



unesco

United Nations
Educational, Scientific
and Cultural Organization

222 EX/4.IV.A.INF Add.
PARIS, 26 September 2025
English and French only

Executive Board

Two hundred and twenty-second session

Item 4 of the provisional agenda

REPORT BY THE DIRECTOR-GENERAL ON THE JUDGMENTS CONCERNING UNESCO ISSUED BY THE INTERNATIONAL LABOUR ORGANIZATION ADMINISTRATIVE TRIBUNAL (ILOAT)

ADDENDUM

COMMENTS OF THE INTERNATIONAL STAFF ASSOCIATION OF UNESCO (ISAU)

SUMMARY

Pursuant to Item 9.2.7 of the UNESCO Human Resources Manual, the International Staff Association of UNESCO (ISAU) submits its comments on the report of the Director-General (document 222 EX/4.IV.A.INF.).

1. ISAU takes note of the report submitted at the 222nd session, which presents detailed data on ILOAT judgments and Appeals Board decisions. It should be emphasized that in 92% of cases, the Director General has fully followed the recommendations of the Appeals Board, which testifies to the generally consistent operation of this internal body, whose work and independence ISAU supports and promotes.
2. We note that the period covered (137th to 140th ILOAT sessions) partly overlaps with that of the previous report (135th to 138th ILOAT sessions). We are therefore pleased to note that, in accordance with [220 EX/Decision 5.IV.A](#) (para. 8), “the report will be provided on an annual basis from 2026 onwards”, thus enabling more rigorous monitoring.

Judgments issued by ILOAT

3. We note with concern that the number of judgments concerning UNESCO continues to rise: six in 2022, six in 2023, 11 in 2024 and already 18 in 2025. This trend is all the more surprising given the Administration’s emphasis on strengthened procedures and internal policies that are deemed effective. This paradox calls for in-depth reflection on the real effectiveness of conflict prevention mechanisms.
4. The Director General’s report clearly sets out the reasons for the adverse ILOAT rulings: non-compliance with internal rules, errors of law and procedural shortcomings. These factors are a



Job: 2500895E

cause for concern, especially as they point to avoidable malfunctions. It is essential, therefore, that the Organization does not confine itself to noting these judgments, but engages in in-depth reflection on the systemic causes underlying them.

5. However, it is not clear from the report whether any **accountability measures or internal investigations** were carried out following these adverse rulings. If the administrative decision is deemed irregular by ILOAT, it is legitimate to expect UNESCO to examine the causes and the people behind the error, in order to understand the shortcomings and improve processes.

6. It would therefore be desirable for future reports to include a **systematic table** of remedial action taken following unfavourable judgments. This would provide Member States and all staff with a clear view of the Organization's efforts to prevent the recurrence of errors. Such transparency would reinforce the credibility of the internal justice system, as well as the soundness of decisions taken by the Directorate, and would ultimately contribute to restoring staff confidence.

7. Secondly, ISAU strongly urges that the very form of the report be questioned. The recurrent use of terms such as "success" or "cases won" gives the document an agonistic tone, hardly compatible with the nature of a factual report. This vocabulary suggests that the main objective is to "prevail" against complainants, rather than to **understand the causes of disputes** and learn from them. Such a stance is difficult to reconcile with the principles of good governance and internal justice, not to mention the values of peace and dialogue promoted by our Organization.

8. It is imperative that our work and human resources management culture evolve. Accountability is not about lamenting mistakes, but recognizing them as **learning opportunities**. To brandish as a trophy the fact that the Organization has "won" more cases than it has "lost" betrays an administrative culture where performance is measured in terms of confrontation and humiliation, not in terms of process quality and respect for people's dignity. This reveals a **deep-rooted shortcoming in the culture of responsibility** that needs to be corrected.

9. It is imperative that UNESCO adopt a more rigorous, transparent and constructive approach to reporting on litigation.

This means:

- an improved document structure, with clear tables of remedial actions to be taken;
- a change of tone, avoiding hostile language;
- explicit recognition that every adverse ruling is an opportunity to strengthen internal procedures.

Overview of grounds of ILOAT judgments

10. Table 2 of the report shows a clear increase in judgments against UNESCO, from just one in 2024 to seven in 2025. The reasons given are recurrent and worrying: non-compliance with internal rules and procedures (60% of cases), errors of law in handling complaints of harassment and retaliation, and procedural shortcomings. These shortcomings, that are avoidable, reflect the Administration's inadequate grasp of the rules. It is therefore paradoxical – and serious – that UNESCO is failing to meet the standards it has itself set and is supposed to uphold.

11. This situation calls for an examination of the underlying causes. ISAU's experience, particularly through the requests for assistance it has received, suggests a reluctance on the part of the Administration to challenge head-on decisions taken by supervisors. In several cases, the Administration seems to unreservedly accept the positions of these officials, even when the grievances raised by the complainants are based on clear and indisputable regulatory provisions. This hierarchical bias, if true, compromises the fairness of the internal justice system.

12. The result is alarming in human and institutional terms: staff members, rightly relying on written regulations, can spend years trying to obtain recognition of the legitimacy of a point that is nevertheless known to all parties. This irrationality, based on a logic of protecting authority rather than applying the law, generates unnecessary suffering and a lasting loss of trust. This leads to an absurd situation in which clear rules guarantee neither respect nor recognition.

13. A mature administrative culture does not consist in systematically defending decisions taken, but in questioning them, recognizing mistakes and learning from them. It is based on the ability to distinguish authority from legitimacy, and to give precedence to law over power relationships. On this basis, UNESCO will be able to restore the confidence of its staff and strengthen the credibility of its internal justice system.

Financial consequences

14. The financial consequences are particularly severe: compensation awarded by the Tribunal has risen from \$16,340 in 2024 to \$271,106 in 2025. In this respect, the report limits itself to describing four judgments, those involving the highest awards. However, for the sake of transparency and in order to identify recurring reasons and avoid their reproduction, all adverse rulings should be summarized anonymously.

15. It should be pointed out that in addition to these substantial costs, there are also expenses relating to amicable settlements amounting to \$76,700 over the period. These amicable settlements, although mentioned, are unfortunately not accompanied by any substantial information (reason for the dispute, stage at which the amicable settlement was reached, etc.) that would enable effective monitoring of the cases referred to ILOAT.

Infringement of due process

16. ISAU is currently being consulted within the framework of the revision of the Statutes of the Appeals Board in order to implement the recommendations made by the Joint Inspection Unit (JIU) on internal pre-tribunal-stage appeal mechanisms available to staff of the United Nations system organizations¹ aimed at improving the Organization's internal justice. In this context, we deem it important to reiterate the importance of:

- “introduc[ing] into their regulatory frameworks a provision for suspension of action of contested decisions at the pre-tribunal stage, ex officio or upon the appellant's request, in cases of prima facie unlawfulness of the decision, error of fact, particular urgency or when implementation of the decision could cause irreparable damage; or propose the introduction of this provision for decision to their legislative organs or governing bodies” (Recommendation 2) (emphasis added). Such a measure would also help to reduce the number of cases brought before ILOAT, as well as the amount of compensation, and prevent the damage suffered by staff from being aggravated by the immediate execution of decisions subsequently deemed illegal.
- “remov[ing] all restrictions regarding legal representation of their staff in internal justice processes, with the aim of allowing staff to choose their legal counsel freely and without restriction” (Recommendation 7) (emphasis added). Indeed, the imbalance between the Administration, represented by experienced lawyers, and the staff, who have no legal assistance within UNESCO, constitutes an infringement of the rights of defence. This situation entails financial and psychological costs for complainants, and fosters a climate of mistrust within the Organization. ISAU also calls for the establishment of a legal aid office for staff and the allocation of resources to associations, along the lines of other international organizations.

¹ [JIU/REP/2023/2](#).

Harassment and the working environment

17. We are surprised that in paragraph 17, the report relies on the results of the **2021** Global Staff Survey to paint a positive picture of UNESCO's action against harassment. However, the **2024** Global Survey, the results of which were published in May this year, highlights a worrying worsening of the situation. For example:

- Only 54% of respondents believe that bullying and harassment (including sexual harassment) are taken seriously by UNESCO and that there are effective mechanisms in place to deal with them, representing a drop since 2021 (-7 points) and 11 points below the benchmark median.
- Only 44% feel that their case would be treated fairly and that appropriate action would be taken if they reported unethical behaviour. This figure is 23 points below the median.
- Only 40% feel that UNESCO creates an environment in which people can speak out if they observe unethical or disrespectful behaviour, a figure 19 points below the benchmark median.

18. The choice of relying exclusively on old, favourable data, while ignoring more recent, worrying results, raises a serious question as to the objectivity of the presentation. Such a selection, which omits elements that are nevertheless key to assessing the situation, can only weaken the credibility of the report and cast unfortunate doubt on the sincerity of the transparency exercise.

Conclusion

19. ISAU reaffirms that the persistence of legal and procedural errors, the increase in the number of disputes, the lack of individual responsibility and the imbalance of legal means between the Administration and the staff are seriously damaging UNESCO's credibility. This is detrimental to the working environment and significantly compromises the Organization's efficiency in fulfilling its mandate.

20. We ask that a clear and systematic link be established between the annual report of the Appeals Board and that of ILOAT, so that inconsistencies can be identified, the effectiveness of the remedial actions taken by the Director-General assessed and concrete lessons drawn, with a view to strengthening dispute prevention and management within the Organization.

21. Only a transparent and accountable approach will restore staff confidence in the internal justice system and limit the Organization's financial and reputational exposure.