

UPDATE ON STRATEGIC HUMAN RESOURCES MANAGEMENT ISSUES

Disciplinary and other corrective actions in 2024

Corrective administrative actions, including disciplinary measures taken in 2024

INTRODUCTION AND PURPOSE	<ol style="list-style-type: none"> 1. In order to ensure that people management in UNAIDS remains transparent, equitable, in line with the values of the Organization, and reflective of ethical and accountability standards, the Department of People Management ("DPM") wishes to inform all staff members of corrective administrative actions, including disciplinary measures, imposed throughout 2024 to address cases of unsatisfactory conduct and abusive conduct or other forms of misconduct, which had been engaged in by UNAIDS staff members. 2. UNAIDS and all its staff members are accountable for the resources and funds entrusted to the Secretariat for the purpose of furthering the UNAIDS mandate. 3. As international civil servants, UNAIDS staff members are at all times expected to observe the highest standards of conduct, integrity, competence, and performance. 4. Discrimination, abuse of authority, harassment, including sexual harassment, sexual misconduct, fraud, misrepresentation, use of position for personal advantage, false certification, or bringing the Organization into public discredit are examples of behaviours that are not accepted in UNAIDS.
SCOPE	<ol style="list-style-type: none"> 5. This Information Note reports on corrective administrative actions, including disciplinary measures, taken in the Organization between 1 January and 31 December 2024. 6. It is important to note that not every allegation of misconduct results in measures being taken against the staff member, and not every occurrence of unsatisfactory conduct or allegation of misconduct results in disciplinary or corrective administrative actions being taken. Where a staff member provides a satisfactory explanation in response to formal charges of misconduct, or where an initial review or investigation results in a finding that the allegations are not substantiated, the case may be closed with or without managerial action.
ADMINISTRATIVE PRINCIPLES AND RESTORATIVE MEASURES	<ol style="list-style-type: none"> 7. Corrective administrative actions, including disciplinary measures, are taken in accordance with the relevant regulatory framework and aim to be proportionate to the nature and gravity of the behaviour at issue. 8. Aggravating and mitigating factors are taken into consideration in determining the appropriate disciplinary or other administrative action, considering the specific facts and circumstances of each case. 9. Staff members who separate from UNAIDS prior to the conclusion of an ongoing investigation or disciplinary process or those who are separated from UNAIDS further to a finding of misconduct are normally informed that they will not be considered by UNAIDS for any future employment or contract. In such cases, a note to that effect will be placed in the staff member's personnel records and in the organizational recruitment management system. Moreover, where applicable, UNAIDS will include relevant records regarding established misconduct by former UNAIDS staff members in the ClearCheck¹ database. 10. UNAIDS is fully committed to a victim-centred, zero tolerance approach in all cases of sexual misconduct and offers support to victims of sexual misconduct, including in terms of protection from retaliation. 11. Where misconduct resulted in financial loss to the Organization, UNAIDS pursues asset recovery and compensation of financial damage caused, in accordance with the applicable legal framework.
UNAIDS LEGAL FRAMEWORK, GUIDANCE AND PRINCIPLES	<ol style="list-style-type: none"> 12. The relevant legal framework outlining duties and obligations of UNAIDS staff members and applicable procedures governing indications of non-compliance with such duties and obligations includes the following rules and policies: <ol style="list-style-type: none"> i. Standards of Conduct for the International Civil Service ii. WHO Staff Regulations and Staff Rules, as adapted for the operational needs of UNAIDS iii. Policy on Preventing and Addressing Sexual Misconduct iv. Policy on Preventing and Addressing Abusive Conduct v. WHO Policy on Prevention, Detection and Response to Fraud and Corruption vi. WHO eManual vii. UNAIDS Secretariat Ethics Guide.
SUMMARY OF CASES CONCLUDED IN 2024	<ol style="list-style-type: none"> 13. Between 1 January and 31 December 2024, UNAIDS concluded thirteen processes related to allegations of misconduct attributable to UNAIDS staff members. Two matters were examined internally but not found to warrant referral to IOS. One of these cases was addressed with managerial action. Five cases were referred to IOS and closed after an initial review, finding that the allegations were not substantiated. In one of these cases, the matter was closed since the alleged offender had not started appointment with UNAIDS and the alleged conduct occurred prior to the latter's application to UNAIDS. 14. One case was investigated by IOS, resulting in a finding that the staff member may have contravened the UNAIDS Ethics Guide and the 2005 WHO Fraud Prevention Policy & Fraud Awareness Guidelines by failing to disclose a conflict-of-interest situation in the context of a procurement process. However, considering, inter alia, the passage of time, the staff member's

acknowledgement and regret of the conduct, the absence of financial or legal damage to UNAIDS and the staff member's good faith attempts to seek capacity building and support to improve the functioning of procurement-related processes in the office, no disciplinary measure was found to be warranted. Instead, the staff member was requested to follow relevant training and courses regarding the standards of conduct, handling situations of conflict of interests as well as on procurement at UNAIDS.

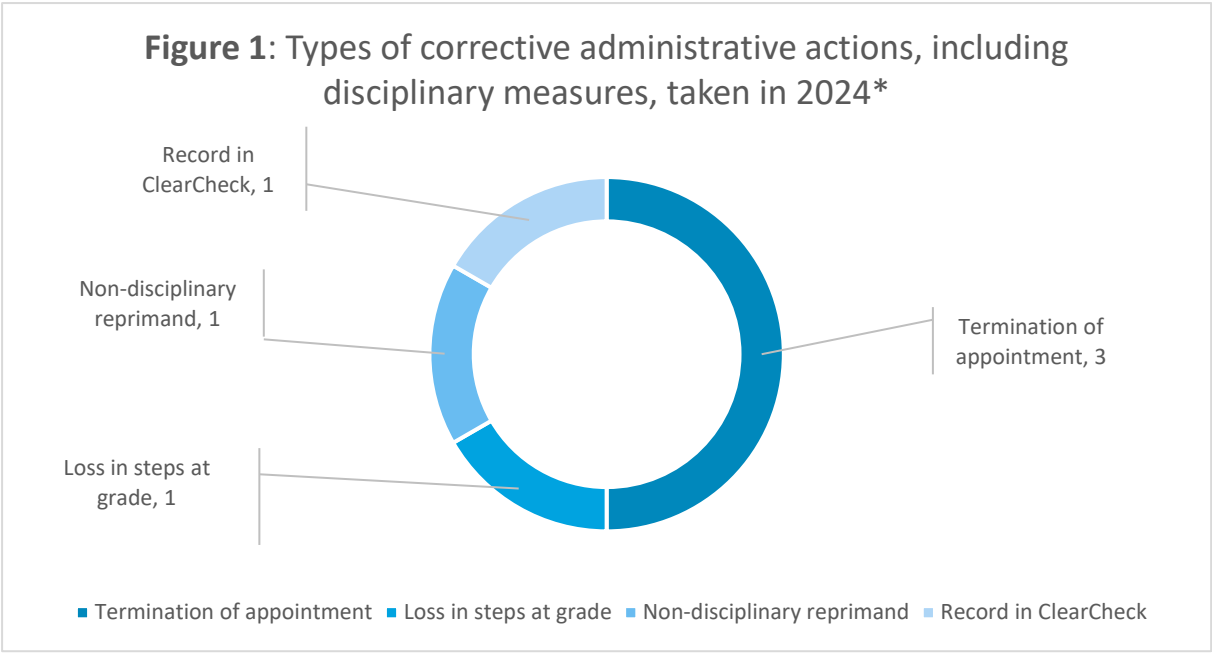
15. The remaining five cases concluded with the imposition of corrective actions: three of them led to the imposition of disciplinary actions, one concluded with the non-disciplinary termination of the staff member's appointment through non-confirmation of probationary appointment and one was followed by a non-disciplinary reprimand. The nature of the corrective administrative actions taken in each of the five cases is outlined in Annex A, Figure 1.
16. Two of these five cases involved female staff members, while the remaining three involved male staff members (Annex A, Figure 2). While the gender discrepancy during the reporting period was less pronounced than in previous periods, the ratio between female and male staff members among the staff members on whom the Organization has imposed disciplinary and other corrective actions continued to reflect a preponderance of male staff members.
17. All five cases concerned misconduct committed by staff members based in offices in the Eastern and Southern Africa region (Annex A, Figure 3).
18. The five cases involved three staff members in the Professional category and two staff members in the General Services category (Annex A, Figure 4).
19. For each case that resulted in the imposition of an administrative or disciplinary measure in 2024, the outline below indicates the nature of the conduct and the measure(s) imposed. In providing the information below, due regard has been given to the protection of privacy of the staff members concerned.

¹ ClearCheck is a secure online database, established to share information among United Nations entities on individuals (subjects) against whom allegations related to sexual harassment, sexual exploitation and sexual abuse have been established. The aim of the database is to prevent the re-employment of such individuals within the UN System. For further details on ClearCheck, please see Sections III.4.2.210 and III.11.2.360-380 of the WHO eManual.

Outline of cases resulting in corrective action

MISUSE OF VEHICLE	<p>A staff member was found to have repeatedly used the office vehicle without authorization for purposes unrelated to the performance of official functions and to have failed to return it to the parking area overnight on numerous occasions without having obtained the required authorization. It was further determined that the staff member had systematically made false or no entries in the vehicle logbook, in contravention of the UNAIDS Vehicle Policy.</p> <p><i>Disciplinary measure imposed: dismissal in accordance with Staff Rule 1110.1.6.</i></p>
UNSUITABILITY FOR INTERNATIONAL CIVIL SERVICE	<p>A staff member was found to have requested prostitution services or sex from two individuals in a former government representative position prior to entry on duty with UNAIDS. It was considered that such prior conduct exposed UNAIDS to significant reputational, legal and financial risks which could considerably prejudice the interests of the Programme in its dealings with the donors, national partners and key beneficiaries at present and in future.</p> <p>It was noted that this conduct, had it occurred during service with UNAIDS, would have amounted to sexual harassment and resulted in a disciplinary measure including summary dismissal in accordance with Staff Rule 1110.1.6 and, if warranted, referral to national authorities.</p> <p><i>Corrective measures imposed: The staff member's actions were found to render the staff member unsuitable for international civil service leading to non-confirmation of the staff member's probationary appointment with UNAIDS and termination. The staff member's name was further registered in the UN Clear Check database.</i></p>
FORGERY	<p>A staff member was determined to have been involved in appending a signature of a contracting party from a previously approved contractual documentation to another UNAIDS contract without previously seeking guidance from the relevant UNAIDS country director and without prior coordination with the other party.</p> <p><i>Corrective measure imposed: non-disciplinary reprimand</i></p>
UNAUTHORIZED USE OF CORPORATE UNAIDS VEHICLE	<p>A staff member was found to have used a UNAIDS office car without prior authorization for non-official purposes, and he was involved in a road accident resulting in extensive damage to the vehicle, requiring disposal thereof. The unauthorized use of the vehicle was found to constitute misuse of corporate assets and to be in violation of the UNAIDS Vehicle Policy. In addition, the late disclosure of the incident to UNAIDS was found to be incompatible with the high level of responsibility, integrity and trust expected between senior officials and UNAIDS.</p> <p><i>Disciplinary measure imposed: loss of two steps at grade in accordance with Staff Rule 1110.3 and WHO eManual section III.11.2, paragraphs 270-290.</i></p>
PROCUREMENT FRAUD AND NON-DISCLOSURE OF CONFLICT OF INTEREST	<p>A staff member was found to have colluded with the spouse to ensure that several procurement contracts were awarded to the spouse's company, to have authorized purchase of goods from the company at an inflated price above the price that was quoted by another company participating in the procurement process and to have failed to disclose the spousal relationship with the owner and management director of the company.</p> <p>It was found that the staff member had engaged in collusion, favoritism, and fraudulent practices as well as failure to declare a pronounced conflict of interest, all of which led to significant procurement irregularities in the country office.</p> <p><i>Disciplinary measure imposed: dismissal</i></p>

ANNEX A



**It is important to note that some cases involved the imposition of more than one corrective action on the same staff member.*

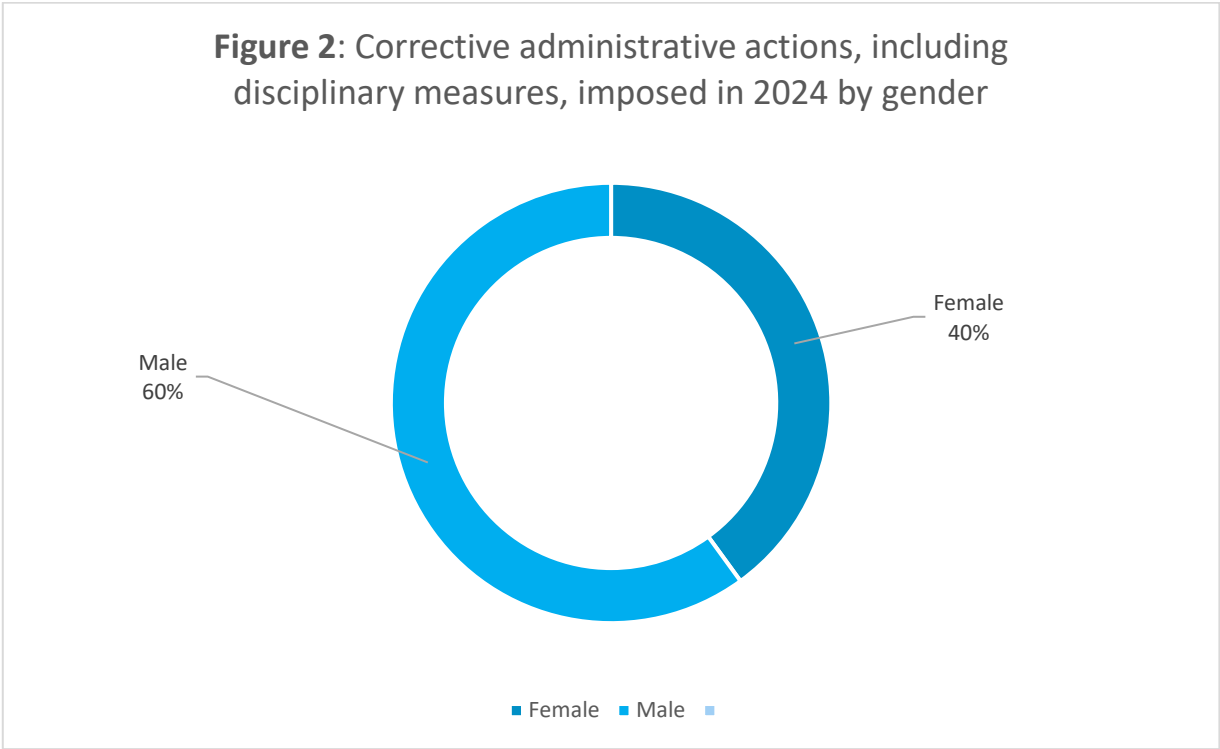


Figure 3: Corrective administrative actions taken, disciplinary measures imposed in 2024 by region

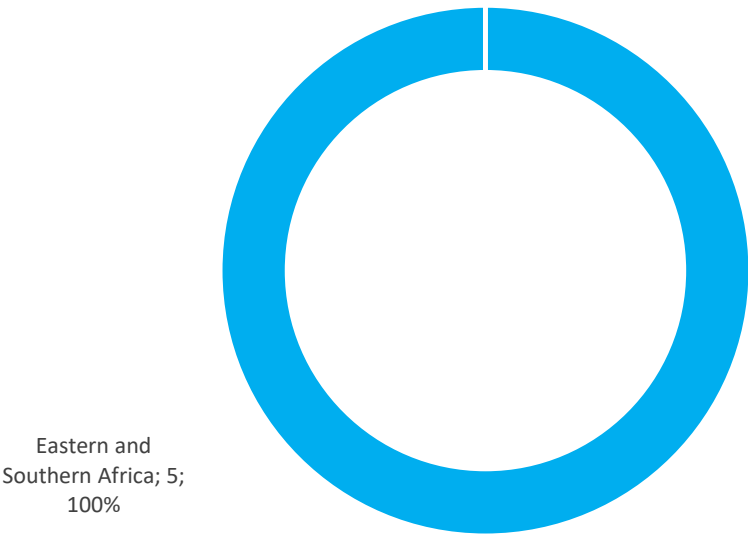


Figure 4: Corrective administrative actions taken, disciplinary measures imposed in 2023 by staff category

