



16 October 2024

Ms Chairperson
Representative of the Director-General
Your Excellencies, Ladies and Gentlemen

I want to express my heartfelt gratitude for the opportunity to address you today. It is with great honor that I invite you to join ISAU in its efforts to advocate for the rights of staff within UNESCO.

Firstly, it is important to acknowledge the remarkable dedication of staff - and non staff - who tirelessly sustain UNESCO always and during challenging times such as budget constraints. Despite heavy workloads and impact, they consistently demonstrate a strong sense of duty and commitment ensuring UNESCO's capacity to deliver effectively.

The Right to Health in the Workplace

On the importance of well-being and mental health, indeed, the Administration has the Duty of Care. However, if this duty is neglected or further delayed, the resulting costs to individuals' physical and mental health may be significant and unjustly borne by those affected which underscores the urgency. The IOS highlighted the need to progress in occupational health. To prioritise these aspects it is essential to foster a consolidated effort between Headquarters, Field, and Category 1 Institutes in aligning occupational health standards that are to ensure well-being in the Workplace. The planning for prevention and health programmes must start promptly with the ergonomic assessment of the workstations to support staff, evaluate the impact of workloads and to promote mental health.

The right to fair process in the internal justice

Reform cannot happen without an efficient, independent, and well-resourced internal justice system that will safeguard the rights of staff members and ensure the effective accountability of managers and staff members.

The ineffectiveness of existing process of informal or formal internal dispute resolution lacks certain core aspects of due process, it lacks impartiality which must be guaranteed, it lacks the necessary independence, resulting in a process that has failed to effectively protect the staff's right to be represented by an impartial adjudicator.

The character of the Appeals Board is purely *advisory*, it is not empowered to make binding decisions, it is limited to providing recommendations, and if witness testimony is permitted

this is *at its sole discretion*; as such, it cannot determine the rights or obligations of the individuals involved it has no enforcement power on legal decisions, including the authority to impose sanctions or remedies.

Moreover, the members of the Appeals Board are in part elected by the Staff through elections they being peers with no requirement for legal qualifications; and in part appointed by the Director-General - who is also respondent in the proceedings and uniquely empowered for the final determination. This process calls into question the objectivity and independence of the present internal justice.

Furthermore, the right to equality of arms is compromised at a time when guaranteeing equality by access to lawyers and legal services is crucial, the Staff is not permitted to be represented by external lawyers they are not provided with any legal services. The Administration on the other side has the full support of well-trained lawyers of the Office of Legal Affairs, and the staff left to rely on staff associations that are not staffed by persons with legal qualifications for such costs cannot be sustained. No funding is provided for this purpose.

In line with the recommendations of the JIU to improve the efficiency and effectiveness of the internal justice system to safeguard the rights of individuals affected by the current system must be implemented without delay.

Adequate resources will not only reduce conflicts within UNESCO through more effective informal dispute resolution but also expedite case disposal in the formal justice system. The initiative of a formal system for the administration of justice within UNESCO should be aimed at protecting the rights of Staff and providing effective remedies.

Access to impartial internal justice is a fundamental right, and it is essential to ensure that the Appeals Board constitutes a competent and unbiased body, especially considering there is only one layer of judicial appeal for the UNESCO Staff that of the ILOAT, which is final and binding.

The independence of the international civil service and its jurisprudence on due process are fundamental and necessitate robust safeguards to ensure this independence. It is crucial UNESCO prioritises an essential system that maintains integrity, accountability, and trust within UNESCO to resolve disputes effectively and uphold rights and obligations.

I respectfully requests the Members of this Executive Board to support ISAU's advocacy for the right to health and right to fair treatment in internal justice. Your support is vital in promoting these essential rights.

I hope to have conveyed that if these matters are not adequately addressed it will lead to the erosion of trust inside UNESCO.

Thank you for your attention.