

CONFIDENTIALITY PROCEDURES FOR INTERNATIONAL DISPUTE RESOLUTION INSTITUTE

Introduction:

Confidentiality is a cornerstone of effective mediation services provided by the International Dispute Resolution Institute (IDI). These confidentiality procedures are established to safeguard the sensitive and private information exchanged during the mediation process and to build trust among parties and mediators.

1. Scope:

These procedures apply to all mediators, parties, representatives, observers, and any individuals involved in mediation proceedings facilitated by the International Dispute Resolution Institute.

2. Confidential Information:

All information disclosed during the mediation process, whether written or verbal, shall be treated as confidential. This includes statements, documents, communications, proposals, offers, and any other information shared by parties or individuals.

3. Mediator's Role:

Mediators associated with IDRI shall be responsible for ensuring that the confidentiality of the mediation process is maintained. They shall inform all participants about the confidential nature of the proceedings and obtain their commitment to abide by these procedures.

4. Agreement to Confidentiality:

All parties, representatives, and observers shall sign a confidentiality agreement before the mediation session begins. This agreement outlines their commitment to keeping all information confidential and refraining from disclosing any details outside of the mediation.

5. Non-Disclosure to Third Parties:

Confidential information shall not be disclosed to any third party, including but not limited to family members, friends, colleagues, or media outlets. Parties shall refrain from discussing details of the mediation with anyone not directly involved in the process.

6. Mediator's Non-Disclosure Obligation:

Mediators shall not disclose any confidential information obtained during the mediation process to anyone, except as required by law or with the express consent of the parties. Mediators shall not share any personal biases or opinions formed during the mediation.

7. Mediation Documentation:

Any documents generated during the mediation, such as agreements, proposals, and notes, shall be treated as confidential. Parties may agree to share these documents outside of the mediation only with each other's written consent.

8. Electronic Communication:

Confidential information shared electronically, including emails, online messaging, and video conferencing, shall be subject to the same confidentiality requirements as in-person communication.

9. Exceptional Circumstances:

Confidentiality may be breached in cases where there is a legal obligation, such as mandatory reporting of suspected child abuse, harm to oneself or others, or when ordered by a court of law.

10. Retention and Destruction of Records:

IDRI shall retain mediation records in a secure manner for a reasonable period of time as required by applicable laws. Upon request, and with the consent of the parties, these records may be destroyed after an appropriate duration.

11. Remedies for Breach of Confidentiality:

A breach of confidentiality may result in the termination of the mediation process and, in severe cases, legal action for damages. Parties shall be responsible for any damages caused by unauthorized disclosure of confidential information.

12. Continuous Monitoring and Training:

IDRI shall conduct regular training sessions for mediators and participants to reinforce the importance of confidentiality. The institute will also periodically review and update these procedures to ensure their effectiveness.

Conclusion:

Confidentiality is a fundamental principle that underpins the mediation process at the International Dispute Resolution Institute. By adhering to these confidentiality procedures, all participants contribute to creating a safe and open environment for productive dialogue and dispute resolution, ensuring the integrity and success of the mediation services provided by IDI.