

UPDATE ON STRATEGIC HUMAN RESOURCES MANAGEMENT ISSUES

Administrative Review Statistical Overview 2024

UNAIDS INTERNAL JUSTICE SYSTEM ADMINISTRATIVE REVIEW PROCESS ANNUAL STATISTICAL REPORT 2024

PART I

INTRODUCTION

1. This is the 7th annual statistical overview of administrative review processes in the UNAIDS/World Health Organization ("WHO") Internal Justice System ("IJS") for the period **1 January 2024 to 31 December 2024**. This UNAIDS Programme Coordinating Board ("PCB") conference room paper provides a statistical analysis, overview of trends and outlines lessons learned, recommendations and further observations on the administrative review process in UNAIDS during 2024.
2. The statistics and descriptions in this overview are based on data collected by the HR Policy and Legal Unit ("HPL" or "Unit"), People Management Department ("DPM"), which is responsible for *inter alia* centrally addressing requests for administrative review ("ARs") at UNAIDS.
3. ARs are normally submitted to the Director, DPM. Receipt of ARs is acknowledged by HPL through a dedicated mailbox (hrmlegal@unaids.org), which is independently overseen and managed by the Unit.¹ All incoming requests are monitored by the responsible Officer of the Unit.
4. For further details on the functioning of the mechanisms of the UNAIDS IJS and statistical data for previous reporting periods, please refer to the respective annual overviews for the years 2018–2023².
5. Reference is also contextually made to the 2024 Annual Report of the WHO Global Board of Appeal³.

¹ In accordance with paragraph 14 of DPM/IN 2024-1 on Internal Justice System, a duly signed and dated AR must be submitted to Director, DPM at UNAIDS.

² UNAIDS Internal Justice System. Administrative Review Process. Annual Statistical Report 2023, available on the webpage of the 54th UNAIDS PCB: [PCB54_CRP5_UNAIDS_Administrative_Review_Statistical_Overview_2023_EN.pdf](#); UNAIDS Internal Justice System. Administrative Review Process. Annual Statistical Report 2022, available on the webpage of the 52nd UNAIDS PCB: [PCB52_CRP5_UNAIDS_Administrative_Review_Statistical_Overview_2022_EN.pdf](#); UNAIDS Internal Justice System. Administrative Review Statistical Overview 2021, available on the webpage of the 50th UNAIDS PCB: [PCB CPR 50 Administrative Review Statistical Overview 2021. Update on strategic human resources management issues \(unaids.org\)](#); UNAIDS Internal Justice System. Administrative Review Statistical Overview 2020, available on the webpage of the 48th UNAIDS PCB: https://www.unaids.org/sites/default/files/media_asset/PCB_48_Agenda_Item_6_CRP2.pdf; UNAIDS Internal Justice System. Administrative Review Statistical Overview 2019, available on the webpage of the 46th UNAIDS PCB: https://www.unaids.org/sites/default/files/media_asset/UNAIDS%20Administrative%20Review%20Statistical%20Overview%202019_EN.pdf; UNAIDS Internal Justice System. Administrative Review Statistical Overview 2018, available on the webpage of the 44th UNAIDS PCB: [UNAIDS_PBC44_HR_Mgt_Issues_update_EN.pdf](#).

³ [Annual Report 2024 Global Board of Appeal.pdf](#) (internal document).

HIGHLIGHTS AND TRENDS IN 2024

Some trends and key indicators worth highlighting in respect of the 2024 reporting year include:

Requests for administrative review

6. In 2024, **six (6) new ARs** (*Figure 1*) were received **from six (6) different serving and former staff members**.
7. In 2024, the post-Alignment impact on ARs (and appeals) was still present, yet lesser in intensity compared to the reporting year 2023. Specifically, the number of the ARs (6) and appeals (3) filed in 2024 decreased compared to the same reporting period in 2023 (10 ARs and 8 appeals). While the majority of ARs and appeals filed in 2023 were directly related to the Alignment, only one (1) AR and one (1) appeal filed in 2024 were linked to the Alignment.
8. Instead, the subject matter of ARs (and appeals) filed in 2024 was considerably diverse with each case covering an entirely distinct subject area, hence requiring tailored handling and increased dedication of resources. The vast majority of ARs (and appeals) lodged in 2024 had a background originating from previous years, yet they were only filed in 2024. Although the reasons explaining this trend may vary, there is strong indication that, due to the emphasis previously placed on Alignment-related challenges, challenging/addressing other (often long-standing) legal matters was of a lesser priority for staff members.
9. Overall, whilst the number of ARs and appeals filed in 2024 decreased compared to 2023, 2024 remains one of the years where ARs and appeals were the most diverse in terms of subject matter during the last six years.⁴

Appeals before the GBA

10. In 2024, **three (3) new appeals were submitted** by former UNAIDS staff members before the WHO Global Board of Appeal ("GBA") (*Figure 10*). No appeal was filed by serving staff members. As at 31 December 2024, two (2) appeals remained pending before the GBA, while one (1) appeal was pending before the UNAIDS Executive Director ("EXD") for final decision. Reference in this regard is made to the Global Board of Appeal annual report for 2024⁵.
11. For further information on the subject matter and related trends of appeals filed in 2024, please refer to paragraphs 6-9 of this paper.

Complaints before the ILOAT

12. The number of complaints submitted before the ILO Administrative Tribunal ("ILOAT") remained increased in 2024, requiring oversight, coordination and follow-up, as necessary and appropriate, in close coordination with the WHO Office of the Legal Counsel. As at 31 December 2024, thirteen (13) complaints, submitted by serving or former UNAIDS staff members between 2020 and 2024, remained pending before

⁴ In 2023, ten (10) ARs were received from eight (8) different staff members. In 2022, twelve (12) ARs were received from fourteen (14) different staff members. In 2021, a total of seven (7) ARs was submitted.

⁵ [Annual Report 2024 Global Board of Appeal.pdf](#) (internal document).

the ILOAT. Five (5) new complaints were lodged before the ILOAT in 2024 against final administrative decisions made by the EXD, including one (1) implicit rejection.

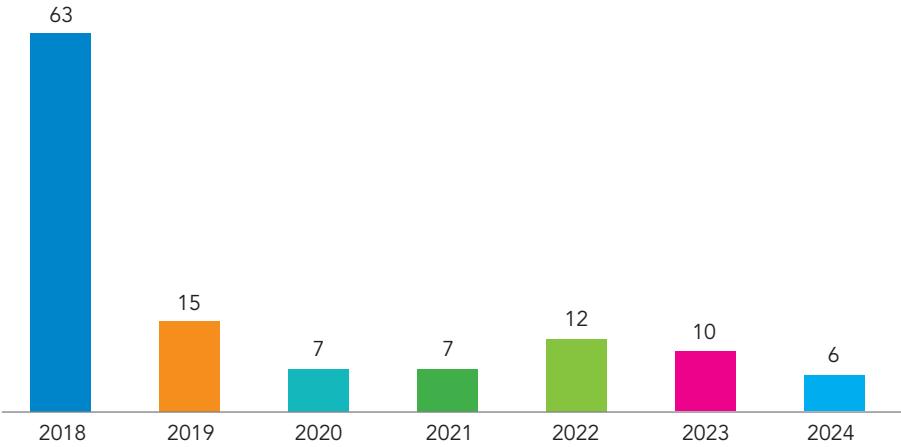
13. As stated above, the subject matter of ARs filed in 2024 was considerably diverse with only one (1) AR directly concerning the institutional restructuring exercise (Alignment). Specifically, two (2) ARs concerned termination of appointment, one (1) AR concerned non-extension of appointment, two (2) ARs concerned non-selection, and one (1) AR concerned recovery of benefits and entitlements (*Figure 2*).
14. In two (2) out of six (6) cases, extensive efforts to informally resolve the matters were undertaken by DPM.
15. In 2021 and 2022, the ARs were filed solely by staff members holding fixed-term contracts. However, in 2023, eight (8) ARs were submitted by holders of fixed-term appointments and two (2) ARs were submitted by holders of temporary appointments under Staff Rule 420.4⁶ adapted for special needs of UNAIDS⁷. In line with the trend of the reporting year 2023, four (4) ARs filed in 2024 originated from staff members holding fixed-term appointments and two (2) ARs originated from holders of temporary appointments under Staff Rule 420.4 (*Figure 6*).

⁶ Staff Rule 420.4 provides as follows: "A "fixed-term appointment" is a time-limited appointment of up to two years [...]"

⁷ The adaptation to Staff Rule 420.4 on Appointment Policies (temporary appointments) for staff members of UNAIDS provides as follows: "[a] "temporary appointment" is a time-limited appointment of up to two years. New temporary appointment(s) can be issued without a period of non-employment beyond two years to a third year by the discretionary decision of Director, Department of People Management (DPM) and, exceptionally, to a fourth year by decision of the Executive Director. The total duration of uninterrupted service under consecutive temporary appointments with UNAIDS shall not exceed four years".

ARs from 2018⁸ to 2024

Figure 1. Number of AR requests per year from 2018 to 2024



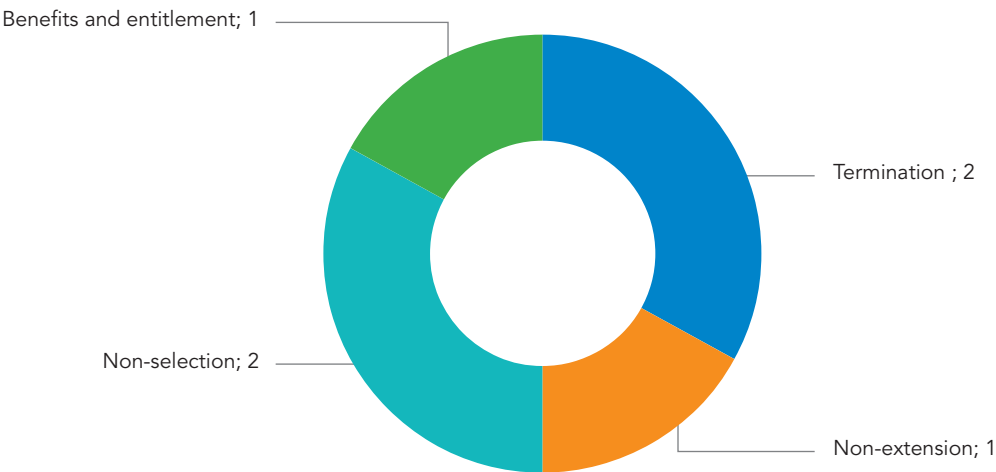
AR requests by category:

16. Below (Figure 2) is a detailed breakdown of the **six (6)** ARs received in 2024 across **four (4)** different subject categories:

- a. Termination – 2;
- b. Non-extension – 1;
- c. Non-selection – 2
- d. Benefits and Entitlements – 1

17. In 2024, ARs concerned diverse and cross-cutting subject matters without a clear Alignment-focused trend as observed in ARs submitted in 2023.

Figure 2. 6 AR requests received from 1 January to 31 December 2024



⁸ The number of ARs for the year of 2018 includes forty-seven (47) ARs arising in relation to the International Civil Service Commission ("ICSC") compensation matters (i.e. Geneva post adjustment and changes to education grant). The Administrative Review Statistical Overview for 2018 is available on the webpage of the 44th UNAIDS PCB.

18. Figure 3, below, displays the categories of all ARs between 1 January 2018 and 31 December 2024. During said period, Alignment-related ARs emerged as the most prevalent category alongside ARs related to Salaries, Benefits and Entitlements, Selection and Disciplinary Process.

Figure 3. Categories of AR requests in 2018–2024



ARs by location and structural unit:

19. In 2024, ARs filed by staff members based in UNAIDS regional and country offices prevailed (66,6% of all ARs), in line with the trend of the reporting year 2023 and in contrast to the reporting years preceding 2023, where most ARs had been submitted by staff members based in the UNAIDS Global Centre (*Figure 4*). In 2024, one (1) AR was submitted by a staff member based in the UNAIDS Country Office ("UCO") in the LAC region, one (1) AR was filed by a staff member based in the UCO in ESA region, one (1) AR originated from a staff member based in the UNAIDS Regional Support Team ("RST") in the WCA region, one (1) AR originated from a staff member based in the RST in AP region, and two (2) ARs were submitted by staff members based in the UNAIDS Global Centre (*Figure 4.1*).
20. A total of 33,33% (corresponding to two ARs) of all ARs was received from staff members located in the UNAIDS Global Centre (Geneva), while the remaining 66,66% (corresponding to four ARs) were submitted by staff members based in UCOs and RSTs. Specifically:
 - a. Two (2) ARs originated from the UNAIDS Global Centre in Geneva.
 - b. Two (2) ARs were filed by staff members based in UCOs.
 - c. Two (2) ARs were submitted by staff members located in RSTs.

The lack of a clear trend is linked to the absence of a well-defined pattern in relation to the subject matter of ARs challenged by staff members in 2024. In contrast, a clear pattern was observed in the reporting year 2023, where the ARs correlated with the institutional changes resulting from the Alignment as well as the fact that the majority of positions abolished in Alignment were in the UNAIDS Global Centre in Geneva.

Figure 4. AR requests by location in 2019–2024

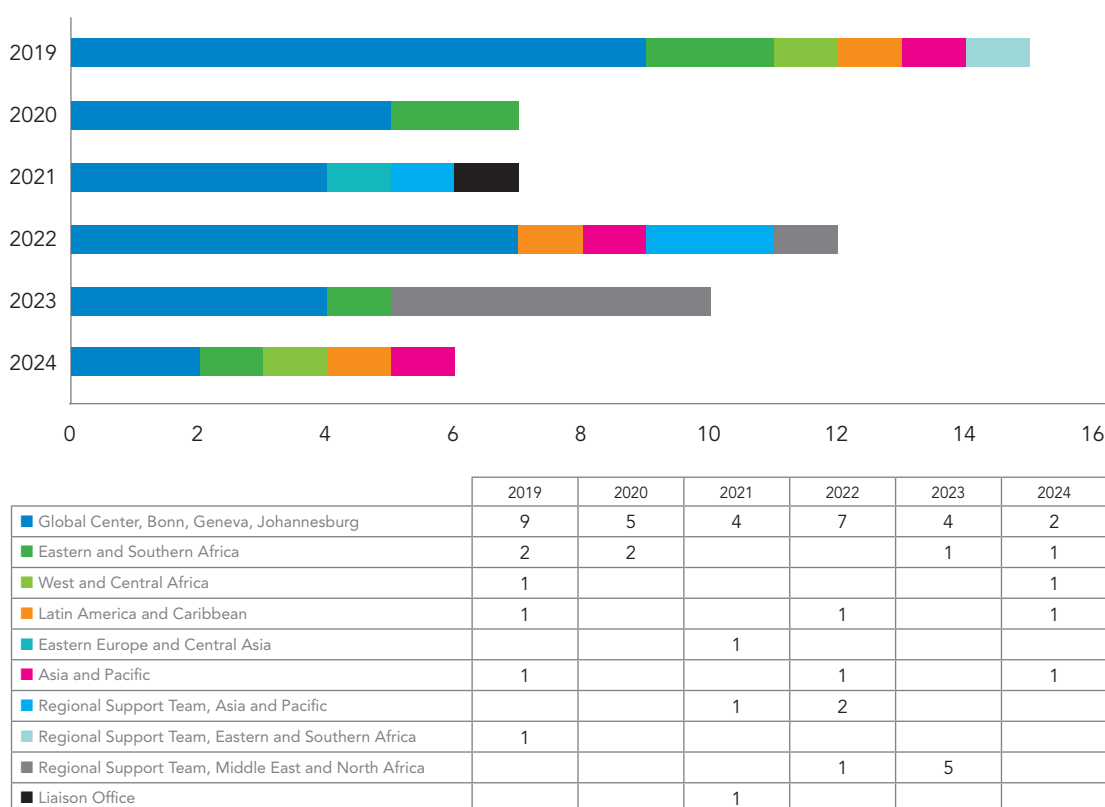
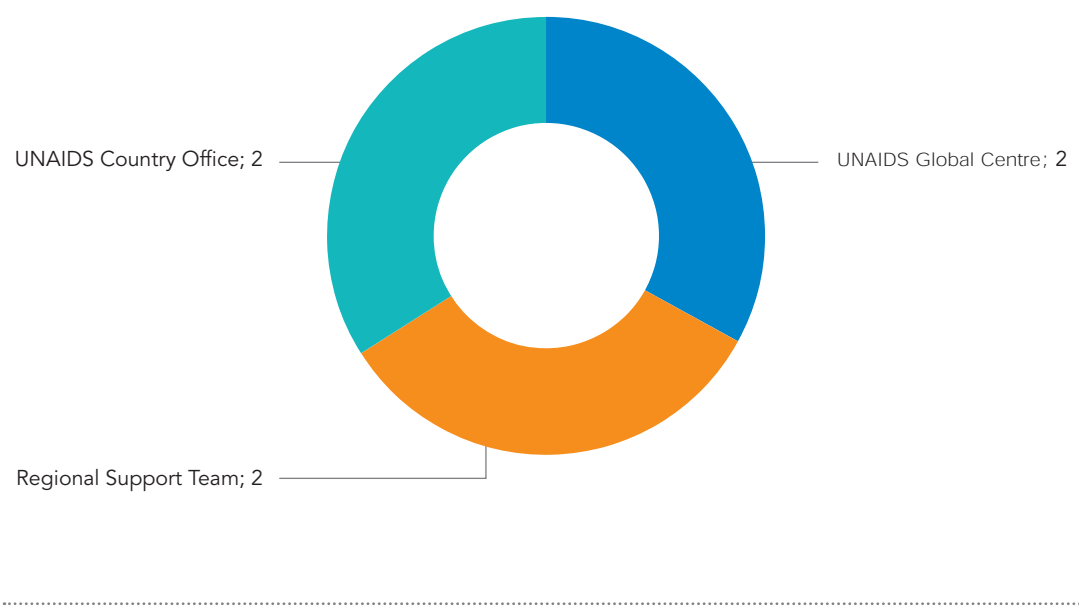
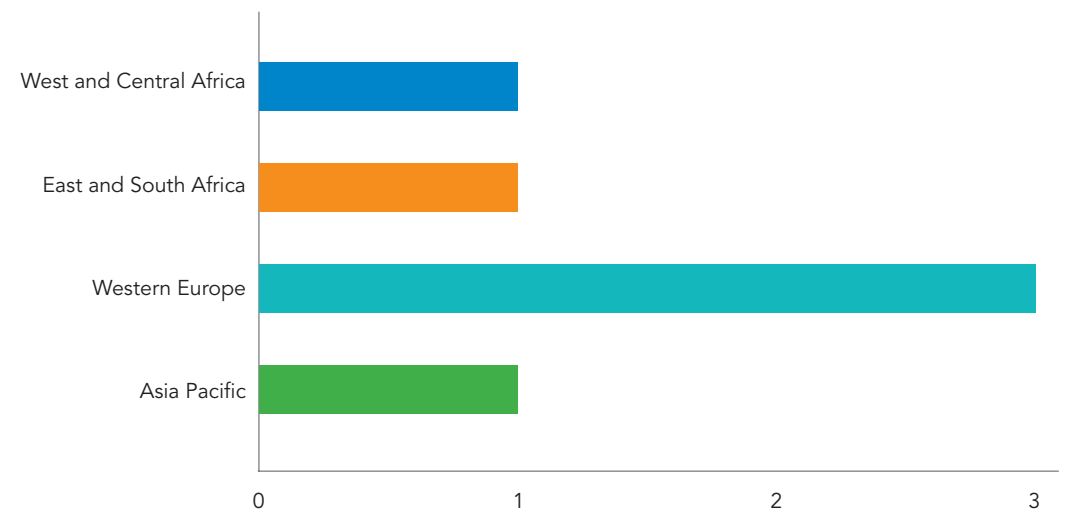


Figure 4.1 6 staff members filed 6 AR requests in 2024 by branch/practice/support team/department/office/unit



ARs by region of nationality of staff members:

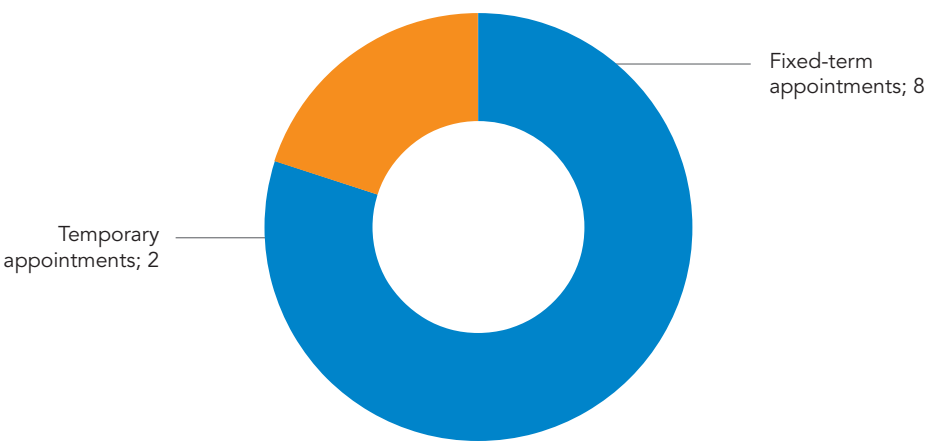
Figure 5. 6 AR requests by region of nationality of 6 UNAIDS staff members, who filed their requests in 2024



ARs by type of appointment, contract status and category:

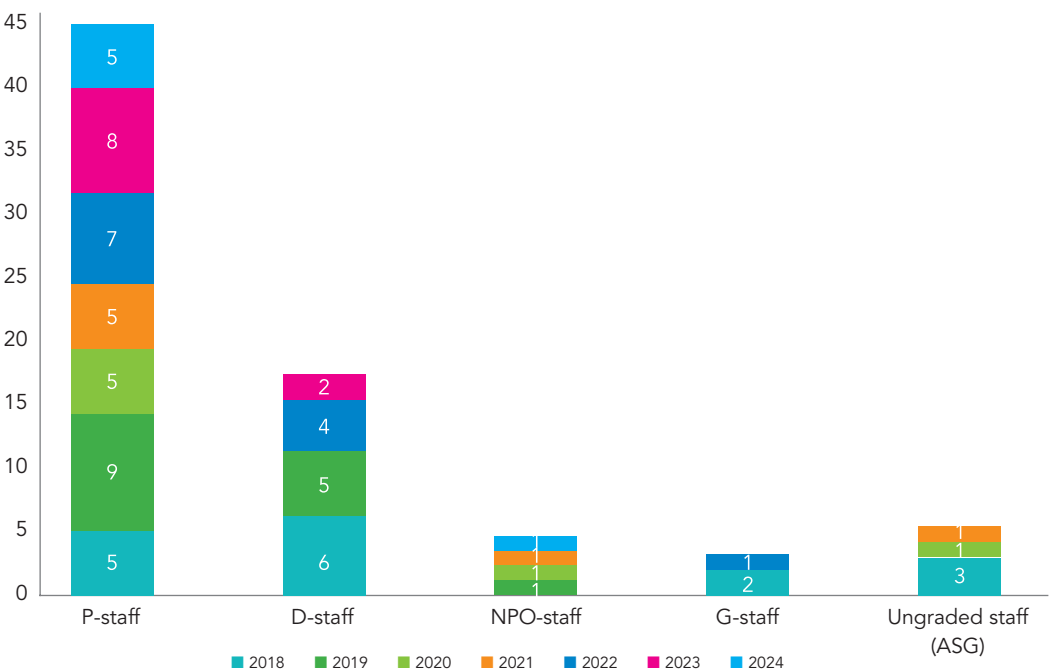
21. Whilst ARs in previous reporting periods originated predominantly from staff members holding fixed-term appointments, two (2) ARs were submitted in 2024 by holders of temporary appointments (similarly to the reporting year 2023) and four (4) ARs were filed by holders of fixed-term appointments. This suggests a steady increased awareness about the internal justice system and its recourse mechanisms among staff members holding temporary appointments.

Figure 6. AR requests by type of appointment in 2024



22. ARs were predominately submitted by staff members in the Professional and higher category (5 out of 6 ARs). No request was submitted by staff members at the Director level. No ARs were submitted by locally recruited staff members. One (1) AR was submitted by a National Professional Officer (NO-B). Reference is made to *Figure 7*.

Figure 7. 6 AR Requests by staff category in 2018–2024



All ARs by gender:

23. Among six (6) ARs filed in 2024, three (3) ARs were submitted by male staff members and three (3) ARs were submitted by female staff members. This indicates a proper balance in terms of accessibility and use of the available recourse mechanisms by staff members of both genders.
24. In the years preceding 2023, ARs had predominantly been submitted by female staff members. However, from 2023 and 2024, a trend of balance in terms of gender is observed. In total, thirty-one (31) ARs were submitted between 2019 and 2024 by female staff members, as opposed to twenty-six (26) ARs submitted by male staff members.

Figure 8. Gender of staff members in AR requests in 2019–2024

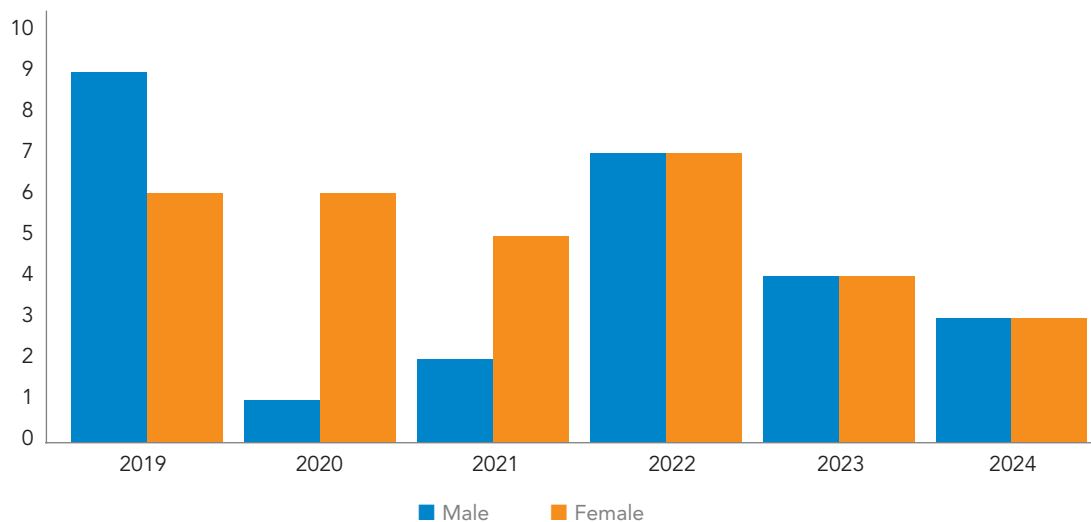


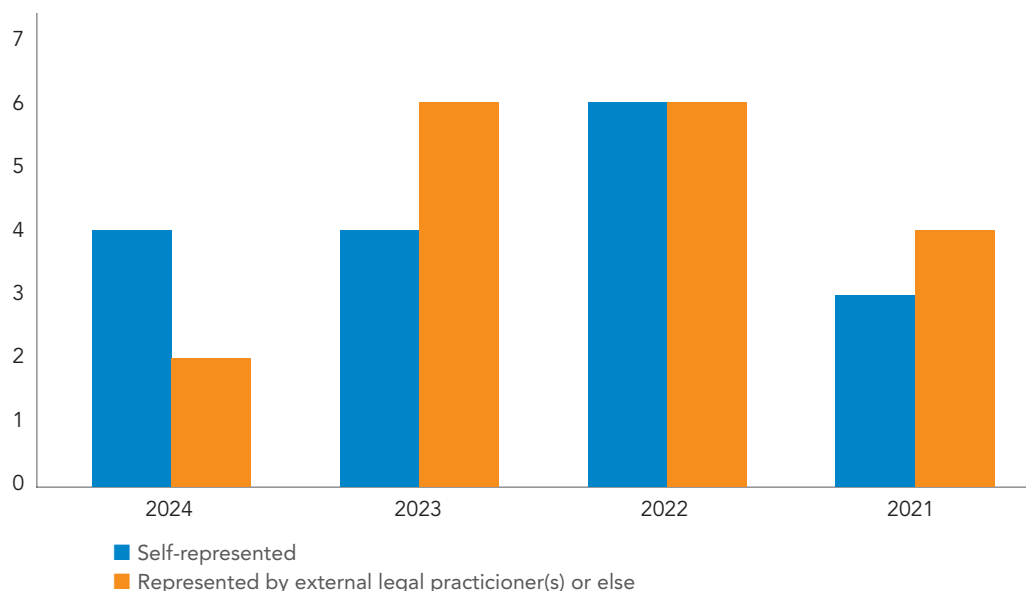
Figure 8.1 Gender of staff members in AR requests in 2019–2024



Representation at the stage of administrative review

25. In 2024, staff members chose to be represented by a professional outside legal counsel or a person of choice in two (2) ARs and were self-represented in four (4) ARs.

Figure 9. Representation in AR requests in 2021–2024



Status of review of ARs submitted as at 31 December 2024:

26. In 2024, a total of 4 (four) final administrative review decisions were issued.
27. One (1) AR submitted in December 2024 remained pending as at 31 December 2024; the final administrative review decision in that case was issued in 2025, within the statutory time limit, as extended due to extensive informal resolution efforts.
28. One (1) AR filed in late November 2023 was issued at the beginning of 2024; the final administrative review decision in that case was issued within the statutory time limit.
29. Out of the six (6) ARs filed in 2024, one (1) AR was withdrawn before issuance of the final administrative review decision at the request of the staff member.
30. In three (3) out of the four (4) final administrative review decisions issued in 2024, the original impugned decisions were entirely upheld. In one (1) out of those four (4) final administrative review decisions issued in 2024, the original impugned decision was partially upheld with compensation being granted to the staff member concerned.
31. Overall, in two (2) out of six (6) ARs filed in 2024, informal resolution efforts were undertaken.

32. An amicable resolution was found in one (1) case in 2024 and efforts to informally resolve the matter were ongoing in one (1) other case as at 31 December 2024. The case successfully resolved did not escalate to the appeals stage.
33. Out of the four (4) final administrative review decisions issued in 2024, only one (1) was appealed. This is explained by the fact that in one (1) out of those four (4) final administrative review decisions, the AR was granted in part, thereby achieving an equitable resolution of the case. In the remaining two (2) final administrative review decisions issued in 2024, which were not challenged, the Organization managed to demonstrate that the impugned decision had been made in accordance with the applicable legal framework and related principles.
34. As at 31 December 2024, there was no extension of the deadline for issuance of the final administrative review decision in any of the six (6) ARs filed in 2024.⁹ This is a significant milestone demonstrating the Organization's commitment to timely delivery of justice and respect of timelines, and a significant improvement compared to the reporting year 2023, during which the relevant deadline had been extended in seven (7) out of ten (10) ARs.
35. The average review time of an AR in 2024 was 60 calendar days, compared to 69 calendar days in 2023, improving adherence to the applicable statutory timeframe.¹⁰

Specialized (or subject-matter specific) review mechanisms

36. In 2024 (similarly to 2023 and 2022), there was no case filed within the regulatory framework of the UNAIDS Classification Review Standing Committee intended to process cases related to classification review requests or the UNAIDS Global Rebuttal Panel in the context of resolution of disputes related to the outcomes of performance evaluation.

⁹ In accordance with paragraph 90 of Section III.12.3 of the WHO eManual, "[t]he deadline of sixty (60) calendar days to conduct an administrative review [...] may be extended by the Director, [DPM], including in the event that the staff member submits an amended request for an administrative review, in case of joined administrative reviews, for the purpose of informal resolution, or where additional decisions are pending or expected (e.g. outcome of a reassignment process following abolition of post) or where the extension is based on other reasonable grounds, such as illness".

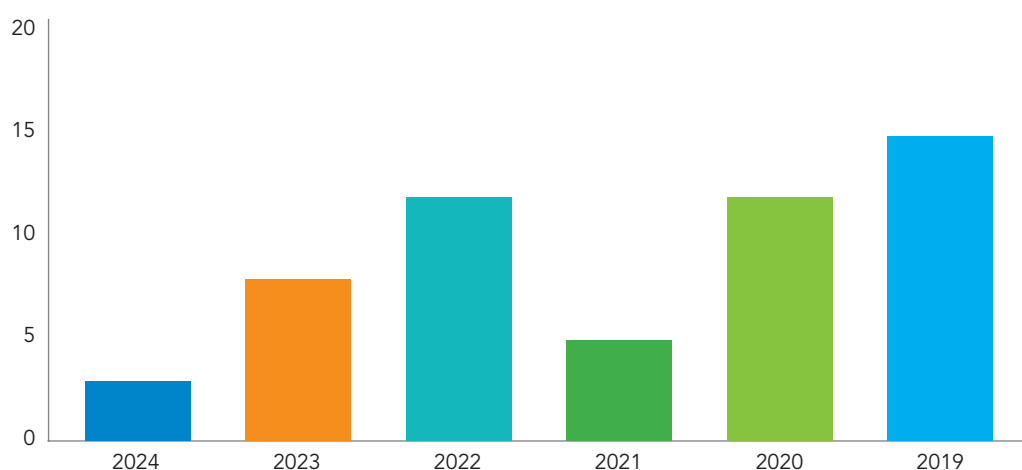
¹⁰ In accordance with Staff Rule 1225.4, the final decision on a request for administrative shall be communicated in writing to the staff member within sixty (60) calendar days of receipt of the complete request for administrative review.

Decisions further appealed:

A. Appeals before the GBA in 2024

37. In 2024, a total of three (3) new appeals were submitted before the GBA by (former) UNAIDS staff members¹¹ (compared to 8 in 2023, 12 in 2022, 5 in 2021, 12 in 2020 and to 15 in 2019).

Figure 10. Appeals submitted by UNAIDS staff members in 2019–2024

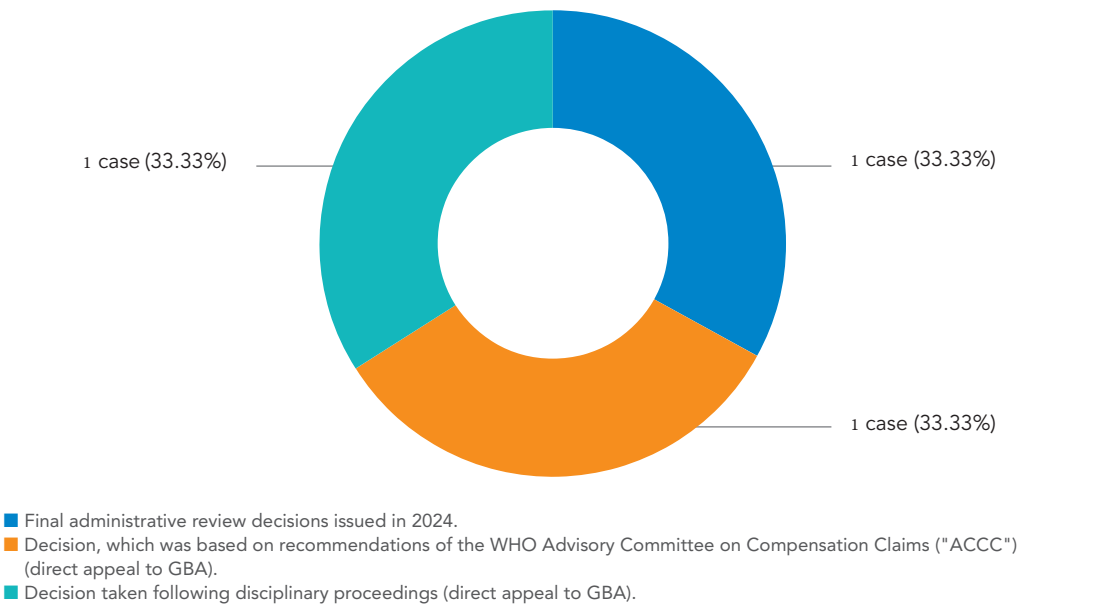


38. The appeals submitted in 2024 challenged final administrative review decisions or other decisions directly impugned before the GBA without requiring submission of an AR, as per *Figure 11*.¹² Specifically, only one (1) appeal was submitted against a final administrative review decision issued in 2024; one (1) appeal was filed against the final decision of the WHO Director-General following recommendations of the WHO Advisory Committee on Compensation Claims ("ACCC"); and one (1) appeal was lodged against the final decision to terminate the staff member's appointment for misconduct (under Staff Rule 1110.1.6 – dismissal).

¹¹ [Annual Report 2024 Global Board of Appeal.pdf](#) (internal document).

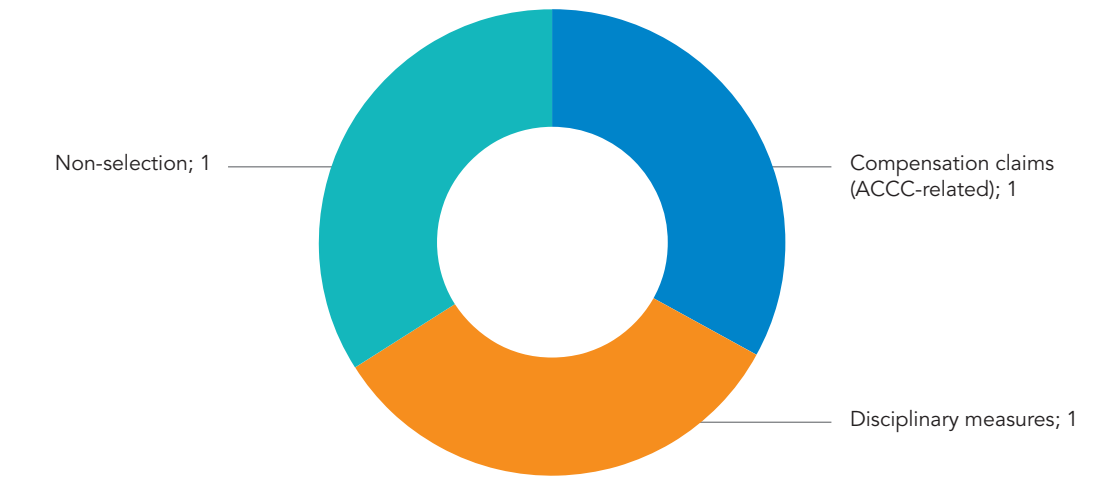
¹² In accordance with paragraph 45 of Section III.12.3 of the WHO eManual, "[p]ursuant to Staff Rule 1225.1, the following final administrative decisions shall not be subject to administrative review under Staff Rule 1225 (Administrative Review) and shall be appealable directly before the Global Board of Appeal under Staff Rule 1230 Global Board of Appeal): i. decisions based on recommendations of the Advisory Committee on Compensation Claims (ACCC); ii. decisions based on recommendations of a Classification Review Standing Committee, or otherwise taken under the applicable Procedures; iii. decisions taken pursuant to the WHO policy on Preventing and Addressing Abusive Conduct; and iv. decisions imposing disciplinary measures or written reprimands pursuant to Staff Rule 1110 or Staff Rule 1115".

Figure 11. Decisions appealed to the GBA in 2024



39. In 2024, the appeals related to the following categories:

Figure 12. 3 appeals by category in 2024

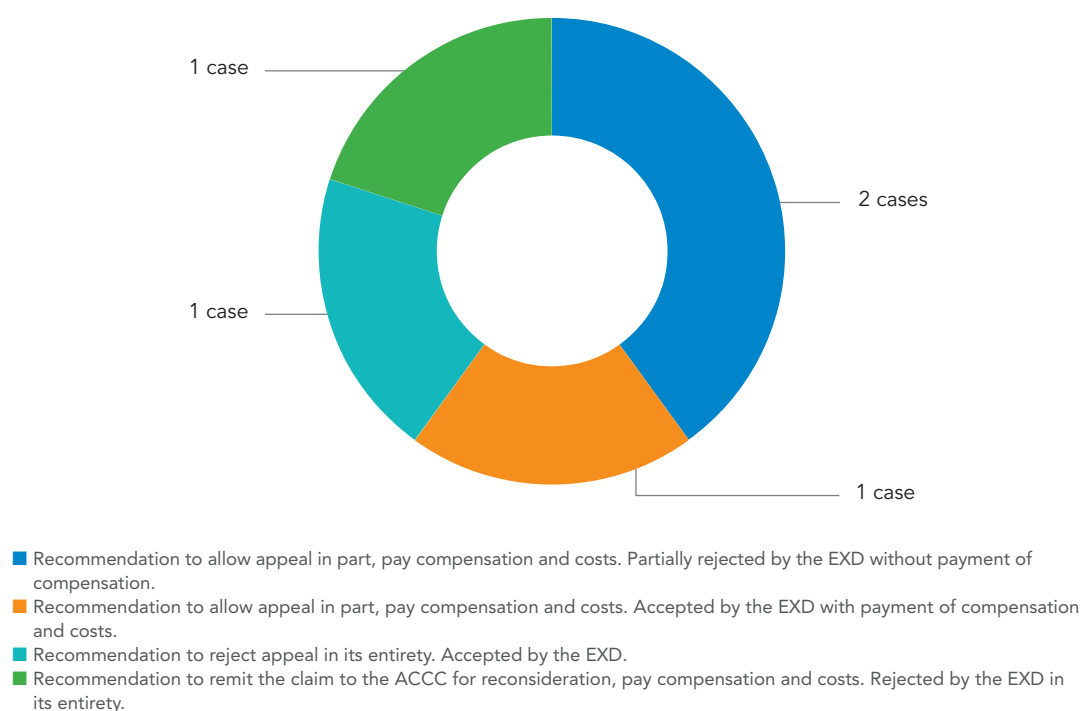


40. As at 31 December 2024, two (2) appeals were pending before the GBA (one of which was only assessed on the basis of receivability without initiation of pleadings' submission) and one (1) case was under review by the EXD following issuance of the GBA recommendations.

41. None of the three (3) appeals filed in 2024 was assessed as amenable to informal resolution, notably due to the subject matter of the appeal.

42. Four (4) appeals were reported to the 54th PCB as pending before the Board as at 31 December 2023. In 2024, all four (4) final decisions of the EXD in the said appeals were issued.
43. In 2024, the EXD made a total of five (5) final decisions following receipt of the GBA's recommendations in accordance with Staff Rule 1230.6.1, and one (1) further final decision as the matter had been remitted by the ILOAT to the Organization for a new decision. For further details on the final decisions made by the EXD in 2024, please consult *Figure 13*.
44. As at 31 December 2024, three (3) final appeal decisions made by the EXD in 2024 were contested before the ILOAT in accordance with Staff Rule 1240,¹³ as well as one (1) final decision made by the EXD after the matter was remitted by the ILOAT to the Organization for a new decision. In addition to the above, one (1) implicit rejection was contested before the ILOAT in 2024. Therefore, a total of five (5) complaints were lodged before the ILOAT against UNAIDS decisions in 2024.

Figure 13. EXD decisions on appeals in 2024



45. The average time for the EXD to review the report of the GBA and to provide the appellants and/or their representatives with the final decision upon appeal increased to 101,6 calendar days due to *inter alia* HPL's functioning with very limited resources amidst increased workload.

¹³ Staff Rule 1240 provides as follows: "Disputes between the Organization and a staff member which cannot be resolved internally may be referred to the Administrative Tribunal of the International Labour Organization, in accordance with the provisions of the Statute of the Tribunal".

Representation at the stage of appeals before the GBA

46. In accordance with paragraph 180 of Section III.12.4 (GBA Rule 280) of the WHO eManual, the Appellant may be self-represented during the appeal process or may be represented by another person, including an external legal counsel at the Appellant's own expense. If he/she is being represented by another person, the Appellant must submit to the Board a duly signed and dated Power of Attorney appointing his or her representative.
47. In 2024, the representation was as follows:
- i. representation by external legal practitioners – in 2 (two) cases;
 - ii. self-representation – in 1 (one) case.

B. Complaints filed before the ILOAT

48. In 2024, five (5) new complaints were lodged with the ILOAT challenging final decisions of the EXD or implicit rejections.
49. As at 31 December 2024, thirteen (13) outstanding complaints submitted during the period 2020–2024 were pending before the ILOAT.
50. Following its 137th session (January 2024), the Tribunal issued two (2) decisions relevant to UNAIDS. First, in a case concerning dismissal for misconduct, the ILOAT ordered that the matter be remitted to the EXD for a further decision on the complainant's internal appeal and payment of 10 000 USD as costs. UNAIDS implemented ILOAT's judgment without delay. Second, in another case concerning dismissal for misconduct, the ILOAT dismissed the complaint and upheld the impugned decision. The Tribunal's judgements are publicly available on the website of the ILOAT.¹⁴
51. Following its 138th session (July 2024), the ILOAT issued nine (9) decisions, by means of which it rejected all nine (9) complaints filed by (former) UNAIDS staff members against the Organization. Therefore, the impugned decisions were upheld in their entirety and no compensation or costs were awarded. The Tribunal's judgements are publicly available on the website of the ILOAT.¹⁵

¹⁴ ILO Administrative Tribunal, 137th Session.

¹⁵ ILO Administrative Tribunal, 138th Session.

PART II

Continued practice, trends and lessons learned

Emphasis on efforts of informal resolution of workplace disputes:

As in previous years, DPM made considerable efforts towards *conflict prevention and early resolution* through results-oriented policy and legal advice and dispute resolution efforts at all operational stages on a range of diverse subject matter ARs.

The informal resolution efforts are continued and special emphasis on informal dispute resolution and involvement of different stakeholders such as UNAIDS Ethics Office, WHO Ombudsperson Office, Staff Welfare and Wellbeing Counsellor as well as WHO Staff Health and Wellbeing Services has now been placed upon issuance of the updated UNAIDS Information Note on Internal Justice System, which was promulgated in the second quarter of 2024. Successful conflict resolution has the potential to significantly reduce operational and financial costs as well as human and health impact of formal litigation, with speedy and informal resolution rebuilding trust and satisfaction among staff members.

Diligent documentation and record keeping in administrative decision-making processes:

Several cases during the reporting period highlighted the importance of consistent and diligent record keeping and the need to record comprehensive documentation pertaining to administrative decisions and clear and transparent communication of these reasons to the staff members concerned. Particularly where administrative and decision-making processes are complex, span over a long duration and involve multiple stakeholders, considerations and actions taken should be recorded in a timely, consistent and coherent manner to ensure transparency, accountability and compliance with applicable rules and policies. Adherence to these basic principles of good administration can considerably reduce the risks of formal litigation and dissatisfaction with final administrative decisions made.

Update and revision of existing rules and policies:

UNAIDS has undertaken a serious effort to revise and update its rules and policies so that they remain in line with best practices and confirm the Organization as an employer of choice. In 2024, UNAIDS issued an updated version of the Flexible Working Arrangements Policy, the Introduction to Staff Regulations and Staff Rules for Staff Members of UNAIDS, and the Internal Justice System framework. The Organization currently reviews its framework to identify further areas of policy optimization.

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