



unesco

United Nations
Educational, Scientific
and Cultural Organization

215 EX/5.IV.B Add.

Executive Board

Two hundred and fifteenth session

PARIS, 4 October 2022
Original: French

Item 5 of the provisional agenda

FOLLOW-UP TO DECISIONS AND RESOLUTIONS ADOPTED BY THE EXECUTIVE BOARD AND THE GENERAL CONFERENCE AT THEIR PREVIOUS SESSIONS

PART IV

HUMAN RESOURCES ISSUES

ADDENDUM

COMMENTS FROM THE INTERNATIONAL STAFF ASSOCIATION OF UNESCO (ISAU)

SUMMARY

B. UNESCO Ethics Adviser: contractual conditions

Pursuant to item 9.2.7 of the UNESCO Human Resources Manual, the International Staff Association of UNESCO (ISAU) submits its comments on human resources issues (document 215 EX/5.IV.B).

1. ISAU takes note of the request to align the appointment of the Ethics Adviser with that of the Director of the Division of Internal Oversight Services (IOS) to a term of six years. We support this proposal because a longer term than the current four years would allow for a better implementation of the strategies and initiatives adopted by the Ethics Adviser by avoiding a too rapid turnover of the incumbents.

2. Nevertheless, we must point out that the text of the draft decision proposed by the Administration contains an ambiguity that must be cleared up. The text submitted to the Board for approval indicates that its decision would have “immediate effect”. However, this text could be misinterpreted to imply that this decision would not only override 191 EX/Decision 5.IV (paragraph 4(c)) of the Executive Board, concerning the duration of the term of office of the



Job: 202202675

incumbents of the post of Ethics Adviser, but could also surreptitiously concern the duration of the term of office of the current incumbent, and could amount to a disguised extension of her contract. This ambiguity, which is serious from a legal point of view, is even more so from an ethical point of view. It amounts to creating a text that could depart from its original intention, since, by asking the Member States to decide that their decision would be immediate, they are in practice not being asked to rule solely on a general provision of the Organization's operation, but to decide on the outcome of an individual case. If the objective was to extend the term of the current Ethics Adviser, this should have been clearly stated in document 215 EX/5.IV.B.

3. It is at the discretion of the Director-General to appoint to this post any person she deems worthy, provided that the rules and regulations and, above all, the principle of transparency are respected. However, if it is possible to modify an individual's contract by playing on the ambiguities of a text that the Administration has submitted to the Board, transparency is simply impossible, and the suspicion of growing favouritism and politicization is legitimate.

4. Moreover, the very possibility of renewing the contract of the Ethics Adviser by means of legal artifice is contrary to the most profound provisions of ethics. As the Ethics Adviser herself reminds us in the training she provides to staff, ethics goes beyond mere compliance with regulations and requires that all professionals avoid placing themselves in a situation where they would be in a conflict of interest and thus risk bringing opprobrium not only on themselves, but also on the entire Organization.

5. ISAU therefore requests that it be specified that the revision of the term of office of the Ethics Adviser can only come into effect at the time of the appointment of the next incumbent.