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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 its resolution [77/260](#), the General Assembly reaffirmed that the informal resolution of conflict is a crucial element of the system of administration of justice, emphasized that all possible use should be made of the informal system in order to avoid unnecessary litigation, without prejudice to the basic right of staff members to access the formal system, and encouraged recourse to the informal resolution of disputes.

The present report covers the activities of the Office of the United Nations Ombudsman and Mediation Services in the Secretariat for the period from 1 January to 31 December 2022. It provides an overview on the use of informal conflict resolution; awareness-raising and skill-building activities; and systemic observations. The report also provides responses to requests for information made by the General Assembly in resolution [77/260](#).

* [A/78/150](#).



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I. Introduction

1. In 2022, the Office of the United Nations Ombudsman and Mediation Services marked a significant milestone when it celebrated its twentieth anniversary. Throughout those 20 years, the Office has gradually evolved to become a global and decentralized conflict resolution resource for addressing the workplace conflicts and grievances of United Nations personnel. The Office continues to adapt its operations to developments within and outside the United Nations, staying attuned to emerging trends and best practices in the growing field of informal dispute resolution.

2. Beyond serving its immediate constituency in the Secretariat, the Office has become the standard-bearer for informal workplace conflict resolution in the United Nations system. By leveraging the network of ombudsmen and mediators serving organizations that are part of the United Nations System Chief Executives Board for Coordination (CEB), the Office facilitates a dynamic platform for harmonizing standards and practices across the United Nations system, based on the vision for the informal resolution of disputes set out by the General Assembly.

3. In the past two decades the Office has handled approximately 25,000 cases. A key lesson learned is that human relations are at the core of harmonious workplaces. The Office has noted that many disputes that eventually escalated into litigation or other formal processes originated as interpersonal conflicts before they manifested as formal complaints. Thus, the potential for addressing conflicts is greater when informal conflict resolution interventions are used early in the life cycle of the conflict. Such an “informal first” approach helps to address the underlying factors of conflict before situations spiral out of control and cause tangible and intangible damage to individuals, teams and the Organization. Therefore, to reap the full potential of informal conflict resolution services, the United Nations must normalize their use at all levels of the Organization.

4. United Nations personnel confirmed the benefits of informal conflict resolution in a satisfaction survey conducted by the Office in 2022. According to the survey results, 80 per cent of respondents believe that informal approaches to conflict resolution can be very effective to resolve workplace concerns. Most respondents indicated that they were better able to address their situation after working with an ombudsman or mediator. A total of 67.5 per cent of visitors stated that they would recommend the Office to colleagues. When asked what they would have done as an alternative to working with the Office, the most frequently selected responses were that they would have filed a formal complaint; spoken with a staff counsellor or staff association; looked for a new job; or spoken with leadership or a supervisor.

5. As noted in section V of its previous report ([A/77/151](#)) on looking ahead, in 2022 the Office focused on four priority areas: providing access to services; promoting an “informal first” approach; fostering a culture of dialogue and connection; and advancing the network of ombudsmen and mediators serving organizations that are part of CEB. The present report provides updates on those priorities.

6. The report also contains responses to requests made by the General Assembly in its resolution [77/260](#). Observations on trends and patterns of racism and racial discrimination are found in paragraph 88 below. Information on mediation cases and cases from non-staff personnel are found in paragraphs 26–35 and paragraphs 36–42 respectively.

II. Conflict resolution services

A. Types of services

7. The various conflict resolution services that the Office provides to individual visitors, groups of individuals and the Organization itself are set out below. This description complements the in-depth illustration of the ombudsman process provided in the previous report ([A/77/151](#), Section II.A).

Discussion of options

8. Following an exploration of the concerns raised, the various perspectives and the underlying needs and interests, the conflict resolution practitioner helps the visitor to brainstorm a variety of options that could potentially address the issue. Options are assessed together with the visitor, considering the advantages and disadvantages of each, thereby enabling the visitor to make an informed choice. Options generated could include continued engagement using other conflict resolution processes described below or connecting the visitor to another office with a more appropriate mandate to handle the relevant issues.

Conflict coaching

9. Visitors may opt to avail themselves of one-on-one conflict coaching with a conflict resolution practitioner. The aim of such coaching is to improve current or future professional relationships and empower individual staff to handle and take control of issues involving workplace relationships. Through the conflict coaching process, staff can prepare for difficult conversations and explore new ways of communicating with colleagues. It helps staff create better strategies to resolve workplace issues before they escalate or become entrenched.

Mediation

10. Mediation is a structured, collaborative process to manage and help to resolve workplace disputes, concerns and differences with the assistance of an impartial third party. It is most useful when parties are looking to resolve a specific identified issue or issues. The parties can request mediation themselves or any part of the formal system can refer a matter for mediation with the parties' agreement. When successful, mediations are concluded with the drafting of legally enforceable settlement agreements. Mediation may take the form of a facilitated conversation when communications between colleagues become difficult or strained. In such processes, the neutral third party assists the colleagues in examining different paths to resolution by modelling active listening that, in turn, promotes mutual understanding. The eventual resolution of a facilitated conversation may be a verbal or written commitment or a shared understanding; unlike in a structured mediation process, the discussions do not always lead to the drafting of an official agreement.

Shuttle diplomacy

11. When parties are unable or unwilling to interact directly with one another, for whatever reasons, an ombudsman acts as the intermediary, conveying each party's positions and interests to the other to help find a solution acceptable to all.

Team process

12. When a situation affects a group or team, the Office may offer to work with the entire team to help restore a productive work environment. Situations that are ripe for such interventions include those where groups or teams are grappling with workplace

challenges such as difficult relationships among colleagues resulting from an ongoing or completed change process, a series of crises, problems arising from perceptions of staff or management as toxic, or following an investigation into the conduct of a team member that has polarized the team.

B. Benefits of services

13. Due to the nature of the work and the principle of confidentiality observed by the Office, the benefits of utilizing the services that the Office offers often remain hidden from wider view. The tangible benefits include the provision of a safe space for staff to discuss workplace concerns, assess the options available to them, navigate the often-complex institutional bureaucracy, weigh the advantages and risks of formal processes, and explore a variety of perspectives related to the situation. Those tangible benefits also yield intangible advantages.

14. One significant source of intangible value lies in the way the Office helps personnel to forge productive discontent using constructive action to bring about more positive change rather than suppressing their complaints. The practitioners of the Office work to accomplish that outcome through an iterative process of active listening, feedback and brainstorming options.

15. The tangible and intangible value of the services provided by the Office begins with active listening, which acts as the linchpin of all that the Office does in accordance with its core principles of confidentiality, independence, neutrality and informality (ST/SGB/2016/7). In all ombudsman sessions, the primary goal of the act of listening is to understand the needs and perspectives of the person speaking. That type of listening leads to someone feeling understood, recognized and accepted as a unique individual. As a result, it paves the way to more successful feedback and brainstorming stages. It allows an ombudsman to understand better the needs and interests of the visitor and, in turn, expands the range of possible solutions.

16. Often, and especially in conflict, communication is fixated on position statements that express where individuals stand or what they want. Such position statements rarely provide insight into the underlying reasons, motivations, values or needs of the person. Interests, on the other hand, explain the reasons why someone takes a certain position, which are usually related to needs, values or other internal sources of motivation. Positions and interests are linked because individuals often take a specific position when they believe it addresses their interests. Individuals state positions explicitly but interests are often expressed implicitly and in a more nuanced way. For that reason, listening to understand requires curiosity, sensitivity, intuition and openness.

17. The Office frequently receives feedback involving testimony from visitors saying that they have felt genuinely heard and understood, often for the first time in their interactions within the Organization.

C. Access to services

Providing on-site assistance

18. In paragraph 4 of its resolution 77/260, the General Assembly stressed the importance of ensuring access for all staff members to the system of administration of justice, regardless of their duty station. The Office does so through mission visits that allow personnel an opportunity to discuss and address workplace issues in person. During such visits, its practitioners also engage with stakeholders and senior management on ways of promoting a harmonious work environment. As became

evident during the coronavirus disease (COVID-19) pandemic, in-person intervention is more effective when dealing with conflict, especially when situations have been festering. In-person mission visits are instrumental in maintaining a continued presence for personnel, particularly those isolated, experiencing hardship and stressful conditions, in remote duty stations.

19. As travel restrictions related to COVID-19 eased and personnel gradually started to return to their physical offices, the Office conducted a total of 13 missions, including to the United Nations Mission in South Sudan; the United Nations Interim Security Force for Abyei; Secretariat entities in Belgium, Rwanda and Uganda; offices of the Economic Commission for Africa; several offices of the resident coordinator system; regional service centres; offices of the United Nations Office for the Coordination of Humanitarian Affairs and the Office of the United Nations High Commissioner for Human Rights; and the United Nations Verification Mission in Colombia. A planned in-person mission to Somalia to visit the United Nations Assistance Mission in Somalia and the United Nations Support Office in Somalia, in Mogadishu, had to be cancelled and was conducted virtually.

Multilingualism

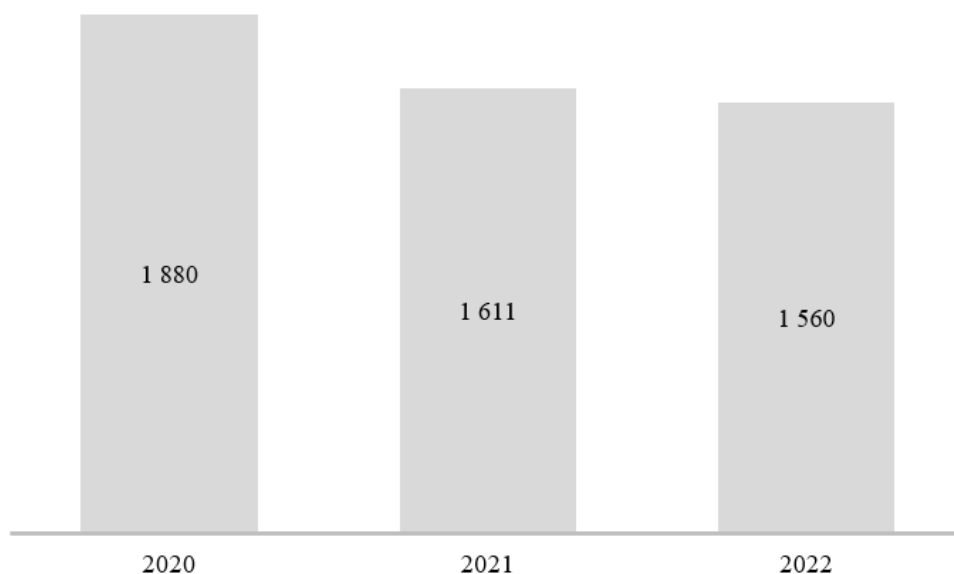
20. In paragraph 7 of its resolution [77/260](#), the General Assembly noted that multilingualism within the system of administration of justice contributes to efficient and effective dispute resolution and increased outreach and awareness-raising, welcomed the efforts of the Secretary-General in that regard to implement multilingualism policies in compliance with relevant rules and regulations, and further requested the Secretary-General to report on measures, and relevant remaining challenges, to continue efforts to promote multilingualism in his future reports. In that connection, the Office delivers informal conflict resolution services in all six official languages. Throughout 2022, the Office continued to place great emphasis on providing information on informal conflict resolution in the six official languages through its key information and communication material.

D. Overview on case volume and trends

21. In 2022, UNOMS opened a total of 1,560 cases, including mediation cases (see figure I). During the COVID-19 pandemic, the number of cases decreased and plateaued. In the first two quarters of 2023, however, the Office saw a significant increase in the number of requests for services. By 30 June 2023, the Office had received approximately 900 cases, indicating an upward trend to a figure that is more in line with pre-pandemic case numbers and also reflects an increase in the number of mediations conducted.

22. A case may entail several issues involving multiple parties. Each case varies in complexity and the scope of the interventions required to address it. The time taken to work with one visitor may range from a minimum of one hour to several sessions with different parties over a couple of weeks, depending on the number and complexity of issues.

Figure I
Number of cases received in the Secretariat, 2020–2022



23. In 2022, 18 per cent of cases (278) were received from staff at Headquarters, 34 per cent (517) from staff in field operations and 48 per cent (731) from staff at offices away from Headquarters (see figure II), which is in line with trends in previous years.

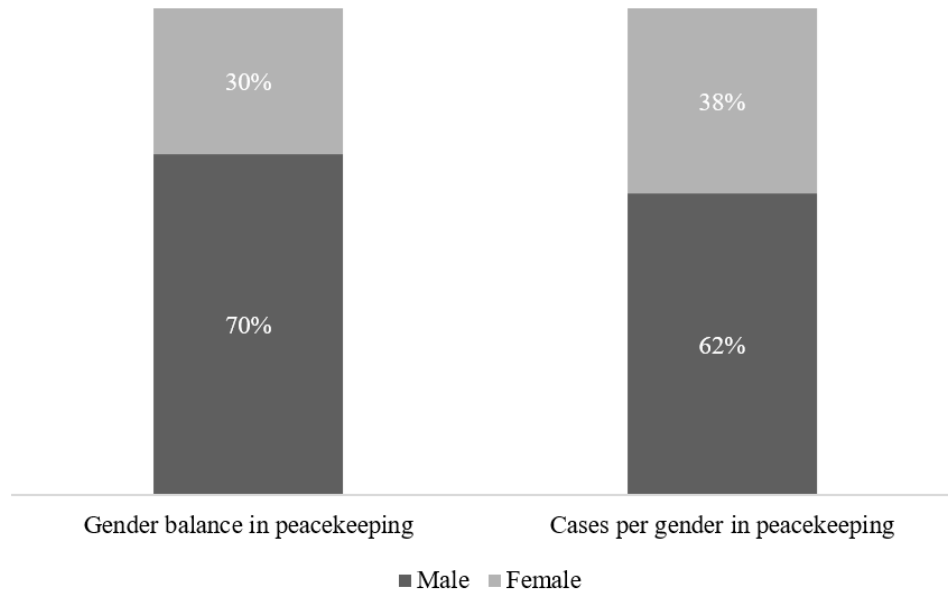
Figure II
Distribution of cases by location across the Secretariat, 2022



24. Compared with the overall demographics across the Secretariat (see [A/76/570](#) and [A/76/570/Corr.1](#)), more female staff made use of informal conflict resolution services offered by the Office than their male counterparts, at both field and non-field duty stations. For example, in field operations where women represent only 30 per cent of the total staff population, they accounted for 38 per cent of cases received by the Office (see figure III), which corresponds with previous trends indicating that the

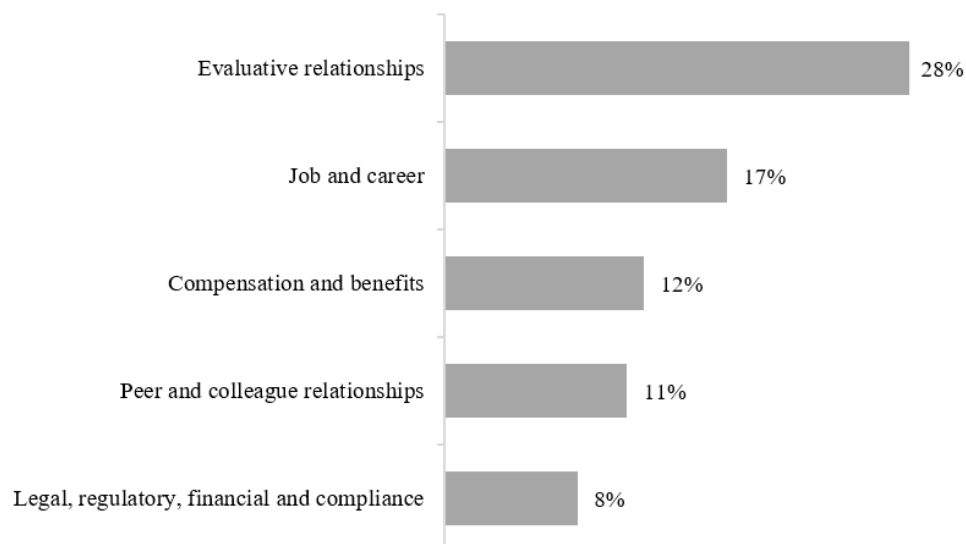
Office continues to be a critical resource and safe space for female staff serving in hardship duty stations.

Figure III
Distribution of cases by gender in the field, 2022



25. The three categories of issues most frequently reported were: evaluative relationships; job and career; and compensation and benefits (see figure IV). The most frequently reported sub-issues, in line with trends in previous years, were: respect/treatment; communication; interpersonal differences; performance management and feedback; team climate and morale; and job application/selection and recruitment processes.

Figure IV
Distribution of cases by categories of issues across the Secretariat, 2022



Update on mediation services

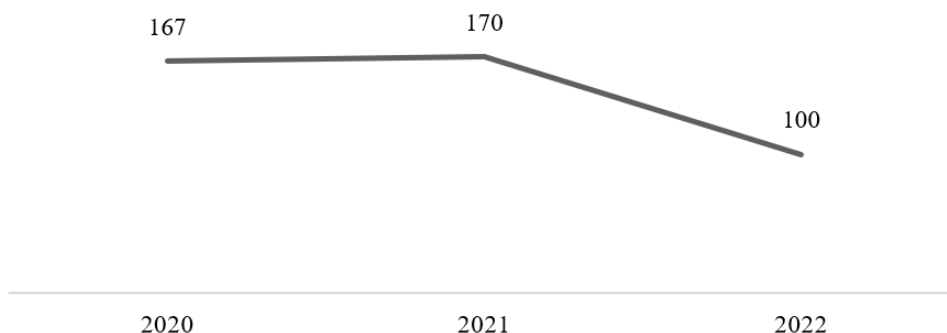
26. In paragraph 23 of its resolution 77/260, the General Assembly requested the Office to provide, on an annual basis, a statistical overview with data on mediation cases, including on case volume and trends, and the resolution rate of cases mediated by the Office and information on cases with full resolution, and to report thereon to the General Assembly.

27. Of the total number of cases opened by the Office in 2022, 100 were mediation cases (see figure V). As noted above, the overall number of cases, including mediations, significantly increased in the first two quarters of 2023. The Office expects a continued increase in utilization as more staff members learn about, and take advantage of, the benefits of mediation.

28. Compared with the total case distribution, a greater percentage of mediation cases emanated from offices away from Headquarters and Headquarters offices and fewer from peacekeeping operations.

Figure V

Number of mediation cases opened in the Secretariat, 2020–2022



29. The promotion of the “informal first” approach within the Organization is particularly important for the success of the mediation function. All personnel have a responsibility to encourage joint discussions before issues escalate and positions become entrenched. Mediation offers the opportunity to express one’s own needs and to hear the other’s perspective. Although flexible and creative, mediation is bound to solutions that fit within the regulations and rules of the Organization. Examples provided below illustrate the benefits of mediation.

30. Recruitment processes are one of the most frequently addressed issues in mediation sessions and facilitated conversations. For example, in one case, a senior staff member had concerns about the fairness of a recruitment process. Following a discussion with an ombudsman on available options, a mediator facilitated a conversation with the hiring manager who clarified the process and offered valuable feedback on the decisions taken at each step. The informal process prevented a request for management evaluation and provided a more satisfying outcome for all involved.

31. Several cases involved supervisees feeling disrespected or undermined by their supervisors. Some of them included concerns of bias or discrimination but were also complicated by changes in the organizational structure, reporting lines or team mandate. Often, the issues stemmed from supervisees’ perception of their role

compared to their actual position and grade. Through mediation, the parties in those cases were able to express their needs and reach an agreement that ensured core responsibilities were fulfilled and opportunities for growth made available. They were also able to address a deficit of trust and of effective communication. The mediation process paved the way to better working relationships for everyone involved.

32. Cases were initiated by peers, supervisors and supervisees. In some cases, one party rejected the invitation to mediation or chose not to finalize a draft mediation agreement. In cases where mediation could not proceed, conflict coaching or a process involving the whole team was utilized. Approaches such as changing the focus from the initiating problem to the envisioned future and accentuating the positive to overcome the negative provided opportunities to move forward when the specific parties were unable or unwilling to speak with each other.

33. Not every case may be appropriate for mediation as some complex legal issues are best addressed by a relevant authority. However, the opportunity for parties to express their needs and listen to one another, combined with the flexibility and creativity available through mediation, can improve working relationships, clarify roles and actions and result in a confidential written agreement in which future challenges can be anticipated and addressed.

34. In paragraph 17 of resolution [77/260](#), the General Assembly underlined the importance of increasing the use of mediation services and encouraged improved communication between all parts of the system of administration of justice to increase opportunities to address underutilized mediation. There have been many cross-referrals and collaborative exchanges between the Office and the Office of Staff Legal Assistance, as well as with the Management Evaluation Unit. The Office looks forward to receiving more referrals for mediation from all parts of the system of administration of justice as all stakeholders work together to promote the “informal first” approach and avoid unnecessary litigation.

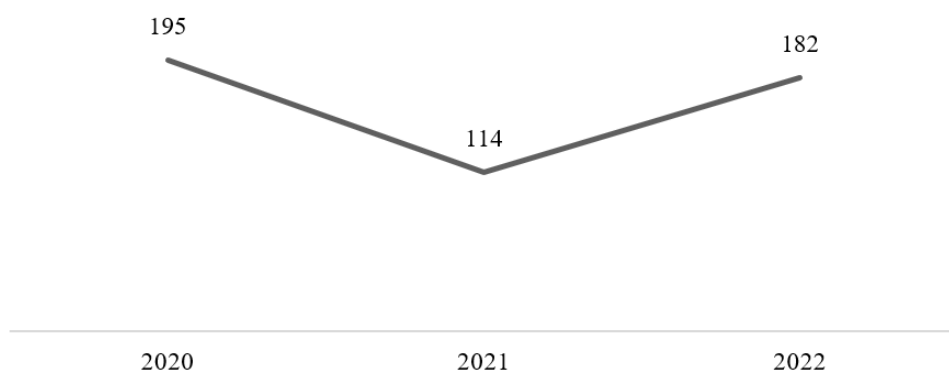
35. Similar to the overall trends noted in paragraph 25 above, a significant majority of requests for mediation involved the following categories of issues: evaluative relationships (44 per cent); job and career (13 per cent) and peer and colleague relationships (12 per cent). Frequently occurring sub-issues (regardless of the primary issues) were communication; respect/treatment; performance management and feedback; interpersonal differences; and team climate and morale, all of which are issues well suited to mediation and much less suited to the formal options for resolution.

Update on services for non-staff personnel

36. In paragraph 24 of its resolution [77/260](#), the General Assembly decided to continue the pilot project for non-staff personnel within existing resources. It also requested the Office to provide further information, including data on the number of non-staff personnel serviced and information on the benefits of such service, with a view to regularizing the pilot project within existing resources.

37. During the reporting period, the Office handled 182 cases from non-staff personnel, which reflected an increase of 60 per cent as compared to 2021 (114 cases), indicating a steady return to pre-pandemic case numbers (see figure VI). Most cases emanated from peace operations.

Figure VI
Number of cases opened for non-staff personnel in the Secretariat, 2020–2022



38. During the reporting period, the Office noted that non-staff personnel frequently raised concerns about contractual terms and conditions, responsiveness and timeliness of the administration and first reporting officers in handling non-staff matters, career opportunities, team climate, performance management and supervision questions.

39. In addressing cases from non-staff personnel, an ombudsman engaged with the manager and administration in question when the visitor granted permission. A resolution was often quickly achieved. In cases where visitors preferred to remain anonymous, the ombudsman provided options and resources. Non-staff personnel were often reluctant to come forward to address issues owing to the precarious nature of their contracts and their fear of retaliation. In those cases, the Office was the only accessible resource in the Organization providing a safe and confidential space.

40. In its interactions with non-staff personnel as visitors, the Office noted that they had a poor knowledge of their rights and of organizational processes and procedures, including access to recourse mechanisms. At times, the issues were compounded by poor supervision and the short amount of time spent by managers on inducting and managing non-staff personnel. Interns, who come to the United Nations at their own expense, in many cases noted the lack of effective managerial engagement. Generally, non-staff personnel who contacted the Office felt that they performed core functions and filled in for work that should normally be carried out by staff, which created frustration when entitlements, benefits and contractual security differed greatly.

41. The Office continues to liaise with the respective stakeholders at the entity level or at Headquarters to ensure that measures are in place to treat non-staff personnel fairly and in accordance with their contractual modality.

42. Since non-staff personnel will remain a critical part of the United Nations workforce, they would benefit from continued access to ombudsman and mediation services, reducing the need for them to utilize other internal or external formal recourse options and potentially also reducing exposure. As stated in previous reports, the Office can handle up to 350 cases per year within existing resources. Figure VI shows that in previous years, the utilization rate did not reach that maximum level, which was mainly because the Office did not actively advertise its services to non-staff personnel. It is therefore recommended that the pilot project be regularized within existing resources.

III. Raising awareness

A. Introduction

43. In its resolution [77/260](#), the General Assembly requested the Secretary-General to increase awareness among staff of the possibility of having conversations with the Office to explore informal resolution as a first step, where feasible. In response to the Assembly's request, the Office used both online and in-person channels to promote knowledge and awareness of its informal conflict resolution services to all personnel. The Office also focused efforts on promoting informal resolution as a preferred first step, through engagement with senior management and key stakeholders.

B. Informing personnel of the function of the Office and services offered

44. The Office conducted a variety of targeted interactive awareness-raising activities and distributed thematic content through broadcasts, publications and global digital platforms. Interactive activities included participation in town hall meetings, briefing sessions, retreats and orientation sessions. For example, the regional office in Entebbe participated in several civilian predeployment training sessions for newcomers. The regional office in Geneva participated in a town hall meeting for all staff on the internal justice system, providing information on the different aspects of the system of administration of justice to educate staff about the resources and avenues available to them to address workplace conflict informally.

45. As the resident coordinator system is a relatively new part of the United Nations Secretariat, the Office gave priority to conducting outreach to resident coordinator offices to ensure awareness of the availability of informal conflict resolution services. The regional office in Vienna, together with the regional office in Bangkok, conducted 15 information sessions for resident coordinator offices in Europe and the Asia-Pacific region to build partnerships and increase awareness about informal resolution. The regional office in Nairobi conducted more than 40 information sessions for resident coordinator offices and other Secretariat entities in Africa.

46. To encourage the use of mediation, the Office initiated monthly online information sessions and conducted a total of 15 online presentations, for over 500 participants, on understanding and using mediation.

47. The efforts of the Office in raising awareness and visibility of the services it provides proved effective. According to the results of the satisfaction survey conducted by the Office in 2022, 91 per cent of respondents indicated that they have heard of the Office and know what services are available and 83 per cent stated that they now understand better what type of concerns can be brought to the Office. In the responses to the feedback survey on mediation specifically, 83 per cent of respondents stated they were either very or somewhat likely to consider mediation to address a workplace issue, and 95 per cent would recommend the presentation on understanding and using mediation to others.

48. The multilingual website, www.un.org/ombudsman, continues to be the most prominent source of information for the Office's target audience. Designed in the six official languages, it was regularly updated throughout the year. Available information and resources include frequently asked questions on what an ombudsman and a mediator are and what they do, as well as pertinent explanations about informal conflict resolution services and special initiatives, including Dignity through Civility and the dialogues on racism in the United Nations workplace. In 2022, the website received more than 100,000 page views. The Office's intranet page, available both in

English and French, is constantly updated with the most up-to-date information regarding events and services that the Office provides to United Nations personnel.

C. Promoting the use of informal conflict resolution as a first step

49. As the Office celebrated its twentieth anniversary in 2022, it focused on promoting the “informal first” approach through broadcast messages and articles on different platforms. To mark the anniversary, the Chef de Cabinet of the Secretary-General met with the Office’s global team to reflect on the role of the Office in the Organization, and the opportunities ahead. A formal communication was also sent to all heads of entities inviting them to promote the use of the Office among personnel and encouraging the informal resolution of workplace conflicts as a preferred first step.

50. To further the use of informal conflict resolution as a first step, the regional ombudsman in each regional office engaged with managers at all levels to promote and advise on the use of informal dispute resolution mechanisms, inviting them to avail themselves of the services provided by the Office. Over 100 such awareness-raising conversations took place, thereby fostering a more harmonious workplace.

51. The Office’s efforts are being amplified in CEB member organizations through the network of ombudsmen and mediators, the members of which have jointly released a brochure to promote the “informal first” approach within the United Nations system.

IV. Promoting dignity for all

A. Introduction

52. In the diverse and complex organization that is the United Nations, making people aware of the impact of their behaviour and providing the tools for positive interaction across personality types, work styles, gender, linguistic and cultural differences, among many other variations, is fundamental to a harmonious workplace. The Office continues its efforts aimed at fostering conflict competence skills and prevention of conflict escalation by developing and conducting skill-building activities, including the Dignity through Civility campaign and the dialogues on racism in the United Nations workplace.

B. Dignity through civility

53. The Dignity through Civility campaign is aimed at increasing awareness by 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 initiative consists of two components: workshops on civility, communication and community; and civility cafes.

54. Open to all personnel, regardless of contract type, the workshops on civility, communication and community are aimed at bolstering a positive dynamic in workplace interactions through awareness-raising and a concrete set of tools to operationalize the concepts of dignity and civility in the workplace. The Office continued to host civility cafes in different languages for various teams and offices. The cafes enabled participants to exchange views about civility and generate real ideas for actions to implement civility in their respective workplaces.

55. Participants described those unique sessions as awareness-raising, inspiring and thought-provoking, and highlighted their value as a “team-building opportunity”. They acknowledged the importance of respect, civility and dignity in the workplace at every level, regardless of seniority, as a vital contributor to building a healthy working environment.

C. Dialogues on racism in the United Nations workplace

56. Guided by the strategic action plan on addressing racism and promoting dignity for all in the United Nations Secretariat, the dialogues are aimed at raising awareness about the presence of racism within the United Nations; encouraging, empowering and validating the observations and experiences of those who have encountered racism; creating safe spaces for discussions; and providing opportunities for colleagues to share their perspectives on ways to prevent, identify and address racism within the United Nations workplace.

57. Recognizing the importance of the dialogues and their impact on the workplace culture within the Secretariat, practitioners from the Office and diversity, equity and inclusion experts collaborated on the delivery of the dialogues in 2022. Approximately 500 Secretariat personnel participated in 26 sessions on racism in the United Nations workplace. Conversations about racism and how it manifests in the workplace have been shown to be an effective way to promote understanding, empathy and respect among employees. When combined with more comprehensive interventions, they may contribute to the creation of safe spaces for personnel to share their experiences and perspectives on issues pertaining to race and racism. Observations made during the dialogues revealed that United Nations staff can learn to recognize and challenge their own biases and assumptions, address systemic barriers and develop a greater awareness and appreciation for the value of equitable and inclusive environments. Further observations and experiences of racism derived from the dialogues and cases received by the Office are summarized in paragraph 88 below.

V. Systemic observations

A. Introduction

58. As a core part of its work, and based on the matters brought to it by personnel, the Office identifies systemic issues that may underly and contribute to workplace conflict. Systemic observations are derived from a variety of sources, including cases, interactions with stakeholders, mission visits and direct observation. Such work builds on two decades of experience in addressing workplace conflict. As noted in paragraph 3 above, the Office has handled approximately 25,000 cases since its inception, which gives it a unique vantage point to understand workplace conflict in the Organization. Observations made by the Office should be seen as part of a larger mosaic of workplace information that can inform policy and decision makers in the Organization.

59. Throughout the year, the Office maintains ongoing dialogue with stakeholders to share its observations. It has become good practice to invite the Office to discussions and consultations on proposed and existing regulations and rules, policies and practices, and various organizational initiatives, in an ex officio capacity. For example, in 2022, the Office shared its observations in several thematic areas and on initiatives such as the new global orientation programme (GO2UN); the Senior Leadership Induction Programme, the recognition and rewards framework, and guidelines for downsizing.

60. To strengthen its engagement with stakeholders, the Office initiated a series of thematic stakeholder conversations in 2022 on topics such as conduct and discipline, non-staff personnel, protection against retaliation, psychosocial support and the United Nations Values and Behaviours Framework. The Office acknowledges the many efforts made by the Organization to capitalize on the systemic work done by the global ombudsman and mediation team.

61. The following section presents an overview of observations made in 2022 on issues relating to mental health and well-being; workplace behaviour; formal processes; and racism in the workplace. While not new, the selected issues became more prevalent as personnel gradually returned to work at United Nations premises in 2022. Issues are presented in summary format in an aggregated and depersonalized manner to maintain confidentiality.

B. Observations

62. The year 2022 has often been described by visitors and stakeholders as a year of return, transitioning and reprioritization. Some described it as a “lid coming off the pressure cooker”. Workplace disputes had largely been dormant at the height of the pandemic as personnel faced other more pressing issues. The gradual return to on-site work and the lifting of special and discretionary measures introduced during the pandemic brought workplace challenges and issues began to surface or resurface.

63. Visitors to the Office also expressed a general sense of fatigue caused by the pandemic as well as a sense of uncertainty about the present and the future, making them more vulnerable to potential conflict. A return to on-site work discussions was particularly challenging when personal needs had to be balanced with operational needs. Managers said that they felt a lack of guidance and support as they tried to understand how to transition staff back to the office and arrange accommodations after extended periods of partial or full absence from on-site work. On the other hand, staff stated that they felt they were afforded little empathy and humanity in discussions of their unique circumstances and needs. As a neutral third party, the Office was able to assist in many such cases by engaging in shuttle diplomacy, facilitating discussions or bringing the relevant stakeholders to the table.

Mental health and well-being

64. Themes of burnout, stress and anxiety often surfaced during discussions with an ombudsman even when not presented as the primary issue of concern. Visitors cited various workplace factors as having an impact on their mental health and well-being. Those factors were frequently framed as microaggressions, workplace harassment, abuse of authority and discrimination. Other factors cited included situations of extremely high workload, lack of career development and mobility, and prolonged exposure to difficult work conditions, often in remote locations and compound settings. A recurring theme in cases received was the lack of inclusion and the absence of a sense of belonging, combined with a desire for a caring and dignified work environment.

Mental health literacy

65. The Office heard visitors express concerns about stigma related to mental health challenges and a lack of understanding by supervisors, supervisees and peers. Many, especially those in precarious contractual situations, felt uncomfortable speaking about their challenges and did not know how to raise them for fear of a negative impact on their performance appraisal and career prospects. When visitors gave permission, conflict resolution practitioners assisted with conversations to make managers and service providers aware of the circumstances and needs of personnel

and facilitated the exploration of flexible solutions within the available regulatory frameworks. The confidential space provided by the Office was essential in allowing visitors to speak freely, be heard and explore their options.

Return to work modalities

66. In some cases, personnel with mental health issues were unable to understand or undertake the necessary administrative processes, or to communicate effectively with the administration and with colleagues, including while on sick leave. Service providers, who often were not aware of the circumstances, appeared unresponsive or insensitive, causing additional stress. At times, when dysfunctions in the workplace were perceived to be the source of the mental health issues, visitors felt that interactions with their office were retraumatizing and triggering.

Access to staff counselling services

67. The Office continued to refer many visitors to counselling services for psychosocial support. As appropriate, conflict resolution practitioners collaborated with counsellors on cases and the Office would like to acknowledge the critical services that counsellors provide. In that context, access to staff counselling remained an area of concern for some visitors.

Summary

68. The Organization has put an important framework in place with the development of the United Nations System Mental Health and Well-being Strategy. As implementation continues, visitors have stressed the importance of improving mental health literacy, especially among frontline service providers and managers, to enable the provision of empathetic and practical support to personnel. The core values of humanity and dignity must be at the forefront of such conversations. Managers require guidance and support in designing successful “return to work” modalities for personnel after periods of sick leave. Consistent and adequate access to psychosocial support is a need expressed by visitors not only in relation to the pandemic but also over the long term.

Workplace behaviour

69. As they gradually returned to work at United Nations premises in 2022, individual visitors and teams had to readjust to face-to-face interaction full-time or in a hybrid setting. Managers found themselves having difficult conversations in relation to transitioning teams back to on-site work, finding agreement on issues such as workplace accommodations, including flexible work arrangements, and stabilizing teams. As mentioned in paragraph 25 above, the top issues of concern received by the Office reflect challenges related to respect/treatment; communication; interpersonal differences; performance management and feedback; and team climate and morale. While inappropriate behaviours do not always amount to misconduct and may not always be addressed effectively through managerial action, over time they erode trust in the workplace and in the Organization.

70. In the cases brought to the Office, it was noted that general fatigue and lowered resilience levels affected the levels of tolerance of personnel in handling conflict situations, prompting more abrasive and aggressive behaviours at the expense of dialogue and engagement with others. Lowered tolerance also seemed to be a feature of the post-pandemic work setting. There were also teams that adapted quickly to new ways of working. New staff-led initiatives such as #NewWork are playing a positive role in innovating the workplace culture and contributing to a more adaptive, inclusive and engaged United Nations.

Values and behaviours – a gap between aspiration and reality

71. As noted in previous reports, visitors tended to speak of a disconnect between how they experience their daily workplace and the values and expected behaviours that the Organization proclaims. The greater the gap between aspiration and reality, the more resentment builds up among personnel. In the cases brought to the Office, there were instances when in-person or virtual conversations quickly escalated and became aggressive and offensive in tone. The absence of active listening and a lack of willingness to engage with the other person were the ingredients of many disputes seen by the Office.

72. Based on the cases received and interactions with stakeholders, the Office noted that personnel are very sensitive to differential treatment by colleagues, especially in settings where there are significant differences in grade and “status”. In peacekeeping and special political missions, for example, some national staff and contractors spoke to the Office of what they perceived as disparate treatment having an impact on their dignity. While such behaviours are not always intentional, they have an eroding and destructive impact, including reputationally, and can easily escalate.

Insufficient early intervention

73. In some cases, visitors would note that colleagues remained silent when witnessing what they perceived as microaggressions, harassment, abuse of authority and discrimination, especially when senior leaders seemingly did not address it or excused bad behaviour. Insufficient early preventative intervention, especially remedial action by managers, and a lack of effective role modelling by senior leaders, created situations of serious workplace paralysis in the worst cases, at times resulting in lengthy investigative procedures, low morale, reduced productivity and frequent or prolonged sick leave. Constructive managerial intervention, and/or early referral to the Office, could often have alleviated such situations.

Easy access to formal complaint channels

74. The introduction of zero-tolerance approaches has been a welcome step in curbing unacceptable and unwelcome conduct in the workplace. Personnel also have access to a variety of complaint channels, such as the Office of Internal Oversight Services and conduct and discipline focal points in all entities. At the same time, channels for informal resolution through dialogue and third-party intervention such as the Office may end up being underutilized. For instance, the Office has no presence in many locations where staff have access to formal complaint channels, which therefore tend to become the default option.

Senior leaders as role models

75. Several visitors expressed frustration with what they saw as a lack of proactive engagement by senior leaders in dealing with people management issues. Visitors perceived that such issues would often be delegated downwards, remain unaddressed and then fester. Some senior leaders did not appear to be sufficiently cognizant of how their behaviour could impact the morale of their teams.

76. Some visitors also noted that incoming senior leaders from outside the United Nations did not seem sufficiently sensitive and appreciative of the institutional value that long-serving staff contributed. Staff felt that they were perceived as being resistant to change when in fact they were trying to support the new leadership in adjusting to the Organization. Senior leaders themselves noted the need to be better prepared for taking up the roles of heads of entities where they carry significant responsibilities under the delegation of authority. The United Nations Ombudsman

has made it a practice to reach out to new appointees for a one-on-one induction meeting to stress the importance of the role of senior leaders in contributing to a harmonious workplace. She has also made herself available for personalized confidential one-on-one conflict coaching for senior leaders.

Summary

77. It became evident in 2022, described as a year of return, that the quality of relationships in the workplace is a fundamental element of workplace culture. The willingness and ability to have conversations with a “learner” mindset and the humility to grow are essential. Active listening, self-reflection and awareness are key ingredients of such conversations. Staff at all levels, and senior leaders in particular, must serve as role models for others in demonstrating the core values and expected behaviours and must intervene in a timely manner when they see colleagues struggling. Effective performance management through the established policy and mechanisms is essential for discussing and managing workplace behaviours.

78. In cases where behavioural issues cannot be, or are not, resolved appropriately by the relevant parties, the early engagement of a third party such as the Office can be instrumental in de-escalating the situation. It is already good practice for offices that receive complaints regarding workplace issues to refer the cases to the Office upon receipt. There is opportunity to review and further strengthen processes with a view to ensuring early triaging for referral to the Office.

Prevention, formal processes, interim measures and reintegration

79. As noted above, formal complaints are often missed opportunities for other types of resolution earlier in the conflict life cycle. Visitors approaching the Office after having filed a formal complaint often expressed disappointment at the perceived prolonged inaction by their supervisors. In many cases seen by the Office, visitors had raised concerns several times within their entity, to no avail.

80. In several cases in which visitors had filed a complaint, they experienced a lack of communication on the status of their complaint, as to whether actions were being taken by the responsible offices and, if so, what those actions were. Even after a complaint was in the formal process, parties might still seek the assistance of an ombudsman. It was rare that an entity would reach out to the Office to explore options for informal resolution.

81. In cases where an investigation was launched, visitors indicated that it was a lengthy process. In most cases, the Office observed that investigations took an immense human toll, with an impact not only on the complainant and the alleged perpetrator but also on the entire team. The Office noted that all parties often experienced anxiety and stress while an investigation was ongoing. Several visitors spoke of either having experienced, or being afraid of, retaliation. Such a situation can become unbearable, especially for those who continue working in the same workplace. The Office was made aware of cases where complainants took extended periods of sick leave because they had to continue working with the subject of their complaints, with no interim measures in place to protect them during the formal process as provided for in the relevant policy ([ST/SGB/2019/8](#)).

82. Another issue of concern was the restoration of good working relations within an affected team after an investigation process was concluded. Relationships are typically severely damaged by the time an investigation is finalized. The Office observed that entities often sought to reintegrate staff after a long absence without consultation with the larger team, the complainant and the subject of the complaint. In such cases, issues remained following the end of the investigation, giving rise to new complaints, turnover, presenteeism and absenteeism. It was also observed that

some new incoming senior leaders and managers faced significant challenges in leading teams that had previously undergone difficult investigations, and that they were, or felt, ill prepared to take such teams forward without understanding and dealing with the past.

Summary

83. The Office has noted that the Organization continues to make enormous efforts to socialize the Secretary-General's bulletin on addressing discrimination, harassment, including sexual harassment, and abuse of authority ([ST/SGB/2019/8](#)) through the United to Respect dialogues offered in person as well as the now mandatory online course entitled "United to respect: preventing sexual harassment and other prohibited conduct". In addition, the Administrative Law Division of the Office of Human Resources holds regular meetings for its network of relevant stakeholders, such as conduct and discipline officers, to share policy and practices.

84. Heads of entities, under the senior managers' compacts, have pledged to "endeavour to create and maintain a harmonious work environment." That commitment includes mitigating workplace conflict by encouraging all personnel to avail themselves of early informal conflict resolution mechanisms.

85. Overall, many of the aforementioned issues could have been mitigated through proper implementation of the respective policy frameworks on addressing discrimination, harassment, including sexual harassment, and abuse of authority ([ST/SGB/2019/8](#)) and the Performance Management and Development System ([ST/AI/2021/4](#)). Those policies emphasize dialogue and use of informal resources such as the Office to address inappropriate behaviour and resolve issues at the earliest opportunity before they evolve into situations requiring formal processes.

Observations on racism in the United Nations workplace

86. In its resolution [77/260](#), the General Assembly encouraged the Office to provide observations on the trends and patterns of racism and racial discrimination and remedial actions taken within the Organization.

87. The observations cited below are from the dialogues on racism in the United Nations workplace. They are in line with the observations made in cases received by the Office where visitors raised issues regarding discrimination.

88. Input received in the dialogues and in cases indicates that many United Nations staff feel marginalized, unseen and not valued. Daily interactions and treatment of personnel are perceived to be misaligned with the aspirational frameworks of the Organization, with a negative impact on organizational culture. The existence of racism undermines their professional achievement and well-being. Despite efforts made by the Organization, there appear to be knowledge and awareness gaps. In general, personnel have not yet developed skills to identify racism in the workplace and may unintentionally become passive observers of racist acts. They may fail to act because of their lack of awareness and thus contribute to racism going unchecked. On the other side, victims/survivors of racism have engaged in addressing racism to the detriment of their health.

89. The Office's observations have been shared with the Anti-Racism Team for consideration in implementing the strategic action plan on addressing racism and promoting dignity for all in the United Nations Secretariat. Based on its mandate, the Office continues to offer a confidential space where personnel can bring concerns relating to discrimination and discuss options for addressing them, including through dialogue facilitation.

Summary

90. The observations on racism underscore the importance of continued implementation of the Secretary-General's strategic action plan on addressing racism and promoting dignity for all in the United Nations Secretariat, including through the development of anti-racism learning programmes. Based on feedback received, the dialogues on racism must continue in the Organization and be mainstreamed with the support of diversity, equity and inclusion experts. Participants in the dialogue sessions have emphasized the importance of providing safe spaces to have those conversations.

VI. Looking ahead

91. As the United Nations workforce re-emerges into the workplace after the pandemic, the Office expects the increase in case numbers seen in the first and second quarters of 2023 to continue. The priority will be to enhance awareness of the Office, manage the anticipated increase in utilization, and ensure the provision of timely and high-quality conflict resolution services. Those efforts will serve to promote the "informal first" approach and the importance of fostering a culture of dialogue in the Organization.

92. Based on its systemic observations, in which it noted that the reintegration of individuals and teams following investigation processes poses challenges, the Office will endeavour to enhance its internal capacity to better support the relevant teams in repairing and restoring damaged relationships in post-investigation situations through restorative processes, as envisaged in Secretary-General's bulletin [ST/SGB/2019/8](#). Such actions would be in addition to the ongoing support that the Office already provides to visitors before and during investigations.

93. The Office will seek to expand and systematize its engagement with newly appointed senior leaders to help them acclimatize to the United Nations workplace and allow them to benefit from the lessons learned by the Office. Such engagement will include awareness-raising on the availability of one-on-one conflict coaching with the United Nations Ombudsman.

94. Looking beyond the Secretariat, the United Nations Ombudsman will seek to further the work of the network of ombudsmen and mediators serving organizations that are part of CEB. The network has been particularly helpful to ombudsmen and mediators who work in United Nations organizations that only recently established the function, are solo or part-time practitioners, or are in the process of developing their terms of reference. In 2022, the network made important progress towards achieving a harmonized approach across the United Nations system by starting to develop common standards and practices.

Annex**Core principles of the Office of the United Nations Ombudsman and Mediation Services**

As the informal pillar of the system of administration of justice at the United Nations, the Office of the United Nations Ombudsman and Mediation Services uses informal and collaborative approaches to resolve workplace conflict. It is guided by the core principles of independence, neutrality, confidentiality, and informality, which are summarized below.

Independence

The Office maintains independence from other organizational entities, organs and officials and has direct access to the Secretary-General, the executive heads of the funds and programmes, the United Nations High Commissioner for Refugees and senior management throughout the Organization, as needed. It has access to information relevant to cases, except medical records, and access to individuals in the Organization who request advice, information or an opinion on any matter.

Neutrality

The Office serves as an advocate for fair and equitably administered processes, not on behalf of any individual within the Organization, taking into account the rights and obligations of the Organization and the staff member and the equity of the situation.

Confidentiality

The Office maintains strict confidentiality and does not disclose any information about individual cases or visits from staff members. Its staff members cannot be compelled by any United Nations organ or official to testify or disclose information about cases.

Informality

In respect of its informality, the Office does not keep records for the United Nations or any other party. It does not conduct formal investigations or accept legal notice on behalf of the United Nations. It does not have decision-making powers, nor does it make determinative findings or judgments.
