

# PROPOSING A SYSTEM OF CONTEXTUAL ETHICS FOR MEDIATION FOR A RANGE OF MEDIATION MODELS AND IN BOTH AD HOC AND INSTITUTIONAL ENVIRONMENTS

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## ABSTRACT

*Mediator neutrality and impartiality are foundational ethical principles for mediation practice in many countries around the world, and in both ad hoc and institutional contexts. This article critically analyses the ethics of neutrality and impartiality, arguing that the problems with these ethics principles create an imperative to find an alternative ethical paradigm that can ensure that party self-determination is upheld. The article proposes a contextual ethical paradigm and method for mediation, with the pursuit of party self-determination as its foundational tenet and key guiding principle. This alternative ethical approach is relevant both across a range of mediation models, and to ad hoc and institutional mediation environments.*

**KEYWORDS:** *mediation, neutrality, impartiality, self-determination, ethics, contextual*

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