Mediation at the United Nations International Criminal Tribunal for the former Yugoslavia (UNICTY)

Conference of Staff Associations of International Organisations
11 October 2013

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Mediation at the UNICTY

General Overview

- Staff Welfare Officer
- Staff Union President
- Registry
- Medical Unit Nurse
- Chief of Human Resources
- Focal Point for Women
Mediation at the UNICTY

Focus

Office of Staff Welfare

Staff Union

Registry
Mediation at the UNICTY

- **SCOPE**: human resources management for the entire UNICTY
- **METHOD**: Engages in two-person, in-house facilitative-form of mediation and office is a formal channel accessing UN Ombudsman and Mediation Services (UNOMS) and the UN Arbitration Tribunal (UNAT) when formal mediation is requested
- **SPECIAL NOTE**: Often directed by UNOMS or UNAT to exhaust internal mediation processes before bringing case forward, irrespective of a Complainant’s request for formal mediation
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Office of Staff Welfare

- **SCOPE:** Staff and non-staff (e.g., interns, judges) connected to the UNICTY
- **METHOD:** utilizes approaches that reflect a more facilitative-transformative approach to helping to “maintain a harmonious work environment”
- **SPECIAL NOTE:** Perceptions of bias and mistrust of the mediative process of impedes Staff Welfare Officer from working exclusively with psychological concerns
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- **SCOPE:** Paid Staff Union members of UNICTY (i.e., staff, judges, interns)
- **METHOD:** uses conciliation form of informal mediation with an evaluative component
- **SPECIAL NOTE:** Both Complainants and Respondents are afforded an opportunity for Staff Union representation
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• **2013** (individual cases)
  - **14** Staff members have consulted with the Staff Welfare Officer regarding allegation related to (“Prohibition on discrimination, harassment, including sexual harassment, and abuse of authority”)
  - **12** of those staff members had their issue(s) resolved by some informal method through the Staff Welfare Officer
  - **1** case is still in progress
  - **1** official complaint was lodged through proper internal channels

• **2012** (Individual cases)
  - **12** Staff members have consulted with the Staff Welfare Officer regarding allegations related to (“Prohibition on discrimination, harassment, including sexual harassment, and abuse of authority”)
  - **10** of those staff members’ issue(s) were resolved by some informal method through the Staff Welfare Officer
  - **2** official complaints were lodged through proper internal channels

Source: **UNICTY Office of Staff Welfare**

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Limitations/Areas of Improvement

• Perceptions of bias and general mistrust impede comprehensive responses
• Need for more training
• Entrenched disputants blinded to the potential resolution that can result from this effort
• Use of shared resources from other local organizations to widen the pool and diminish negative perceptions
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Questions?

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