UNHCR The UN Refugee Agency | EMERGENCY HANDBOOK

In case of conflict with colleagues or partners

01 May 2025

Key points

- The United Nations and UNHCR prioritizes informal resolution methods within its internal justice system to minimize unnecessary litigation, favoring facilitated dialogue and mediation to swiftly address workplace disputes and alleviate the stress associated with formal legal processes
- Resolving workplace disputes between colleagues and partners is instrumental in managing reputational risk by promoting professionalism, preserving trust, mitigating reputational risks, and strengthening partnerships. It contributes to a positive organizational image and fosters a conducive environment for continued success and growth
- Managing workplace conflicts proactively by engaging in direct conversations, early intervention, and utilizing support mechanisms. The Ombudsman and Mediator function in UNHCR plays a crucial role as a neutral entity, offering informal dispute resolution services and promoting peaceful working relations through ombudsing, mediation and facilitating discussions

1. Overview

The United Nations internal justice system places great emphasis on informal resolution options to avoid unnecessary litigation when possible. Informal resolution of workplace disputes through facilitated dialogue or mediation is usually quicker and spares the parties involved of stress of litigation.

Colleagues are encouraged to first try to resolve workplace conflicts themselves by addressing the situation early on, engaging in direct and honest conversations, participating in mediation, and utilizing the appropriate support mechanisms as needed.

In UNHCR, the Ombudsman and Mediator function is the designated **neutral** entity to provide **independent** and **informal** resolution to workplace disputes. It has a vital role in **supporting**

colleagues in preventing conflict and **restoring** peaceful working relations and offers an **informal alternative** to the formal complaint-handling systems within UNHCR and the UN System of Administration of Justice. They support colleagues in identifying a range of appropriate options to resolve problems and facilitate discussions for all concerned and, wherever possible, help individuals to develop new ways to solve problems themselves, and if proper, mediate disputes between parties.

2. Relevance for emergency operations

Stress and anxiety are likely when dealing with emergencies. As such, workplace tensions and conflicts may arise, and when they do, it is crucially important that colleagues deal with the situation at the onset before the conflict escalates. In emergency situations, preventing and dealing effectively with conflict is crucial and leads to establishing a healthy working environment. These actions contribute to increased resiliency for the parties involved and the overall team and operation. Colleagues are encouraged to seek support from their supervisors and other local resources, as well as from the Office of the Ombudsman and Mediator, who can provide guidance and mediation.

3. Main guidance

Introduction

Effective 2009, the UN General Assembly introduced a new system for handling internal disputes and disciplinary matters. This change reinforces an independent and decentralized system consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and accountability of managers and staff members alike. Address the Conflict Promptly: Recognize and address the conflict early.

The revised system **encourages** the resolution of disputes through **informal means** before resorting to formal litigation.

For more information, please visit the Office of Administration of Justice (OAJ) website.

The Internal Justice System

UNHCR uses an internal justice system as staff members are unable to file claims, including employment-related claims, against the Organization in national courts due to the privileges and immunities of UNHCR as an international organization. The internal justice system allows staff members to **address situations** where they feel that their **rights have been violated** and the rules of the Organization have not been respected. Staff at all levels have a right to recourse through the internal justice system.

The internal justice system places great emphasis on informal resolution options to avoid unnecessary litigation when possible. Informal resolution of workplace disputes through mediation is usually quicker and spares the parties involved the stress of a litigation. Pursuing

the matter informally first does not prevent staff members from bringing the matter to the formal system of justice later, if the relevant deadlines are respected. Informal resolution can be sought at any time during the formal appeals procedures.

In UNHCR, the Office of the Ombudsman and Mediator is the designated neutral to mediate workplace conflicts. Moreover, it allows the conflicting parties to address the underlying issues to prevent disputes of a similar nature in the future.

Informal resolution of workplace conflicts and concerns

Colleagues are encouraged to first try to resolve workplace conflicts themselves by addressing the situation early on, engaging in direct and honest conversations, participating in mediation, and utilizing the appropriate support mechanisms as needed.

Tips for having a direct and honest conversation with the conflicting party:

- Address the situation at the start of the conflict. If not addressed, conflicts tend to escalate and become unmanageable
- Prepare for the conversation by organizing your thoughts, using concrete examples, and avoid using accusatory or blaming words
- Consider the other’s perspective, including how you may have contributed to the situation
- Work collaboratively towards a resolution and path forward.

If colleagues cannot engage in a direct conversation, they are encouraged to seek support from their supervisors, management, and other support mechanisms. Colleagues can also, at any time, seek the assistance of the Office of the Ombudsman and Mediator.

Working together to find solutions: Office of the Ombudsman and Mediator

The Ombudsman and Mediator function is the designated **neutral** entity that provides **independent** and **informal** resolution to workplace disputes within the UN Administration of Justice Office. Office of the Ombudsman and Mediator (OOM) has a vital role in **supporting colleagues in preventing conflict** and **restoring** peaceful working relations. It offers an **informal alternative** to the formal complaint-handling systems within UNHCR, such as the Inspector-General’s Office (IGO) and UN System of Administration of Justice.

The Ombudsman's job is to **provide confidential, impartial, and independent services for the informal resolution of work-related problems and conflicts**. They assist colleagues in identifying a range of appropriate options to resolve problems and facilitate discussions for all concerned and, wherever possible, help individuals to develop new ways to solve problems themselves. They do not make binding decisions, mandate policies, or adjudicate issues for the Organization.

Guides personnel in conflict to:

- analyze the problem
- identify a range of options
- explore the pros and cons of each option

- develop a clear understanding of any action necessary to implement the employee's selected option

Facilitate informal solutions to work-related problems and conflicts by:

- coaching parties to solution
- conducting mediation
- facilitating training in conflict management
- identifying systemic issues rooted in UNHCR practices, policies, procedures and processes
- providing upward feedback with the Administration to facilitate improvements to systemic issues identified

Checklist

- Address the Conflict Promptly: Recognize the conflict early and address it before it escalates.
- Seek Support if Needed: If direct conversation is challenging, seek support from supervisors, management, or other support mechanisms within the organization, including with the Office of the Ombudsman and Mediator.

4. Policies, Guidelines and Useful Links

UN, Standards of Practice for UN System Ombudsman and Mediators, 2023

UN Resolution, A/RES/62/228 - Administration of justice at the United Nations, 2007

SG Bulletin, SGB/2016-7 UNOMS Terms of Reference, 2016

5. Learning and field practices

Accessible to UNHCR staff only

Office of the Ombudsman and Mediator

6. Main contacts

Ombudsman and Mediator at Ombuds@unhcr.org