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Организация
Объединённых Наций по
вопросам образования,
науки и культуры

منظمة الأمم المتحدة
للترقية والعلم والثقافة

联合国教育、
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The Director-General

H.E. Mr Mohamed Sameh Amr
Chairperson of the Executive Board
UNESCO House



18 August 2015

Ref.: DG/15/6886

Dear Mr Chairperson,

I write with regard to the letter that you sent to me on 17 August, 2015. I wish to express my surprise that you have not yet shared the letter that I sent to you on 13 August, 2015, with the members of the Executive Board as I had kindly requested, in order to inform all members of my decision to withdraw the Internal Oversight Service (IOS) Information Report. Let me take this opportunity to underline that it is my constitutional right to withdraw such an IOS Information Report, which falls under my authority.

As I informed you in my letter of 13 August, 2015, I was requested in a letter sent by the Ambassador and Permanent Delegate of France to UNESCO, dated 5 July, 2015, co-signed by a number of Members of the Executive Board, to seek a legal opinion from the Legal Counsel of the United Nations. I wish to inform that I have already informed the Ambassador and Permanent Delegate of France and other members of Executive Board of my decision to withdraw the IOS Information Report. Given that a number of Member States are thus already aware of my decision, I would request that my letter of 13 August, 2015 be circulated to all Member States at the earliest possible time.

With reference to the last meeting of the Bureau, held on 7 August, 2015, and the Explanatory Note that you prepared, you had indicated to the members of the Bureau and the Deputy Director-General, who represented me at this meeting, of your intention to request the comments of all members of the Bureau on the Explanatory Note before its distribution to the Executive Board. On this basis, I would, therefore, kindly request the opportunity to comment on the Explanatory Note before its distribution, and look forward to receiving it to this end.

With regard to the other issues of a legal nature that you raise in your letter, I have asked the Legal Advisor for her opinion on these matters. I would add further that this does not preclude my decision to withdraw the IOS Information Report.

Thanking you in advance, I remain,

Yours sincerely,

Irina Bokova
Irina Bokova



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Executive Board
Conseil exécutif
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Исполнительный совет
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执行局

The Chairperson

Ms Irina Bokova
Director-General of UNESCO

Ref.: GBS/SCX/2015/086

17 August 2015

Dear Madam Director-General,

With reference to your letter of 13 August (ref: DG/15/6652), I believe that it raises several legal issues that need to be clarified in order to ensure that no further confusion will arise when we circulate your letter to the members of the Executive Board, as you have requested.

Therefore, I have communicated my concerns of legal nature to the Legal Advisor of UNESCO, in her capacity as the Legal Advisor of the governing bodies (copy of my letter is attached herewith). I have requested this information to be provided before your letter can be circulated to the members of the Executive Board, and I intend to attach a copy of her relevant legal opinion together with your letter when it is circulated to the members of the Executive Board.

In the meantime, I would highly appreciate it if you could provide us with the "UN system rules, the standard UN system practice, as well as the due process rights of staff members concerned, and the possible liabilities for the Organization", as indicated in your letter.

Moreover, I would also appreciate it if your Office could resend to my secretariat your letter dated 5 July, that you refer to in your correspondence of 13 August, since we do not have it in our records.

In addition, you have stated in your letter that you "fully accept the responsibility of such a decision in [your] capacity as the Chief Administrator Officer of the Organization in conformity with the respective obligations foreseen in Article VI, paras 3 to 6 of UNESCO's Constitution." I kindly ask that you clarify this, as well as the assertion that you have sought the external legal opinion of the UN Legal Counsel "on a personal basis". Clarification would also be appreciated of the value of the informal legal opinion that you have obtained with respect to the formal decision-making process initiated by the Executive Board at its 196th session on that particular issue.

Given the importance of this matter, I look forward to receiving your reply to the above in order to have a full picture before circulating your letter dated 13 August to all members of the Executive Board, as per your request.

Yours sincerely,


Mohamed Sameh Amr



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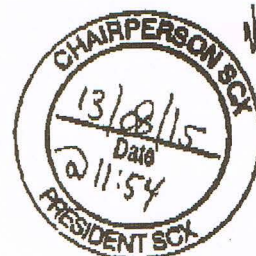
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The Director-General



H.E. Mr Mohamed Sameh Amr
Chairperson of the Executive Board

Ref: DG/15/6652

13 August 2015

Dear Mr Chairman,

Following the letter addressed to me by a number of Members of the Executive Board dated 22 July, raising concerns over the distribution by me of the "Information Report on the Examination of UNESCO's Recruitment Procedure in Response to Questions by the Executive Board" produced by the Internal Oversight Service (IOS) as to the potential liabilities incurred for the Organization, I have informally approached the Legal Counsel of the United Nations on a personal basis, within the full authority of my function, in order to seek his views on the release by me of the above-mentioned Information Report (which contains confidential/private information) and the process leading to its preparation within the Secretariat.

Let me underscore in that context, that by consulting the Legal Counsel of the United Nations, it has not been my intention to challenge the right of the Executive Board and its Bureau to take decisions and to ask for clarifications.

It is this same understanding that guided my reading of the letter sent to me by a number of Member States in which they requested me to seek an independent legal advice, notably with regard to the information "of a personal and confidential nature" disclosed in the said Report in order to respond to the concerns expressed by these Member States "about the risks, including the liabilities, to which its distribution may have exposed the Organization."

My consultation with the Legal Counsel of the United Nations was solely about my action in releasing a report containing confidential/personal information about a UNESCO staff member and whether it was in line with UN system rules, the standard UN system practice, as well as the due process rights of staff members concerned, and the possible liabilities for the Organization.

Based on the advice I have received from the Legal Counsel, I wish to inform you that I cannot but withdraw the above-mentioned Information Report in order to mitigate the risks of potential financial and legal liabilities as well as reputational damage which the Organization is likely to incur as a result of the disclosure of confidential/private information thereby breaching due process

...

rights of a number of staff referred to in the said Information Report, outside the scope of the investigation procedure itself. I therefore kindly request you to disregard the Information Report and to convey to the Members of the Executive Board the same request, so as to mitigate the potential incurred liabilities for the Organization. Let me add, Mr Chairman, that I stand ready to further discuss these issues with you and the Members of the Executive Board in whatever



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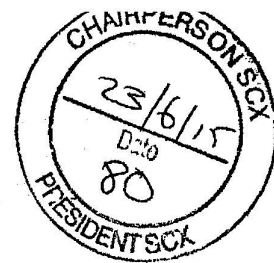
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The Director-General



H.E. Mr Mohamed Sameh Amr
Chairperson of the Executive Board
UNESCO House

23 June 2015

Ref.: DG/15/5270

Dear Chairperson,

In response to your request of 5 May 2015 (Ref: GBS/SCX/2015/048) attached, please find the report of the Internal Oversight Service responding to the questions presented in your letter. The report also addresses other matters raised to the Internal Oversight Service during the course of their examination. I trust that you will find this information to be useful and responsive to all the Bureau's queries on this matter.

With my best personal wishes, I remain,

Yours sincerely,

Irina Bokova



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CONFIDENTIAL

**Internal Oversight Service
Audit & Investigation Sections**

IOS/AUD/INV/2015/05

Original: English

**Information Report on the Examination of
UNESCO's Recruitment Procedure in Response to
Questions of the Chair of the Executive Board**

June 2015

Background

1. During the 196th session of the Executive Board, members raised issues in private session regarding the recruitment procedure for the Assistant Director-General for Strategic Planning and Service (IOS). In a letter to the Director-General dated 5 May 2015, the Chairperson of the Executive Board articulated five specific points that IOS was to cover. In addition, a range of concerns, perceptions and rumors were raised during the private session and also subsequently raised to IOS during this examination.
 2. This report is structured to first answer the five specific points raised in the letter of the Chairperson and, following that, to address the concerns, perceptions and rumors brought to the attention of IOS.
 3. It is important to keep in mind that this is not an investigation report of staff conduct. It is an information report to the Director-General responding to the matters raised by the Executive Board. UNESCO's investigative process and associated administrative process is designed to protect the rights of individuals through the point of final resolution. Where such investigation is being undertaken, this report does not pre-empt such due process and is therefore limited to factual matters responding to the abovementioned points. In this regard, IOS will issue a separate investigative report addressing any matters of staff conduct and will issue an internal audit report containing recommendations to improve transparency and control of senior-level recruitments.
- Point No. 1: Varying criteria contained within post descriptions of various SMT posts when advertised, e.g., the level of qualifications specified in the Vacancy Notice of recently advertised Assistant Directors-General (ADG) posts appears lower than those of other ADGs within the Organization. Moreover, the latest Vacancy Notice of the ADG/BSP post indicates qualification requirements at a lower level than a previous advertisement for the same post.**
4. This is correct. Until 2013, all Vacancy Notices for ADG posts stated that an advanced degree was a required qualification for the posts. In one instance (ADG/CLT), a PhD or equivalent was required.
 5. Since 2013, UNESCO has advertised six ADG posts (SC, SHS, CLT, IOC, AFR and BSP). For five (SC, SHS, CLT, AFR and BSP) the Vacancy Notices cite as required education qualification "an advanced degree or equivalent professional experience." In these five Vacancy Notices, a Ph.D. level degree in a relevant field is cited as a desirable qualification. For IOC, the Vacancy Notice requires an "advanced university degree, preferably at doctorate level." Annex I presents a detailed profile of the advertised qualifications required for ADGs from 2000 to 2015, and Annex II presents the actual qualifications of the incumbents.
 6. HRM officials explained to IOS that this trend of introducing "equivalent professional experience" in lieu of the requirement for an advanced degree was introduced under the guidance of the former Director of HRM, Ms Thompson-Flores, and approval of the Director-General. Ms Thompson-Flores explained to IOS that these changes in educational requirements were introduced to (i) broaden the pool of candidates, (ii) better align UNESCO with the UN Secretariat and (iii) facilitate inter-agency mobility. However, in this regard, no formal policy change is documented.
 7. IOS identified five recent Vacancy Notices available on-line at the level of Assistant Secretary-General at other UN organizations (the UN Secretariat, UNEP, WIPO and FAO). In four of the five Vacancy Notices, no educational qualifications were specified. The one Vacancy Notice that cited an educational requirement also specified that equivalent professional experience would be acceptable. Thus, while the minimum educational requirement for UNESCO's ADGs has generally been lowered in recent years, this practice is not unique to UNESCO.

Point No. 2: In current vacancies within UNESCO, it appears that numerous posts from Director to lower Professional level require a Masters' degree, or higher, yet it would appear that **this was not always a requirement of posts at higher levels.**

8. **This is correct.** Advanced degrees or higher were required for **64 percent** of the vacancies at the **Professional** level and **50 percent** at the **Director** level for recruitments undertaken during 2014 and 2015. By contrast, **only one out of six** Vacancy Notices for **ADG posts** for the period 2013 to 2015 required an advanced degree. These data indicate a **high number of deviations** to the standard educational requirements as set forth in the Human Resources Manual. Further information on this is presented in the point below.

Point No. 3: Information on UNESCO's policy on qualification requirements is requested, together with clarification regarding the number of posts for which the advertised qualification requirements **differed from the policy** set out in the Human Resources Manual and the basis on which such deviations in policy were made.

9. Per Item 5.3 of the Human Resources Manual, candidates for posts in the Professional and higher categories should normally possess at the minimum a completed advanced university degree (Master's degree or equivalent) in a field of study relevant to the functions as reflected in the Vacancy Notice. These standard requirements have been established since 2009.

Table 1: Standard recruitment criteria for International Professional posts

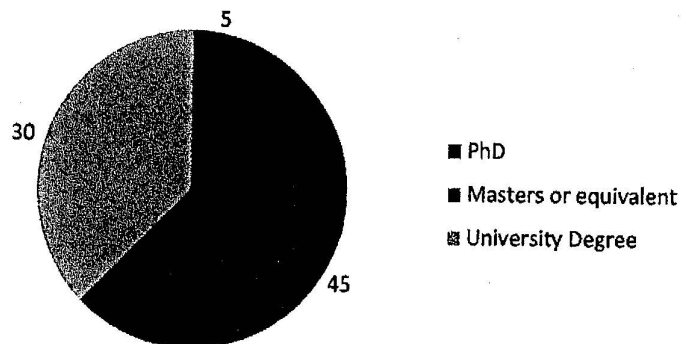
Grade	Minimum number of years relevant professional experience	Education
P-1/P-2	Less than 2 years; Less than 1 year for candidate with Ph.D.	Advanced university degree (equivalent to Masters) in the relevant field or equivalent professional qualification
P-2	2 to 4 years, of which preferably 1 year acquired at international level	
P-3	4 to 7 years, of which preferably 2 years acquired at international level	
P-4	7 to 10 years of progressive responsible relevant experience, of which preferably 3 to 5 years acquired at international level	
P-5	10 to 15 years of progressively responsible relevant experience, of which preferably 5 to 7 years acquired at international level	

10. As HR Manual Item 5.3 provides for deviations from these standard criteria in cases where the hiring manager determines that, for specific occupational groups, the requirement of an advanced university degree may be replaced by a combination of relevant qualifications, certification and professional experience. In such cases the hiring manager is to consult HRM when establishing the Vacancy Notice. It is relevant to note that the HR Manual does not define what amount or level of relevant professional experience could be equated to an advanced degree.

11. UNESCO conforms to the above requirements for minimum number of years of relevant professional experience when recruiting at the Professional and higher grades.

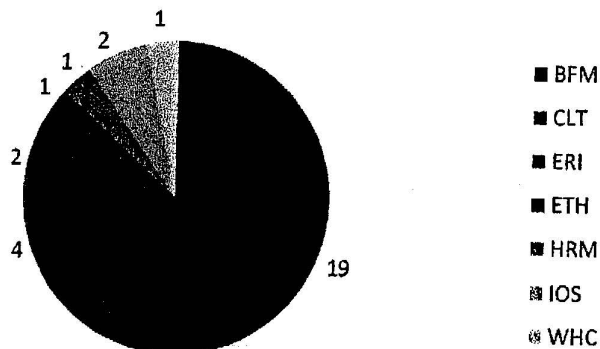
12. With regard to education, the following exhibit summarizes the minimum educational requirements as presented in the Vacancy Notices for the recruitment of all UNESCO Professional posts from January 2014 to May 2015.

**Educational requirements for Professional post recruitments
2014 - 2015**



13. The 30 instances where educational requirements fall below the standard requirement for an advance degree pertain to recruitments in various sectors and services; however most are in the Bureau of Financial Management.

Deviations from the HR recruitment policy



14. HRM explained that the replacement of the advanced degree with a combination of other relevant qualifications occurs when the recruiting Sector / Bureau requests such a change for specific occupational groups. This practice is consistent with HR Manual Item 5.3: The rationale for this is to adapt to the requirements of a particular job where the possession of an advanced degree is not essential and is secondary to other specific qualifications.

15. BFM explained that the 19 posts noted above were mainly for budget, finance and administrative officers, generally in field offices. Setting the educational requirement as a university degree was a conscious decision in order to solicit interested candidates who had relevant professional experience but who may not have an advanced degree. These are mainly entry-level Professional posts and provide career development opportunities for current personnel. BFM also explained that all staff is expected to acquire the standard professional certification once in the position.

16. In two instances, the posts required a recognized accountancy qualification rather than an advanced degree. Similarly, for the IOS posts, internationally recognized auditing qualifications were substituted for the requirement for an advanced degree at the P-3 level and were a desired

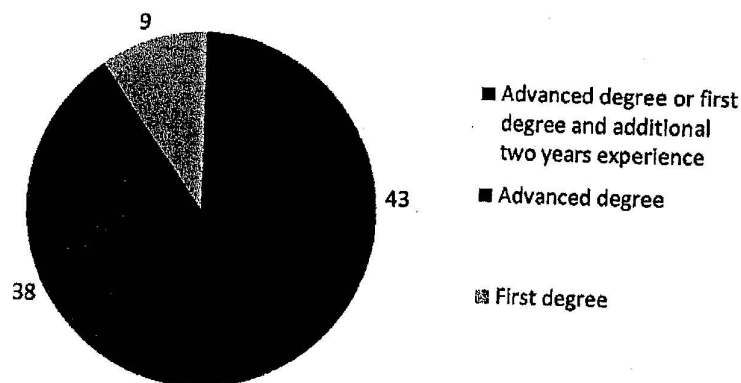
qualification for the P-1/2 level. As for BFM, all junior audit staff is expected to acquire the necessary standard professional certifications once on board.

17. For the two ERI posts, technical qualifications and experience in information technology was required instead of an advanced degree, exceptions which are consistent with the HR Manual.

18. For the remaining seven posts in various sectors and services, the rationale for not requiring an advanced degree **is not clearly established** and is thus **not compliant to the described policy**.

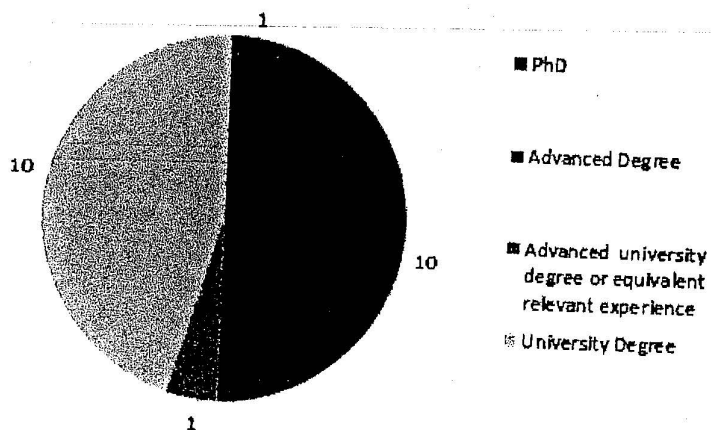
19. Across the UN system, some agencies have adopted a more flexible approach whereby candidates are required to have either (i) an advanced degree or (ii) a first degree with additional experience. An examination of current Vacancy Notices across the UN system showed the following:

**Minimum educational requirements in recent Vacancy Notices
for Professional posts of other UN organizations
(Open for Recruitment in June 2015)**



20. The following exhibit summarizes the educational requirements as presented in the Vacancy Notices for the recruitment of UNESCO Directors from January 2014 to May 2015.

**Minimum educational requirements for Director posts in UNESCO
(January 2014 to May 2015)**



21. As indicated above, 11 of 22 Vacancy Notices for Director posts met or exceeded the educational requirements called for in the HR Manual, and 11 were lower than the established standard. Director of Field Office posts accounted for 10 of the 11 deviations. HRM explained that, at this senior level in the field offices, the candidates' proven track record was more important than their advanced education which was normally completed many years before. With regard to the 2014 advertisement for Director of HRM, which called for an advanced degree or equivalent extensive professional experience, IOS noted that this requirement was consistent with the previous Vacancy Notice for this post in 2010.

22. A review of 11 Vacancy Notices for Director posts in the UN Secretariat showed that all of these include requirements for either an advanced degree or a first degree and a specific number of years' additional experience. However, other organizations within the UN system, such as WHO, FAO, IFAD and UNDP, routinely require at least an advanced degree at the Director level.

Point No. 4: Clarification is sought on the role of Ms A.L. Thompson-Flores, in her capacity as Director of HRM, in the preparation of the Vacancy Notice for the post of Assistant Director-General of Strategic Planning when this post was advertised. Similarly, clarification is also sought on the role of Ms Thompson-Flores in the procedure followed for the recruitment of the Director of HRM post, which resulted in her nomination to that post in May 2011, while she ensured the interim of the post. Members of the Bureau understand that one of the Staff Associations also asked for clarification or investigation into the conflict of interest when Ms Thompson-Flores was appointed as Director of HRM. Therefore, members of the Bureau would appreciate receiving a copy of this and any related investigation.

23. The role of Ms A.L. Thompson-Flores in the preparation of the Vacancy Notice for the post of ADG/BSP: In her capacity as Director of HRM, Ms Thompson-Flores participated in the preparation of the Vacancy Notice for ADG/BSP. The Director-General instructed Ms Thompson-Flores by email dated 3 June 2014 to proceed with the Vacancy Notice for the post of ADG/BSP. Thereafter, she contributed to the drafting of the Vacancy Notice and was party to a range of correspondence with, for example, ODG, the then-incumbent ADG/BSP and HRM personnel relating to the preparation of the Vacancy Notice. The Vacancy Notice was finalized on 29 July 2014 by the HRM Recruitment and Classification Section per the instructions of the Director of the Office of the Director-General (ODG) and following review by the Director-General. Ms Thompson-Flores was in copy of the email transmitting the final Vacancy Notice to the Office of the Director-General.

24. With regard to the recruitment process for the post of ADG/BSP, the vacancy was advertised on 4 August 2014 and closed on 4 October 2014. Ms Thompson-Flores submitted her CV through UNESCO's on-line recruitment system on 3 October. Shortly after the closing of the advertisement, and having been informed of Ms Thompson-Flores' candidature in the meanwhile, the Director-General assigned the supervision of the recruitment process to another senior human resources officer. The Director of ODG communicated the Director-General's instruction to all HRM staff involved in the recruitment process on 8 October 2014. It should be noted that Ms Thompson-Flores submitted her motivation letter supporting her candidature by email on 20 October, 16 days after closure of the advertisement. The process for receiving and accepting application material after the closure date is the subject of IOS investigation.

25. The Director-General appointed a pre-selection committee and evaluation panel on 10 October 2014 comprising ADG/ED, ADG/AFR, CFO, DIR/ODG and a Senior HR Officer. Of a total of 205 applicants, 195 were retained after pre-screening for further review by the pre-selection committee. The pre-selection committee completed the review of the 195 candidates and initially recommended to the Director-General on 22 October seven candidates for interview (including Ms Thompson-Flores and three other internal candidates). The Director-General instructed the committee on 23 October to reconsider and present to her a list of candidates with better geographical representation. The committee then removed two candidates of four

candidates from one geographical group and added one from another geographical group that was not initially on the list. On 24 October the Director-General approved the final list of six candidates for interview (including Ms Thompson-Flores and the three other internal candidates).

26. The panel interviewed the six candidates on 3 November and presented its conclusions to the Director-General on 4 November. The Director-General interviewed the candidates on 4 November and decided to appoint Ms Thompson-Flores to the post of ADG/BSP. It is worth clarifying that the Director-General's decision on this appointment was dated 3 November. This was explained as being a mistake in recording the date, and evidence (e.g., email exchanges) show that the document signed by the Director-General was only finalized and presented to her on 4 November.

27. **The role of Ms Thompson-Flores in the procedure followed for the recruitment of the Director of HRM post:** The post of Director of HRM was initially advertised in December 2009 and cancelled in May 2010. At the time of the preparation of the Vacancy Notice and launching of the advertisement for the post, Ms Thompson-Flores was the Deputy Director of HRM. The Vacancy Notice required an "advanced university degree in human resources, public or business administration or management or other related fields." The Director-General assigned Ms Thompson-Flores as a member of the pre-selection committee for this post together with a Director from the Education sector and a Senior Executive Officer from ODG. The Director-General also designated the members of the evaluation panel for this recruitment which comprised the ADG/IOC, ADG/ED a.i., DIR/BOC, DIR/LA and DIR/BFC a.i. Ms Thompson-Flores was not a member of the evaluation panel. After establishing the shortlist, and interviewing and assessing the qualifications of six shortlisted candidates, the evaluation panel presented its conclusions on the relative strengths and weaknesses of each candidate to the Director-General. Based on the conclusions presented by the evaluation panel, the Director-General formally decided on 11 May 2010 to re-advertise the post.

28. It is relevant to note here that the Director-General appointed Ms Thompson-Flores as DIR/HRM a.i. on 1 February 2010.

29. The post was re-advertised in October 2010.

30. Leading up to the re-advertisement, the Vacancy Notice was re-assessed and modified by HRM recruitment staff and by Ms Thompson-Flores in her capacity as Director of HRM a.i. The modifications made by these HRM staff at this stage were a mixture of editorial and substantive changes, but no changes were made at this stage with regard to educational qualifications and not all revisions were included in the final version of the Vacancy Notice. (While multiple drafts are available in the recruitment file, the sequence of changes and the authors of changes are not completely clear.) The draft Vacancy Notice as revised by HRM staff was then submitted to the Director of ODG for the Director-General's review and approval. Further changes were made at this stage lowering the educational requirements from advanced degree to an "advanced university degree in human resources, public, business administration or management or other related fields, or equivalent extensive professional experience." The process for lowering educational requirements is the subject of IOS investigation.

31. For comparison purposes, Annex III presents the educational requirements for all Director posts subject to recruitment from 2009 to 2015. This shows that an advanced degree was normally required for Director posts in UNESCO.

32. During the period of re-advertisement from 15 October to 15 December 2010, 279 applications were received. Ms Thompson-Flores submitted her application for the post on 15 December within the required timeframe for applications. From this pool of applicants, a pre-selection committee comprising the ADG/ADM, DIR/IOS and D/DIR/AFR retained 15 candidates for the consideration of the evaluation panel. The evaluation panel comprising the DDG, ADG/ADM, ADG/CI, DIR/IOS, ADG/ERI and DIR/ODG identified five candidates to be interviewed. Two of these five withdrew from the process prior to their interviews, and another was added to the shortlist from the 15 candidates identified by the pre-selection committee in order to ensure a sufficiently competitive process for the post.

33. The evaluation panel presented its conclusions to the Director-General on 14 April 2011, and on 17 April 2011 the Director-General decided to appoint Ms Thompson-Flores to the post.

34. There are no prior IOS investigation reports related to this recruitment.

Point No. 5: Full information is requested on the drafting and approval process for senior level Vacancy Notices to be advertised and how any potential conflicts of interests are managed.

35. **Drafting and approval for senior level Vacancy Notices:** HR Manual Item 5.3 assigns the responsibility for the preparation of Vacancy Notices for Director and above posts as follows:

- HRM in collaboration with ODG; prepares Vacancy Notices for the DDG, ADGs and Directors of Bureau/Office;
- ADG or Director of Bureau prepares Vacancy Notices for Director posts within the Sector/Bureau;
- DIR/ODG prepares Director of Liaison Office Vacancy Notices;
- ADG/BSP prepares Director of Field Office Vacancy Notices;
- ADG of the Sector concerned, in collaboration with the Institute / Centre concerned, prepares Vacancy Notices for Directors of Category 1 Institutes and Centres posts (except for DIR/UIS, which is prepared by DIR/ODG).

36. The supervisor of the post prepares the Vacancy Notice on the basis of the job description and in line with the requirements of HR Manual set out above.

37. For ADG posts, HRM officials explained to IOS that there is no procedural requirement that a job description be established. HRM further explained that a job description is required for classification purposes to determine the level of the post, and ADG posts are already classified and are established in line with the General Conference approval of the Programme and Budget.

38. **Management of potential conflicts of interests:** The notion of conflict of interest is defined by paragraph 23 of the *Standards of Conduct for the International Civil Service* stating that "conflicts of interest may occur when an international civil servant's personal interests interfere with the performance of his/her duties or call into question the qualities of integrity, independence and impartiality required the status of an international civil servant. Conflicts of interest include circumstances in which international civil servants, directly or indirectly, may benefit improperly, or allow a third party to benefit improperly, from their association with their organization. Conflicts of interest can arise from an international civil servant's personal or familial dealings with third parties, individuals, beneficiaries, or other institutions".

39. The *Standards of Conduct* also require that "if a conflict of interest or possible conflict of interest does arise, the conflicts shall be disclosed, addressed and resolved in the best interests of the organization." Such a duty to disclose possible conflicts of interest shall be considered as part of the overall behavior required from an international civil servant, including qualities as honesty, truthfulness, impartiality and incorruptibility as set forth in paragraph 5 of these Standards of Conduct. Such qualities are considered as basic as those of competence and efficiency.

40. Potential conflicts of interest fall into the mandate of the Ethics Office and are to be reported to the Ethics Adviser as set forth in Item 18 of the Human Resources Manual. The Ethics Adviser will then assess the situation and provide appropriate advice. In some circumstances, the Ethics Adviser may also refer conflicts of interest for investigation by the Internal Oversight Service.

41. While there is an ongoing duty of all staff members to disclose potential conflicts of interest according to the above paragraph, **there is no separate procedure or mechanism in place specifically for conflicts of interest with regard to recruitment of senior management staff.** In particular with regard of the posts of DDG, ADGs and Director of Bureau/Office, the current policy

states that Vacancy Notice preparation is undertaken by HRM in collaboration with ODG (Paragraph 13 of Item 5.3.B of the Human Resources Manual). **Should personnel of HRM or ODG be candidates for such posts, a potential conflict of interest would arise requiring disclosure, assessment and mitigation.**

42. In the present instances of the recruitments of the ADG/BSP and DIR/HRM, Ms Thompson-Flores disclosed her candidature following the finalization of the respective Vacancy Notices or during the application period **rather than before the preparation of the respective Vacancy Notices.** This conflict of interest (i.e., preparation of the Vacancy Notice and subsequently becoming a candidate for the posts) **was not reported to the Ethics office and therefore was not effectively addressed.** The disclosure and management of conflict of interest associated with these recruitments **is the subject of IOS investigation.**

During the course of this examination, several other matters were brought to the attention of IOS by Member States, staff and former staff. These matters, often reported by multiple sources, are addressed below.

43. **Concerns regarding the academic qualifications of Ms Thompson-Flores:** Both the candidate CV and the Ivory Notes announcing the appointments of Ms Thompson-Flores state that she has an **"MBA – certificate"** from the John Cabot University in Rome. The copy of this credential in the personnel file showed that Ms Thompson-Flores obtained a **"Certificate in Management"** from the John Cabot University. This certificate was never explicitly presented by Ms Thompson-Flores as an advanced university degree and was never used by UNESCO to fulfill an essential qualification for the UNESCO recruitment processes in which she was a candidate. However, the incorrectly cited "MBA Certificate" is presented in the Ivory Note alongside the Bachelor of Science degree thus potentially leading to different interpretations as to the degrees obtained. It should also be noted that an advanced degree was deemed to be a desired qualification. **The presentation of academic qualifications is the subject of IOS investigation.**

44. **Concerns regarding destroyed, altered, removed or inserted documentation into or from the official recruitment files for the posts of DIR/HRM and ADG/BSP:** Access to the archive room containing the recruitment files is restricted and the keys are limited to three persons directly in charge of the recruitment processes. IOS did not note gaps or irregularities in the files examined. **Several individuals mentioned to IOS that there was a risk of alteration of files in the custody of HRM, but none could provide specific information on missing documents.** In one instance, an interviewee speculated that a certain document would not be in the files; however, this speculation was incorrect and the original contemporaneous documentation was retained and available in the file.

45. **Assertion that the second recruitment process of DIR/HRM, re-advertised on 15 October 2010, was also cancelled in order to facilitate a non-competitive appointment of the Director a.i. to the post:** This assertion is incorrect. The initial process in December 2009 was re-advertised and the second recruitment was completed resulting in the appointment.

46. **Absence of consultation with the Executive Board prior to the issuance of the Administrative Circular AC/HR/41 relating to the recruitment of senior management staff:** Rule 59, paragraph 2, of the *Procedures of the Executive Board* requires that *"The Director-General shall consult, on the basis of a relevant document, the Executive Board at least every two years regarding the structure of the Secretariat and, in particular, on any important changes he contemplates making in it, and on any questions of policy involved in making appointments to senior posts in the Secretariat."* In this regard, HRM confirmed to IOS that the Executive Board was not consulted prior to the issuance of the Administrative Circular AC/HR/41 relating to the recruitment for senior management staff.

47. **Concerns that the Administrative Circular AC/HR/41 was issued at the same time as an ongoing external audit of HRM and prior to the recruitment process of ADG/BSP:** The process of developing this new policy started in late 2013 in response to a recommendation of the External Auditor in 2011. The Policy Unit of HRM stated that the issuance of this administrative circular was dependent on the Unit's priorities and workload, and it was definitely overdue.

According to the Policy Unit, this Administrative Circular had nothing to do with the ongoing External Audit in 2014 (*Forward-looking management of jobs, staffing and skills*), nor was it related to any specific recruitment process. It is worth pointing out that HRM consulted with the staff associations and with LA in finalizing the Administrative Circular.

48. Assertions regarding the decreasing role of assessment centres, independent experts on evaluation panels and face-to-face interviews following issuance of the Administrative Circular AC/HR/41: The Administrative Circular did not substantively modify the provisions relating to assessment centres, independent experts and face-to-face interviews. These provisions were optional prior to the issuance of the Administrative Circular and remained optional after its issuance. The potential use of independent experts was actually formalized for senior staff recruitments in the Circular. While assessment centres are not currently used because of the financial implication, they do remain optional. Travel for face-to-face interviews for external candidates was reduced pursuant to Administrative Circular AC/HR/25 dated 25 September 2012 relating to cost efficiency measures. However, face-to-face interviews of external candidates that are recommended for appointment are still permissible as needed.

49. Concern regarding a re-advertised Vacancy Notice for the post of ADG/BSP: There was no re-advertisement for the post of ADG/BSP.

50. Concern regarding comments provided by the former ADG/BSP during the Vacancy Notice preparation for the recruitment of ADG/BSP: The then-incumbent ADG/BSP provided HRM with comments on the draft Vacancy Notice for recruitment of the successor ADG. While several comments were taken incorporated in the final Vacancy Notice, the suggestion that the minimum educational requirement be a PhD was not retained by HRM; instead, a PhD was included as a desired qualification. The former ADG/BSP's comments and the revision by HRM are included in the recruitment file and were provided to ODG as part of the 'Vacancy Notice' preparation. The rationale provided by HRM on the revision was to align the Vacancy Notice with other ADG Vacancy Notices (ADG/SC, ADG/CLT and ADG/SHS) as approved by the Director-General.

51. Concern regarding the competencies and experience of the candidate appointed to the post of ADG/BSP: The pre-selection and evaluation panel's role was to assess 195 candidates against the requirements set forth in the Vacancy Notice. The evaluation panel interviewed a shortlist of six candidates. On 4 November 2014, the Director-General decided to appoint one of these candidates. In the opinion of IOS, the appointed candidate **did not meet two of the 16 required qualifications**. The Vacancy Announcement required a "*demonstrated experience in developing and managing the preparation of the programme and budget of a large international organization, including budgeting techniques and results-based budgeting approaches*" which was not met by the candidate. Further, it was not shown that the candidate had a "*demonstrated ability in the field of resource building and mobilization.*" In this regard, IOS considers that this recruitment process did not comply with the requirement of Item 5.3 of the Human Resources Manual relating to the assessment of the candidates against the requirements of the Vacancy Notice. In the opinion of IOS, if the recruitment process did not identify candidates meeting the required qualifications as stated in the Vacancy Notice, the recruitment process should have been assessed to determine whether the required qualifications should be changed or a more proactive and targeted recruitment effort should be undertaken. In either case, a new recruitment process would have to be launched. **It should be noted that the Director-General can only appoint staff members who fully meet the essential requirements set forth in the Vacancy Notice.** This is consistent with ILOAT case law.

52. Inappropriate dissemination of information on appointments prior to the completion of recruitment processes: Some Delegations stated to IOS that they often hear rumors about the outcome of recruitment processes prior to the completion of the process. While noting that some of these rumors are not substantiated and are proven to be inaccurate, Delegations pointed out that sometimes the outcome of the procedure proves the rumors to be correct. The Delegations raising this matter did not reveal the sources of the information but cited several examples. **Unauthorized disclosure of information regarding recruitment procedures is unacceptable.**

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Required Educational Qualifications for Assistant Directors-General (per Vacancy Notice)

Annex I

	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
ADG/ED	Advanced university degree, preferably PhD										Advanced university degree, preferably at doctorate level	Advanced university degree, preferably at doctorate level	Advanced university degree, preferably at doctorate level			
ADG/SC	Advanced university degree or equivalent experience	Advanced university degree, preferably PhD				Advanced university degree, preferably at doctorate level										
ADG/IOC	Advanced university degree, preferably doctorate	Advanced university degree, preferably doctorate				Advanced university degree, preferably doctorate										
ADG/CLT	Advanced university degree or equivalent experience	Advanced university degree				Advanced university degree (Ph.D. or equivalent)		Advanced university degree, preferably at doctorate level								
ADG/SHS	Advanced university degree or equivalent experience	Advanced university degree				Advanced university degree, preferably at doctorate level										
ADG/CI	Not yet advertised		Advanced university degree				Advanced university degree									
ADG/AFR	Advanced university degree or equivalent experience	Advanced university degree				No Vacancy Notice published										
ADG/BSP and previous grading of D-2	Advanced university degree or equivalent experience	Advanced university degree														
ADG/ERI	Advanced university degree												No Vacancy Notice; incumbent appointed after consultation with Executive Board			

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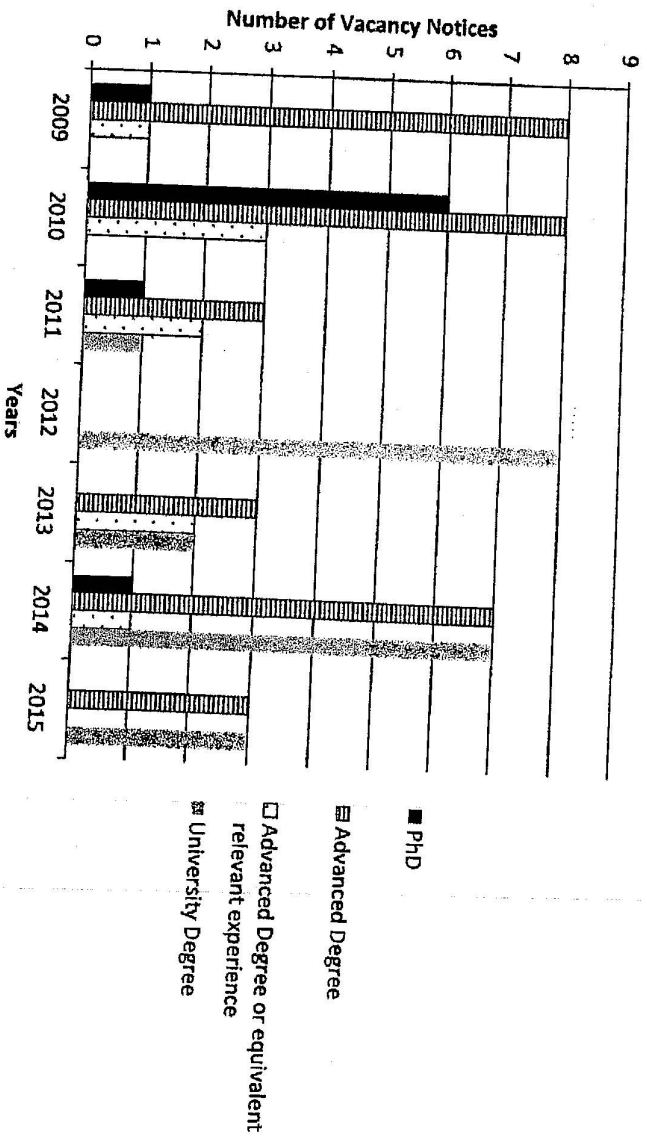
Annex II

Actual Educational Qualifications of Incumbent Assistant Directors-General

	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
ADG/ED	PhD															
ADG/SC	Medical Doctorate			PhD				PhD		PhD			PhD			
ADG/IOC	PhD			PhD							PhD					
ADG/CLT	Bachelor's Degree			Master's Degree			Master's Degree						PhD			
ADG/SHS	Masters			PhD							PhD					
ADG/CI	Vacant			Master's Degree							PhD					
ADG/AFR	Vacant			PhD							PhD					
ADG/BSP	Bachelor's Degree										PhD					
ADG/ERI				Masters							PhD					

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Required Educational Qualification for UNESCO Directors (per Vacancy Notices)



Annex III