from the dialogue sessions, it was noted that the degree of awareness of racism in the workplace spans a wide range, from those who believe it does not exist to those who have experienced it and are highly sceptical as to whether it will ever be addressed in a meaningful way. Several participants have shared that racism manifests differently in different duty stations.

19. A common theme that emerges from the participants is the need for learning and education about racism in all its facets through a variety of tools, including further conversations, individual learning opportunities and structured training. Continuous learning and education on racism will be necessary to embed an anti-racist awareness and culture in the Organization. Culture change will be driven by a combination of understanding one's own experience (self-reflection), the experience of others

(dialogues) and an institutionally supported anti-racist stance (systems, policies, processes, decision-making, power-sharing and educated leadership).

20. As part of its mandate, the Office of the United Nations Ombudsman and Mediation Services will continue to convene and facilitate difficult conversations as its capacity allows, including about racism as an overt or underlying issue, to complement future efforts of the Secretary-General to educate and create awareness among staff. It is hoped that, as the learning providers of the United Nations take up the issue of anti-racism, the conversations can evolve from “safe spaces”, where participants listen and share, to “brave spaces”, where participants are empowered to take more risks in questioning their own attitudes and are moved to reflect more deeply, leading towards the shift in thinking that is necessary to make the United Nations workplace more equitable for all.

C. Civility initiative of the Secretary-General: promoting dignity through civility

21. The Office’s contribution to the civility initiative of the Secretary-General is aimed at increasing awareness, engaging staff in dialogue and promoting action to improve workplace behaviour and create a harmonious environment where all can thrive in dignity and mutual respect. The Office rolled out related activities in 2020 across its eight regional offices in Bangkok; Entebbe, Uganda; Geneva; Goma, Democratic Republic of the Congo; Nairobi; New York; Santiago; and Vienna. The initiative consists of two components: workshops on community, civility and communication, and civility cafés.

1. Activities

22. The Office continued to deliver its signature civility initiative events in 2020. Following the initial departure from the physical workplace, the Office acted promptly to acquire the skills and tools to adapt its offerings to the online world and continue delivering the civility cafés during the pandemic. As noted above, the Office further developed dialogues about racism in the United Nations workplace. The Office also worked with the Ethics Office to develop materials for the 2020 Leadership Dialogue topic entitled “Acknowledging dignity through civility: how can I communicate for a more harmonious workplace?”, effectively achieving the performance measure related to putting guidelines in place for heads of entities to enable effective conversation around civility.

23. The civility cafés have provided a unique opportunity for staff at all levels to gather and discuss issues of civility, dignity, diversity and workplace behaviour. Based on a proven conversation method, the cafés pose questions that allow participants to acknowledge their immense diversity and share perspectives to discover commonalities upon which they can act. In 2020, the cafés were adapted to the challenges of the day by inviting participants to share not only their perspectives on civility but whether their approach had changed in the light of the pandemic. Many found the cafés, which were hosted in five official languages of the United Nations, to be thought-provoking, honest and the beginning of an important dialogue. The online format allowed for larger and more diverse audiences, and the opportunity to connect with colleagues in these discussions was much appreciated amid so much isolation.

24. Each of these activities has a firm footing in the Charter of the United Nations, allowing participants, regardless of geography or classification, to share their voices, shift mindsets towards civility and respect for dignity, influence leaders and inspire all participants to take concrete actions.

2. Civility event statistics

25. During the reporting period, a total of 62 civility-related events were conducted, reaching more than 1,600 personnel in over 27 locations. This included 29 community, civility and communication workshops and 33 civility cafés. More than a dozen planned events were cancelled when the pandemic hit. Feedback survey results revealed a high level of satisfaction with the events, with more than 95 per cent of respondents stating they would recommend them to others.

3. Next steps

26. Demand remains high and the Office will continue its Dignity through Civility initiative by delivering the civility cafés, community, civility and communication workshops and dialogues on racism in the United Nations workplace, among other activities, throughout 2021.

IV. Statistical overview of cases and trends in the Secretariat

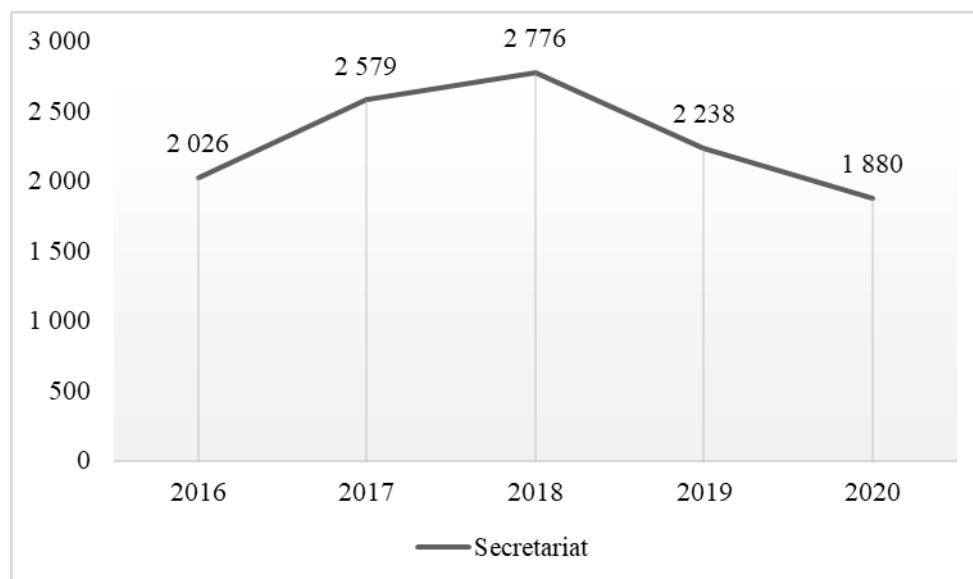
A. Case volume and trends

27. In 2020, the Office of the United Nations Ombudsman and Mediation Services opened a total of 1,880 cases, including mediation, across its eight regional offices (see figure I). This caseload includes a group mediation involving 175 participants and 22 group ombudsman cases involving more than 286 participants.

28. Consistent with a downward trend that began in 2019 owing to the dire fiscal crisis, staff turnover, the recruitment freeze and changes in case reporting, the case volume was further affected by the onset of the pandemic in 2020, and decreased by 16 per cent. Several official missions had to be cancelled.

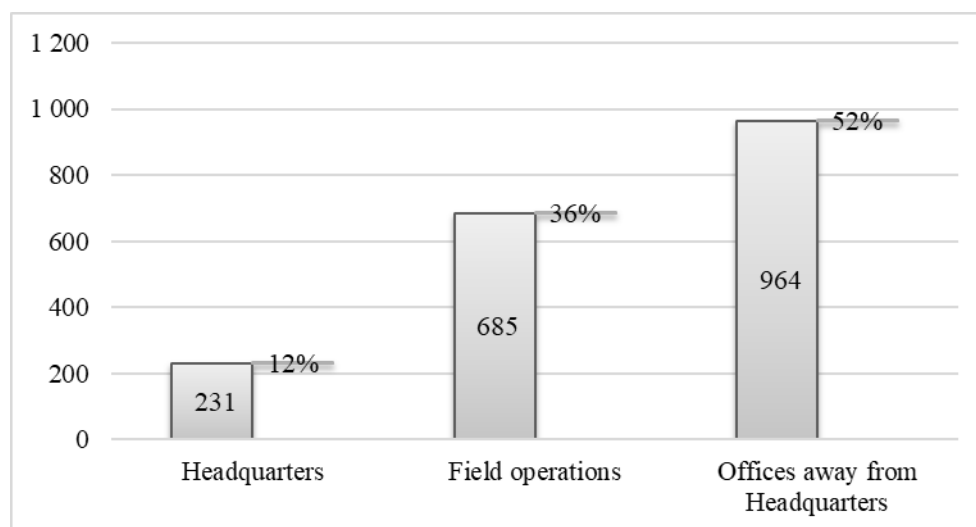
29. The recruitment freeze left some regional offices with unfilled posts, resulting in an inability to conduct planned outreach and engagement activities during the reporting period, which may also have had an impact on the volume of new cases. Given that 2020 was essentially a year of crisis, and that the crisis remains ongoing, trends will continue to be monitored for future reporting.

Figure I
Number of cases opened in the Secretariat, 2016–2020



30. In 2020, 12 per cent of cases (231) were reported by staff at Headquarters, 36 per cent (685) in field operations and 52 per cent (964) at offices away from Headquarters (see figure II).

Figure II
Distribution of cases by location across the Secretariat, 2020



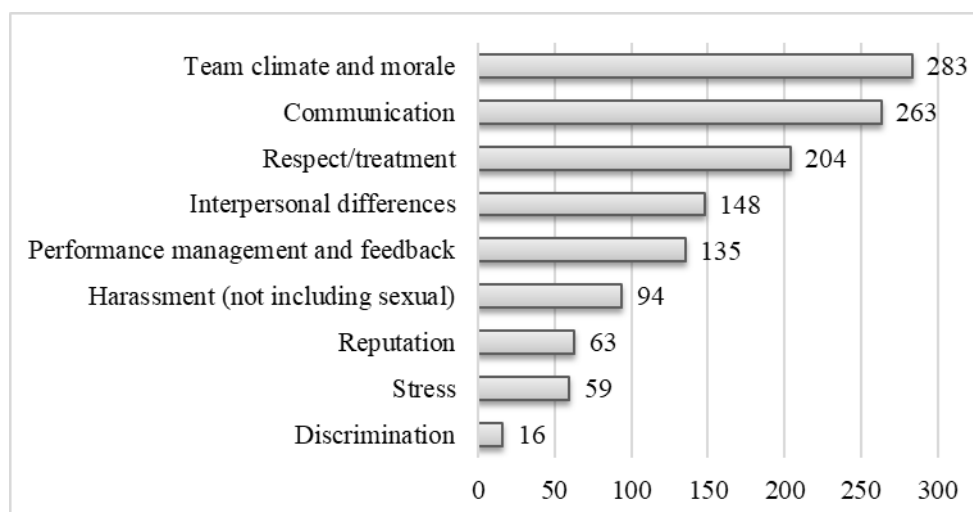
B. Issues and trends

31. Since the inception of the Office in 2002, the three categories of issues most commonly reported to it, including in 2020, were: evaluative relationships; job and career; and compensation and benefits. It should be noted that a case can relate to multiple issues or sub-issues, so the total number of issues is always greater than the total number of cases.

32. Within the Secretariat, issues related to incivility represented 45 per cent of total issues recorded in 2020 (see figure III). This is consistent with the previous reporting period.

Figure III

Breakdown of the main issues related to incivility reported to the Office, 2020

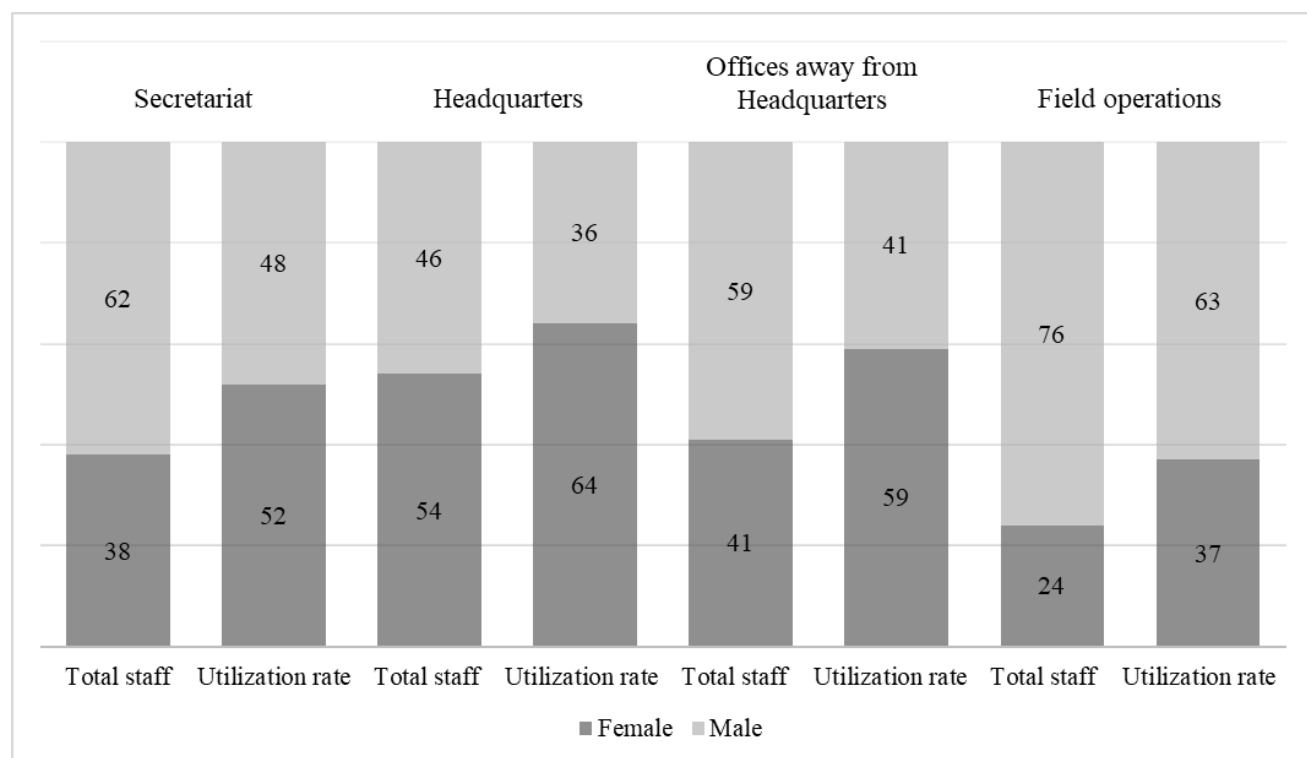


C. Utilization rate by gender and location

33. Figure IV reflects the latest demographic figures available (see [A/75/591](#)), illustrating that, when compared with their population overall across the Secretariat, at both non-field duty stations and in the field, male staff members are less likely than their female counterparts to use the services of the Office. This is consistent with observations in previous years.

Figure IV
Utilization rate of services by gender and location, 2020

(Percentage)

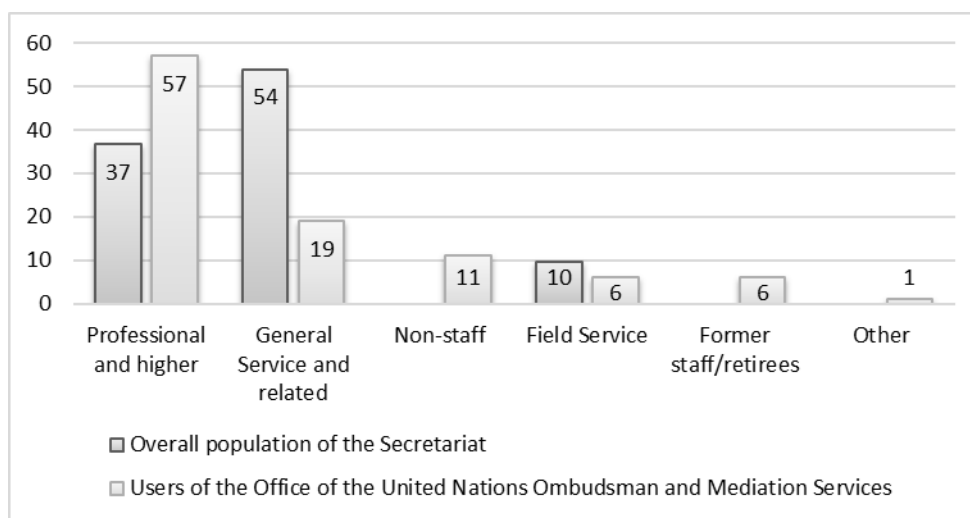


D. Utilization rate by category of staff

34. Figure V shows the utilization rate of Office services compared with the population of the Secretariat as shown in the latest demographics report. In 2020, 57 per cent of users of Office services were from the Professional and higher categories, but that category makes up only 37 per cent of the Secretariat population. General Service staff represent 54 per cent of the overall Secretariat population and 19 per cent of Office users. Field Service staff are 9 per cent of the Secretariat population and 6 per cent of Office users. It should also be noted that the Office also serves users not represented in the demographics report: former staff or retirees accounted for 6 per cent of users and non-staff represented 11 per cent of users.

Figure V
Utilization rate of services by category of staff, 2020

(Percentage)

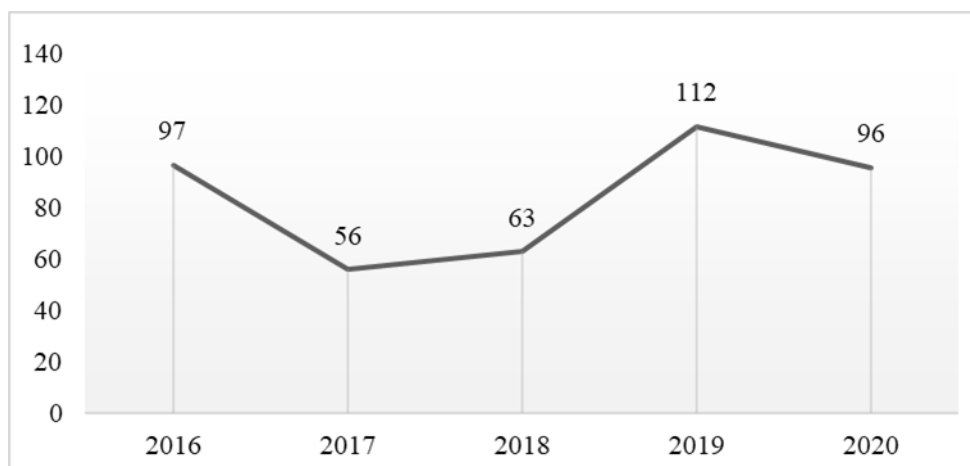


V. Statistical overview of mediation cases in the Secretariat

35. As shown in figure VI, in 2020, 96 mediation cases were opened in the Secretariat, 41 of which (nearly 43 per cent) were conducted by mediation staff in New York. In addition, 107 cases were closed in 2020. Cases opened in one reporting period often do not close in that same period.

36. The number of mediation cases opened in 2020 was 14 per cent lower than in the previous reporting period. This represents a small reduction given the impact of the pandemic on cases.

Figure VI
Number of mediation cases opened in the Secretariat, 2016–2020



37. In addition to the mediation cases, the Office also facilitated 71 conversations, most of which were conducted in the eight regional ombudsman offices.

38. The Office also conducted one group mediation involving a total of approximately 175 participants. Each group case is counted as one case despite the number of individuals affected and the efforts exerted by practitioners in managing such interventions.

A. Sources of referral and categories of staff

39. The main sources of case referral to mediation continue to be self-referrals (44 cases) and referrals from the regional ombudsman office in New York (37 cases), which assumed responsibility for case assignment effective January 2019. Other referral sources are the Management Evaluation Unit (five cases) and the United Nations Dispute Tribunal (four cases). More than 75 per cent of the mediations were initiated by staff in the Professional and higher categories, and 13 per cent by General Service staff.

Types of issues raised in mediation

40. Cases addressed during 2020 included a range of topics such as alleged harassment and sexual impropriety, performance management, misunderstandings among colleagues and interpersonal issues between colleagues who used to be friends. Perceptions of bias, favouritism and discrimination, trust, communication styles and mental health were recurring themes. There were also issues pertaining to telecommuting arrangements as a result of the COVID-19 pandemic and allegations of racism in the manner in which staff were treated. Staff representatives participated in a few of the cases.

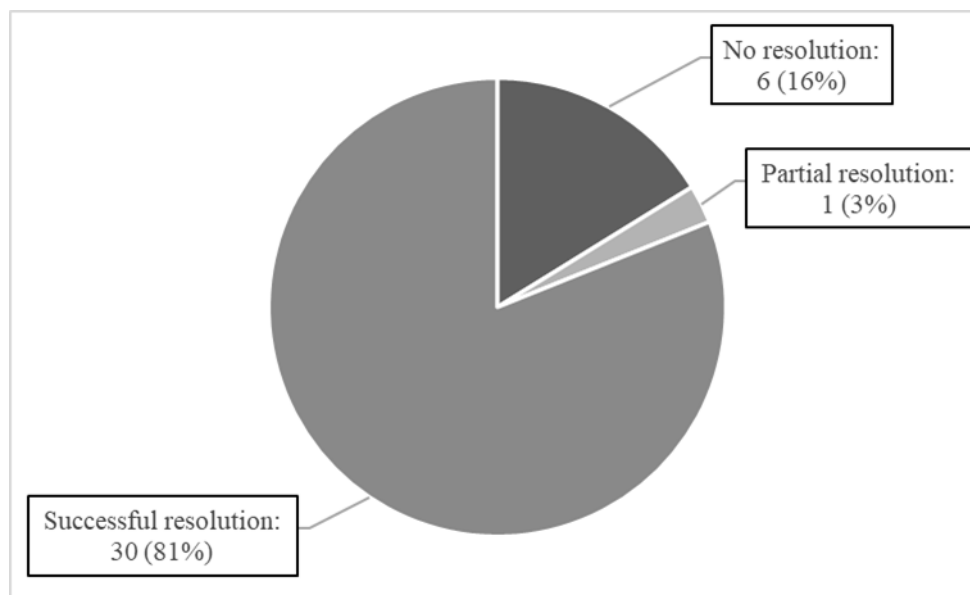
41. In its resolution [75/248](#), the General Assembly reaffirmed that the informal resolution of conflict is a crucial element of the system of administration of justice and emphasized that all possible use should be made of the informal system to avoid unnecessary litigation. A recurring systemic issue in mediation is that cases arrive too late, after parties are entrenched in their positions or trust is so low that they are unable to negotiate in good faith. However, a successful outcome in mediation can prevent the matter from being referred to formal processes and, in particular, to the United Nations Dispute Tribunal.

B. Resolution rate

42. In paragraph 16 of its resolution [72/256](#), the General Assembly welcomed with appreciation the high resolution rate of cases mediated by the Office. The resolution rate of cases mediated by the Office has remained high, increasing from 69 per cent in 2019 to 84 per cent in 2020.

43. Of the 107 mediation cases closed in 2020, 37 (35 per cent) were mediated, 45 (42 per cent) were facilitated discussions, and 1 represented a completed group process. Among the cases mediated and closed, a full resolution was achieved in 30 of the 37 cases and a partial resolution was achieved in 1 case. Six cases (16 per cent) were not resolved (see figure VII). Of the remaining 25 cases, 17 (16 per cent) could not proceed to mediation because one of the parties declined to participate, in 5 cases the issue was resolved before mediation could take place, and 3 cases were deemed to fall outside the Office's jurisdiction or to not be appropriate for mediation (after discussion of the issue with the parties, who were referred to other relevant offices).

Figure VII
Outcome of mediated cases closed in reporting period, 2020



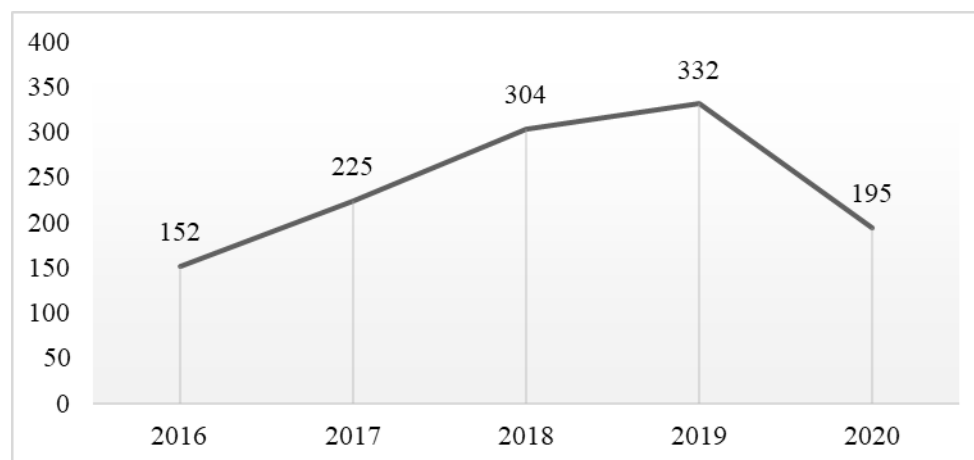
VI. Non-staff personnel

A. Overview and results of the pilot project to offer access to informal dispute-resolution services to non-staff personnel

44. In paragraph 19 of resolution [75/248](#), the General Assembly encouraged the Secretary-General to continue the pilot project whereby non-staff personnel are offered access to services provided by the Office of the United Nations Ombudsman and Mediation Services within its existing resources, and requested the Secretary-General to report thereon in his next report.

45. The number of cases involving non-staff personnel in the Secretariat has steadily increased over the previous five years. However, 2020 saw a significant reduction (41 per cent) in cases from non-staff personnel. This was lower than the overall reduction in cases (16 per cent). Non-staff personnel have significantly less access to the technology that allows staff members to contact the Office, and would have had less contact with their colleagues during the pandemic. The fiscal crisis may have also hampered efforts to recruit non-staff personnel. The recruitment of interns was also affected until it became possible to onboard interns online. It is expected that cases from non-staff personnel will return to their previous levels following the physical return to work.

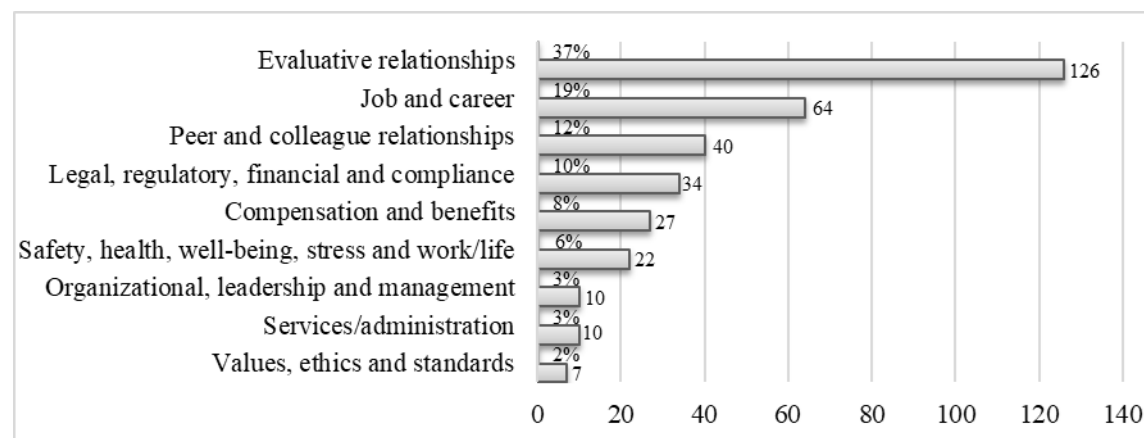
Figure VIII
Number of cases opened for non-staff personnel in the Secretariat, 2016–2020



B. Issues raised by non-staff personnel

46. The four categories of issues most commonly raised by non-staff personnel in 2020 were: evaluative relationships; job and career; peer and colleague relationships; and legal, regulatory, financial and compliance (see figure IX).

Figure IX
Breakdown of the issues reported by non-staff personnel to the Office, 2020



47. In the first quarter of 2021, the Office recorded 33 cases from non-staff personnel, dealing predominantly with evaluative relationships and compensation and benefits.

C. Utilization rate by location, gender and category of non-staff personnel

48. Further analysis shows that the majority of cases, or 60 per cent (117), were from offices away from Headquarters; 36 per cent (70) were from field operations; and the remaining 4 per cent (8) were from Headquarters.

49. During the reporting period, 54 per cent of visitors in the non-staff category were male (105) and 46 per cent (90) were female.

50. In 2020, 42 per cent (82) of cases came from contractors; 26 per cent (50) came from United Nations Volunteers; 19 per cent (37) came from consultants; and 10 per cent (19) came from military/United Nations police. For gender-disaggregated data on categories of staff served, see the table below.

Categories of non-staff personnel served by the Office in the Secretariat, disaggregated by gender, 2020

<i>Category</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
Contractor	53	29	82
United Nations Volunteer	23	27	50
Military/United Nations police	4	15	19
Consultant	20	17	37
Intern	5	2	7
Total	105	90	195

VII. Outreach and capacity-building

A. Overview

51. In paragraph 20 of resolution [75/248](#), the General Assembly encouraged the Office to continue its outreach activities, including through virtual formats as appropriate, especially in the field and including all categories of non-staff personnel, in order to promote informal dispute resolution.

52. Throughout 2020, the Office looked for new ways to communicate appropriately with staff globally by using online solutions to promote the value of informal conflict resolution services and their use as a first safe step in addressing workplace concerns. The Office conducted or participated in more than 100 information sessions and conducted more than 30 conflict workshops to build stronger conflict management competency. All awareness-raising and skill-building activities were open to staff and non-staff personnel and included information on the system of administration of justice to educate participants about the resources and avenues available to them to address workplace conflict.

B. Highlights

1. Dynamic virtual presence in a pandemic year

53. To reach United Nations personnel globally, the Office strengthened its virtual presence by hosting or participating in global town hall meetings through videoconference technology to reach a broader audience. For example, the Ombudsman participated in a global live iSeek session in April 2020. In total, the presentation of the Office regarding its services available to all in times of COVID-19 was viewed by more than 2,400 staff members across the world. Close to 100 questions and comments regarding the ombudsman services and workplace-related concerns were asked during the session. The Office produced a detailed question-and-answer document based on the questions raised by participants and

posted it on its iSeek departmental page, and also made it available for download for ease of sharing.

54. The Ombudsman further disseminated a global communication to all heads of departments and entities that shared tips to help managers and team members stay connected in a meaningful way and create a positive work atmosphere while online. These tips were intended to complement guidelines issued by the Organization and highlight potential areas of workplace conflict that had been brought to the attention of the Ombudsman. An online version was also posted on iSeek.

55. Working together across regional offices, practitioners were able to offer a variety of adapted and new training modules. Information sessions were organized for groups of staff from multiple entities located in a specific geographical area or entities that had several regional offices. The regional office in Geneva, for example, organized a global town hall and skill-building sessions for staff from different entities located in Brussels (the United Nations Office on Drugs and Crime, the United Nations Human Settlements Programme, the United Nations Liaison Office for Peace and Security, the United Nations Regional Information Centre for Western Europe, the Department of Safety and Security, the United Nations Office for Disaster Risk Reduction, the Office of the United Nations High Commissioner for Human Rights and the United Nations Environment Programme). The Regional Ombudsman in New York, together with the United Nations Ombudsman, participated in global departmental town halls, including with the Office of Counter-Terrorism, the Secretariat of the Convention on Biological Diversity and, more recently, the Department of Economic and Social Affairs. Such engagements continue to be pursued as of the time of writing.

56. Conflict management sessions were also offered to staff members in various field operations, including in the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, the United Nations Assistance Mission for Iraq and the United Nations Mission for the Referendum in Western Sahara.

2. Fireside chats with managers

57. The challenges of managing the workforce during the pandemic were quick to emerge and were daunting from the start. With this in mind, the Office sought new ways to engage with managers by introducing the “fireside chat” concept to help promote the right conditions. Based on the “appreciative inquiry” approach, the fireside chats focused on identifying and doing more of what was already working. Conducted one-on-one or in small groups throughout the Organization, these informal conversations allowed managers to discuss directly with an ombudsman the issues they faced and to raise questions related to daily workplace management in the challenging circumstances. In addition to encouraging managers and supporting them in time of crisis, the chats helped fill knowledge gaps and improve team efficiency.

58. The regional office in Nairobi, for example, organized a series of 12 fireside chats with approximately 125 heads of entity, resident coordinators, heads of country offices and special envoys of the region. In certain field operations, fireside chats with mission management uncovered crucial systemic issues regarding mission administration and the challenges of adapting Headquarters-driven policies and guidelines to the realities of the deep field.

3. Enhancing digital presence on global platforms

59. The Office maintains an active bilingual presence on the United Nations intranet (iSeek) and a multilingual presence on the United Nations website. Content on both was updated to allow staff members to rapidly find information more pertinent to the

current circumstances, as well as to access emails and the phone numbers of ombudsmen and mediators.

60. In the fourth quarter of 2020, the Office partnered with the Office of Human Resources in the Department of Management Strategy, Policy, and Compliance to fund and develop a new information video for awareness-raising purposes, as part of a new orientation hub for new hires. The videos, available in English and French, provide key information about the services offered by the Office of the United Nations Ombudsman and Mediation Services as well as examples of situations in which staff may benefit from consulting an ombudsman. It concludes with a quiz to test the viewer's understanding of the role of the Office. Practitioners have been encouraged to make use of this important communications and information tool for various outreach activities and as part of briefings for current and/or potential visitors. The videos will be posted on the United Nations Careers portal and relevant Office platforms.

61. The Office also partnered with the Department of Operational Support to develop and post new content for the new Knowledge Gateway. Content was selected to present the Office and the services it provides, including examples of questions and workplace situations raised during virtual town halls.

4. Diversification of media to promote services

62. In parallel, the Office contacted magazines and newsletters that were locally published and distributed and other specific platforms in order to better disseminate information about informal conflict resolution. The regional ombudsmen also shared, in their respective regions, tips for better conflict resolution skills and efficient communication using broadcast messages. For example, the Office offered tips to help staff members cope with the impact of the pandemic through an article entitled “A time for civility and kinship”, published in May 2020 in *UN Today*, a magazine which, in online and print versions, reaches more than 10,000 staff, diplomats and members of the wider international Geneva community.

5. Lessons learned

63. The key lesson learned from these outreach activities was the need to pause and take stock of the personal, team and organizational elements that can further strengthen and sustain a global, harmonious working environment at the United Nations.

VIII. Systemic observations

A. Background

64. The Office's regular and ongoing interaction with stakeholders enables it to identify, analyse and report on systemic issues occurring or emerging in the Organization. While individual cases can often be resolved through direct intervention and simple problem-solving, many conflicts can be traced to systemic issues such as gaps, inconsistencies or lack of alignment in the Organization's policies, procedures, processes, practices, systems or structures. These may be rooted in the organizational culture or be the result of leadership and management practices. Examples include the misalignment of purpose and incentive structures, or lack of coordination across silos in the implementation of strategies and policies. Early detection of these issues allows the Organization to respond in an adaptive and holistic way that can help manage present and future conflicts.

65. Consistent with past systemic observations and trends, the predominant areas of concern in 2020 continued to revolve around evaluative relationships; jobs and careers; and compensation and benefits. In addition, it has been noted that in times of significant change, a sense of uncertainty and insecurity may translate into poor behaviour, resulting in an increase in incivility, which can cause significant disruptions in the workplace. The Office has pursued its civility initiative with a special focus on increasing awareness and promoting dignity through civility in the workplace.

B. General observations

1. Effects of the COVID-19 pandemic

66. The reporting period was characterized by the COVID-19 pandemic and its visible effects on the work of the Office, as well as its less obvious effects on staff at all levels. This crisis hit in different ways in different locations around the globe, but left no staff member or duty station unaffected. As often happens with crises, the pandemic also created new possibilities for rethinking innovation, including some forward-thinking adaptations.

67. It is important not to forget, however, that in addition to the sudden and surprising need to make physical and visible adaptations with regard to workplaces and spaces in early 2020, staff also had to navigate a new emotional landscape amid the pandemic, which included fear for one's own safety and that of loved ones, and loss, grief and burnout that many may still experience for a long time to come.

2. Good management as duty of care

68. In some ways, including through the many restrictions it created, the pandemic impaired or slowed down the pace at which work could be done. In other ways, the new circumstances required speedy and decisive action, often with considerable additional efforts. Not surprisingly, managers and staff in field duty stations, as a rule, seemed overall better equipped for the pandemic situation in various degrees of crises, including where already existing crises were exacerbated by the pandemic.

69. In duty stations that did not have exceptional conditions, such as hardship or crises, before the pandemic hit, COVID-19 not only had its known challenges, but also functioned as a "revealer" and magnifying glass as the stress brought out hidden dynamics, dysfunctional work structures and conflict dynamics.

70. Good managers rose to the occasion. Well-managed teams continued to collaborate using alternative virtual modes of working while also checking in on each other and providing mutual support beyond the immediate work at hand. Their managers supported them in various and innovative ways and, most importantly, kept a sense of connection. These managers knew to refer to the resources the Organization provided during these special circumstances or created additional resources for their staff. In contrast, individuals in managerial roles whose strengths lay more in their technical skills could not give the team the needed support, and often drained the team's resources by needing support themselves without knowing how to get such support other than from the team.

71. The pandemic situation revealed the risks the Organization takes by sometimes neglecting "good management", including the management of people, as an essential aspect of the work of an Organization that regards its staff as its most valuable asset.

72. These differences were not hypothetical or theoretical, but were acutely felt by the staff who did not benefit from necessary managerial support. Already bad

situations worsened. The pandemic revealed to what extent good management matters, especially in more difficult situations. Specifically:

(a) Managers who were able to manage the use of flexible work arrangements for their staff without compromising productivity, or who even improved productivity, were able to adapt to the new situation more easily. Managers who, as a rule, did not “believe” in this way of working, approached the new situation from a vantage point of mistrusting their staff and feeling a need to exert more control than perhaps was appropriate under the circumstances;

(b) With regard to work-life balance, while both staff and managers were struggling to redefine the boundaries between work and their private and family lives while working from home, some managers were inappropriately intrusive, communicating with staff at any time of the day with an implicit or explicit expectation of a kind of 24/7 responsiveness, even though the work was not of an emergency nature. Other managers were able to manage in a way that helped staff through the various human difficulties of the situation while also supporting the effective functioning of the team.

73. The pandemic has shown that the ability to manage uncertainty and lead in complexity may warrant additional attention by those who recruit, develop and retain talent.

74. The Organization may wish to consider steps towards a more consistent management culture in line with the values of the Organization.

75. Staff members at all levels should be encouraged to consider informal resolution options, including mediation, in situations involving offensive or abrasive behaviour.

3. Stress and mental health

76. Where leadership and good management were less than ideal, it compounded the already existing situational stress, including fear for self and loved ones, and was liable to have an impact on the mental and physical health of staff.

77. In a reinforcing cycle, again, some managers were able to handle the additional complexities, including uncertainty, and manage them for and with their teams, while others were not able to do so.

78. During the pandemic, the Organization managed to pursue a considerable number of mental health initiatives as part of the Secretary-General’s overall strategy.

79. The Ombudsman welcomes initiatives geared at educating managers to manage with mental health aspects in mind as a part of these overall efforts.

4. Issues exacerbated by stress

80. Under the additional stresses of the pandemic, recurring issues such as poor communication and managerial skills, real or perceived harassment, investigations that were perceived as non-transparent, mobility, duty of care and the administration of entitlements and benefits were felt with a different weight.

5. Managing and coaching an abrasive manager or staff member

81. The Ombudsman has reported on the issue of abrasive behaviour of staff members in past reports.¹ In these situations, there is no intent or malice, but a lack

¹ A/75/160, para. 85; A/74/171, paras. 60 and 61; A/73/167, paras. 56 and 57, 60 and 62–65; and A/70/151, paras. 63–69 and 70 (c).

of self-awareness regarding the impact of one's management style or behaviour on others.

82. Wielding punitive measures falls short of addressing the real issue. Reprimands or disciplinary actions are not the appropriate responses, as they would not yield positive results going forward. However, an abrasive individual, whether a manager or a staff member, can cause considerable damage to a team. There is no path to a managerial intervention that invests in the individual concerned through coaching.

83. There does not seem to be room under the current rules for asking managers and individual staff to undergo coaching if they do not have the self-awareness to acknowledge the consequences of their behaviour and agree to coaching. There may be a gap in the human resources policy framework in this regard.

84. This more educational and restorative approach is at odds with a regime in which managers can take certain managerial measures based only on established facts, not perceptions, lest they expose themselves and the Organization to legal challenges. This approach may inadvertently exclude developmental coaching approaches that invest in the person rather than punishing them.

85. There may be an opportunity for the Organization to set the parameters enabling an effective coaching approach for abrasive managers and individuals, with regard to both rules and tools.

IX. Looking ahead

A. Return to physical space

86. As the Organization transitions to returning to the physical office, challenges will emerge amid the uncertainty of managing a safe work environment as the pandemic continues. For example, staff and management have raised the issue of whether supervisors can inquire about the vaccination status of personnel. It will be important for all members of the workforce to cooperate in following the most prudent path forward.

B. The United Nations Ombudsman: a convener of dialogues

87. At the core of humanity lies human connection, which is critical to maintaining physical and mental health. When this fundamental human need is lacking, silence prevails and breeds conflict. When grievances are hidden or suppressed, they become insurmountable.

88. In both its ombudsman and mediation functions, a major traditional role of the Office of the United Nations Ombudsman and Mediation Services has been to bring together in constructive dialogue parties whose differing views have been the cause of conflict in the workplace. Building on the success of these interventions, which have been by their very nature tailored to specific situations, the Office has seized the opportunity to expand this ad hoc approach and convene groups of staff to address key issues in the United Nations workplace, in particular dignity through civility, and racism. These dialogues are helping bring about positive change on the basis of feedback from participants and from what practitioners have observed.

89. In the changing work environment, the Office of the United Nations Ombudsman and Mediation Services has a role to play in such important topics as those just mentioned as an effective, impartial convener of dialogue. The Office sees

this approach as a fundamental responsibility and will continue its core work, especially in the two areas of dignity through civility, and racism

C. Strengthening decentralized presence

90. In paragraph 4 of its resolution [75/248](#), the General Assembly stressed the importance of ensuring access for all staff members to the internal justice system, regardless of duty station. Practice has also shown that, even when virtual interventions are a necessity, locally based ombudsman and mediators who are in the same time zone, who are familiar with the regional context and culture and who speak the local and/or predominantly used language create the conditions for optimal conflict intervention.

91. Bearing in mind the above considerations, the Office began a process of realigning its resources to create greater conflict resolution capacity in peacekeeping missions. As part of this process, a temporary presence (one post of Conflict Resolution Officer at the P-4 level) has been embedded within MINUSMA from within existing resources.²

92. The Office plans to assess the expected benefits of this deployment and will provide further updates regarding the need for a more permanent arrangement by requesting the redeployment of the necessary resources. The General Assembly is requested to take note of this temporary relocation of resources to provide conflict resolution services to Mission personnel in Mali.

D. Mediation

93. Since the establishment of its mediation capacity in 2008,³ as noted in earlier reports, the Office has continually explored incentives that would encourage greater recourse to mediation and sought support for informal resolution as a key first step in the resolution of workplace disputes. This is even more critical as the Organization continues to face unprecedented challenges against the backdrop of the pandemic and a climate of growing anxiety about job security and budget cuts. The Office continues to play a key role in promoting and facilitating dialogue between parties in dispute and transforming difficult situations into ones of mutual understanding. Nevertheless, it remains a challenge in the Secretariat, as in other organizations, to identify representatives who are both willing to participate in a mediation and/or are empowered to meaningfully participate in it.

94. In accordance with professional standards, participation in mediation is voluntary. The terms of reference of the Office ([ST/SGB/2016/7](#)) state that the referral of a dispute to mediation will take place only with the consent of all parties concerned. A review of recent developments in other organizations might help to shift the needle towards further engagement in the Secretariat. At the World Bank, for example, the parties are required to participate in an initial session with a mediator to discuss the principles of mediation before deciding whether they wish to continue with mediation.⁴ A recent development that also recognizes the value of mediation is the signature of a mediation pledge by all five organizations served by the Office of the Ombudsman for United Nations Funds and Programmes, which commits the

² See General Assembly resolution [75/293](#), annex II.

³ Ibid., [62/228](#), para. 30.

⁴ World Bank Staff Rule 9.01, para. 4.03. Available at <https://ppfdocuments.azureedge.net/93495c42-4e91-4b85-8b1e-35766e169cff.pdf>.

organizations to an initial discussion hosted by their dedicated ombudsman for any workplace conflict between the organization and its personnel.⁵

95. As part of its ongoing efforts to strengthen mediation capacity and provide further incentives for mediation at a time when it is needed the most, the Office plans to consult with relevant stakeholders in the Secretariat to explore the possibility of a similar arrangement, at least as a pilot, with interested departments.

E. Non-staff personnel pilot project

96. The Office of the United Nations Ombudsman and Mediation Services in the Secretariat is not mandated to serve non-staff personnel and has only done so on an exceptional basis and when feasible within existing resources. At its seventy-third session, the General Assembly approved the Secretary-General's proposal for a pilot project that would offer access to informal dispute-resolution services to non-staff personnel as part of the Office's mandate. Since then, non-staff personnel have been included in broad outreach efforts by the Office as a matter of practice. However, dedicated outreach campaigns for non-staff personnel were not pursued. Resources were managed in such a way as to not exceed a certain threshold in order to manage capacity.

97. In the new normal, the Ombudsman anticipates that efforts will be geared towards staff well-being more extensively and, in this spirit, believes the services provided by her Office should also be extended to non-staff personnel who work side-by-side with regular staff personnel and who accordingly experience the same workplace concerns. The General Assembly is therefore requested to consider regularizing the pilot project and expanding the mandate of the Office of the United Nations Ombudsman and Mediation Services to include non-staff personnel.

98. As reported in the addendum to the report of the Secretary-General on the composition of the Secretariat (A/75/591/Add.1), during the 2018–2019 biennium, the United Nations Secretariat engaged more than 31,000 gratis personnel, consultants and individual contractors. In the event that the number of cases from non-staff personnel exceeds 350 per year, proposals for additional resources to address capacity issues will be submitted to the General Assembly in future budget proposals.

⁵ Office of the Ombudsman for the United Nations Funds and Programmes, *Annual Report 2020*. Available at <https://fpombudsman.org/wp-content/uploads/2021/04/FPO-Annual-Report-2020-23042021.pdf>.