



39th UNOG Staff Coordinating Council 39^{ème} Conseil de coordination du personnel de l'ONUG

Le Bureau exécutif | The Executive Bureau

Minutes of the 8th meeting [Urgent]

held on 14 May 2021 at 9 a.m.

Members of the Executive Bureau	BALI Mohamed	Present
	DUPARC Philippe	Present
	JOHNSON Laura	Absent
	KALOTAY Kalman	Present
	MEYER Olivier	Present
	RICHARDS Ian	Present
	SMITH Bradford	Present
President of the Council	CHAOUÏ Prisca	Present
Vice-president of the Council	PECK ARIF Catherine	Present

The meeting began at 9 a.m.

Point 1 Investigation of Council members

EB members discussed the urgent issue of an ongoing investigation by the Office of Internal Oversight Services (OIOS) against Council members concerning actions undertaken under the rightful execution of their functions as staff representatives.

In July 2019 the Council took the decision to separate from the WHO Staff Association (WHO SA) pertaining their relation concerning the magazine "UN Special". WHO SA agreed to the separation at that time during a joint meeting of both Unions. Such relation effectively ended on 31 December 2019, and subsequently all UN Special assets were split between the two parties. As of February 2022, the Council started the publication of its new magazine "UN Today", and WHO SA began issuing their own magazine, "Newspecial".

The EB particularly recalled that, under ST/AI/293, the magazine of the staff union constituted an official means of communication and is the bulletin of the staff union.

Between January and February of 2020, UN staff representatives noticed magazines that looked like the former UN Special, but were not the official staff magazine of staff UN Today, which started appearing in and around the Palais des Nations on stands that belonged to the Council. Said magazines were the "Newspecial", and their label also started appearing on the stands, in violation of the split of former UN Special assets. The Council then acted to secure its assets: magazines were removed and disposed of, and the stands were moved to Council offices.

Later that year, information was received that WHO SA entered into a financial arrangement with UNOG Administration to distribute their magazine in the Palais, which the EB considered to be regretful as UNOG management was allowing the circulation of a magazine that collided with the interests of UN staff and its official representation.

In May 2021, EB members were informed that OIOS had contacted several Council members inviting them to interviews under charges for the abovementioned removal and disposal of Newspecial magazines in February 2020. This meant Council members were facing charges for legitimate actions carried in the execution of their role as staff representatives, who were protecting the legitimate interests of staff representation, staff assets, and its official means of communication.

It was noted that so far four persons had been contacted by OIOS and feared more could be targeted. The EB strongly denoted this issue was a matter between staff unions, and expressed its strong condemnation of management's and OIOS' involvement in it. EB members deemed the accusation

futile in its nature as to lead to the opening of an investigation and an effective interference in the business of two staff unions, setting a dangerous precedent.

The EB further recalled that the UNDT would not have any jurisdiction in matters between staff unions, such as the removal of magazines of one or the other, thus potentially exposing staff representatives to judicial defencelessness. The protection of staff representatives in their roles was key in defending staff interests. EB members agreed this required immediate intervention from the leadership of the Council to put an end to it, and make it clear to management and OIOS that they cannot intervene in Council affairs or the relation between two staff unions.

As an example, it was mentioned that in a previous occasion, on a matter related to Council business, the Ethics Office refused to enter into review of issues not related to the functions of staff. This was deemed, as well, an issue not related to the functions of staff but to the functions of the Council, and therefore not subject to the review of OIOS.

The EB unanimously condemned the aforementioned investigation and for the Executive Secretary to address a cease and desist letter to OIOS senior management signalling the interference with the independence of staff representation, which disregarded paragraph 32 of the Standard of Conduct for International Civil Servants (International Civil Service Commission) whereby staff representatives must be afforded protection against discriminatory or prejudicial treatment based on their status or activities as staff representatives, and contravened paragraph 8.1 (e) of the Staff Rules whereby no staff member shall threaten, retaliate against or attempt to retaliate against a staff representative exercising his or her functions.

Point 2 Any other business

The EB was informed that legal fees to proceed with the legal appeals of Geneva translators challenging the increase of their workload would amount to a maximum of CHF 10'000 as indicated by the external lawyer engaged jointly by staff unions in different duty stations. In the absence of a previously Council-approved budget line for legal expenses, the EB agreed to present it to the Council for specific approval.

The meeting was adjourned at 9.20 a.m.