

FOR DECISION

Agenda item 3(c)

**Progress on the Joint Inspection Unit (JIU)
recommendations
Addendum 1: Report of the Chair of the Council**

CE/109/3(c) Add. 1
Manama, 30 October 2018
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Executive summary

Following the receipt of a report of alleged misconduct and a related request for protection against retaliation, the Deputy Secretary-General, to whom all authority was delegated in this matter, decided, in consultation with the Chair of the Executive Council, to outsource the review of said case to the UNOPS Ethics Office, with the aim of avoiding any potential or perceived conflict of interest that might jeopardize the impartiality of the process and following the precedent of similar cases in previous years.

The present report has been prepared by the Chair of the Executive Council in order to inform its Members about the procedure followed in this case and about the outcome of the preliminary assessment conducted by UNOPS, which was received on 28 October 2018.

The UNOPS Ethics Officer has concluded that there is no *prima facie* case of misconduct or retaliation from the Organization or the Secretary-General and thus no investigation is warranted.

I. Introduction

1. The present report has been prepared by the Chair of the Executive Council and is presented to its Members for information.
2. Through decision 15(CVIII), adopted by its 108th session, the Executive Council was informed about the decision of the Secretary-General to appoint Ms. Marina Diotallevi as UNWTO Ethics Officer, effective as of 1 May 2018, in order to continue the important mandate to promote the highest standards of integrity and to foster a culture of ethics, transparency and accountability within UNWTO.
3. According to the terms of reference of the Ethics Function at UNWTO approved by the Executive Council (CE/DEC/12(XCIV)), the Ethics Office confidentially receives reports of misconduct or complaints of retaliation and conducts a preliminary assessment to determine, inter alia, whether there is a sufficient *prima facie* case that may entail the referral of the case for formal investigation. While the records and details of any preliminary review are strictly confidential in view of the personal information contained therein, just like other organizations from the UN system, UNWTO has reported to the Executive Council on an annual basis since 2013 on the outcome of these reviews.

II. Outsourcing a preliminary assessment to UNOPS

4. In mid-2018, the UNWTO Ethics Officer was reported allegations of misconduct and received a related request for protection against retaliation from a staff member of the Organization. However, as other organizations within the UN system, UNWTO lacks a well-defined internal mechanism for addressing allegations regarding the Executive Head.¹
5. Subsequently, with the aim of avoiding any potential or perceived conflict of interest that might jeopardize the impartiality of the process, the Ethics Officer and the Deputy Secretary-General, to whom all authority was delegated for this matter, in consultation with the Chair of the Executive Council, decided to outsource the review of the matter to the United Nations Office for Project Services (UNOPS), whose Ethics Office would then conduct the preliminary assessment and submit a report on the case before the present session of the Executive Council.
6. The outsourcing of the review of the case to an external entity was adopted in view of a precedent of alleged misconduct against the Secretary-General in 2016, whose review was also entrusted to UNOPS. In addition to consulting the practice of other UN organizations in this matter, the recommendations of the Joint Inspection Unit regarding allegations of misconduct concerning Executive Heads were duly considered, particularly those made in the reports “Review of whistle-blower policies and practices in the United Nations system organizations” (JIU/REP/2018/4), “Ethics in the United Nations system” (JIU/REP/2010/3), and “Selection of Executive Heads” (JIU/REP/2009/8). In this vein, the Joint Inspection Unit is being informed of all developments concerning this case.
7. The UNWTO Ethics Officer finally received the outcome of the preliminary assessment conducted by UNOPS on 28 October 2018.
8. Upon assessment, the UNOPS Ethics Officer concluded that there is no *prima facie* case of misconduct by the Organization or by the Secretary-General, rejects the complainant’s request for protection from retaliation, and recommends no investigation on the allegations made.

¹ See paragraphs 50-57, “Review of whistle-blower policies and practices in United Nations system organizations” (JIU/REP/2018/4), Joint Inspection Unit, 2018.

9. With a view to ensuring a cost-efficient and balanced review of any future similar cases, the UNWTO Ethics Officer could be entrusted with conducting their initial consideration and recommend any further action as appropriate.

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