



PRACTICE DIRECTION ON MEDIATION

Adopted at the Sixth Plenary Meeting in New York

Introduction

1. The purpose of this Practice Direction is to assist the parties in understanding the Dispute Tribunal's procedures concerning referrals of cases to mediation. See arts. 8 and 10 of the Statute of the Tribunal and arts. 7 and 15 of the Rules of Procedure of the Tribunal.
2. The information contained in this Practice Direction is subject to the Dispute Tribunal's Statute and Rules of Procedure, or any direction given by a Judge in a particular case.

Mediation and the time limits for the filing of an application

3. The parties may seek mediation of their dispute prior to the filing of an application with the Dispute Tribunal. Pursuant

12. Following receipt of the Notice of Withdrawal, the Tribunal will issue an order closing the case.

13. If the mediation is unsuccessful, the applicant or his or her representative shall notify the Tribunal within seven days.

Confidentiality

14. Should a mention of the content of the mediation efforts, which are privileged and confidential, be made in a subsequent submission before the Tribunal, the Judge will order redaction of the submission as deemed appropriate pursuant to art. 15.7 of the Rules of Procedure of the Tribunal.

Enforcement of mediation agreement

15. Should the Administration fail to implement the mediation agreement, the applicant may file an application to enforce its implementation under art. 8.2 of the Statute of the Tribunal. Such application shall be filed within 90 calendar days after the last day for the implementation as specified in the mediation agreement or, when the mediation agreement is silent on the matter, within 90 calendar days after 30 calendar days from the date of the signing of the agreement.