International Labour Organization

Committee on Accountability

Annual report 2023

In 2023, the Committee on Accountability completed its review of six (6) cases that had been referred to it by the Treasurer and Financial Comptroller (TR/CF) pursuant to Article 13.30 of the Financial Rules.

Case No. 1: The Committee examined a case of allegation of gross negligence and disregard of established Office procedures by failing to provide up-to-date information pertaining to the rental subsidy entitlement. The Committee considered a detailed investigation report prepared by the Office of Internal Audit and Oversight (IAO) and its supporting documentation and considered the investigation methods sufficient and reliable. The Committee conducted further review with the headquarters units concerned on the administration of the rental subsidy entitlement, both in relation to the circumstances of the present case and in relation to the procedural aspects in general. It concluded that the allegation of gross negligence by the subject official over a period of four years was substantiated. It also noted that, at the time of its review, the subject official had already started repaying the amount of rental subsidy overpaid through payroll deductions.

The Committee recommended that an appropriate disciplinary action be applied to the subject official, that the relevant rental subsidy procedures be reviewed and updated by the Office, and that yearly reminders be sent to staff to report any changes of their living situation to allow the Office to adjust the amounts of rental subsidy as appropriate.

Case No. 2: The Committee examined a case comprised of two allegations: i. submitting fraudulent birth certificates in support of claims for dependency benefits and ii. submitting fraudulent school certificates in support of claims for dependency benefits (in respect of children beyond 18 years of age).

The Committee considered a detailed investigation report prepared by IAO, and considered the investigation methods sufficient and reliable. It further examined some new documents provided by the subject official when responding to the Committee's request for comments. For the first allegation, it noted that the recognition of child-parent relationship serves the purpose of determining dependency benefits (family allowances and Staff Health Insurance Fund (SHIF) coverage). After considering the national law of the subject official's country, and carefully examining the documents presented, it concluded that the inconsistencies presented in the birth certificates were not pertaining to the subject official but concerned the name changes of other parent(s), and thus had no impact on the recognition of the children for dependency purposes. The allegation was therefore not substantiated. For the second allegation, the

Committee noted that, for children above the age of 18, the continued recognition of dependency status requires the proof of full-time school attendance. At least two school certificates were determined to be fraudulent for the purpose of obtaining dependency benefits. The allegation was therefore substantiated.

In light of the Office policy of zero tolerance for acts of fraud, the Committee recommended that the matter be referred for consideration of the highest level of disciplinary sanction and that any dependency allowance and SHIF reimbursements unduly paid in respect of the two children be recovered. Subsequent to the completion of disciplinary proceedings, consideration should be given to the need to report the official in any common system screening database used by United Nations system organizations, to prevent any future reemployment and/or engagement whether through external collaboration or other contracts by the ILO or other organizations, and any other steps necessary to protect the Office.

Case No. 3: The Committee examined a case comprised of three allegations: i. submitting forged documents and making fraudulent statements with a view to obtaining personal gain and misappropriation of SHIF funds; ii. engaging in unauthorized outside activity, specifically, actively participating in a commercial enterprise, without requesting authorization; iii. absence from the duty station without authorization and the proper security clearance, contrary to the COVID-19 local Teleworking arrangements, and sharing ILO password with external people during the absence.

The Committee considered a detailed investigation report prepared by IAO and its supporting documents and noted that the investigation involved forensic analysis of ILO devices, open-source searches, and interviews. It hence considered that the investigation methods were sufficient and reliable. For the first allegation, the Committee further undertook reviews of sample fraudulent documents and noted the clear evidence of alternation. For the second allegation, the Committee noted that the forensic review could not establish the amount of time spent during core hours in supporting of the outside activities and hence agreed with IAO's conclusion that it is unsubstantiated. For the third allegation, the Committee considered that the subject official's actions breached both the ILO's IT security protocols and the relevant protocols under COVID-19 conditions.

Based on the conclusion that two of the three allegations were substantiated, the Committee recommended that all efforts be made by the Office to recover the amount of SHIF reimbursement pertaining to the fraudulent claims and the matter be referred for consideration of the highest level of disciplinary sanction. The subject official should be flagged in IRIS and reported in any common screening database used by United Nations system organizations, to prevent any future reemployment and/or engagement whether through external collaboration or other contracts by the ILO or other organizations. Finally, the Committee recommended that the Office draw to the attention of all hiring managers that adequate due diligence (for example through background checks) be undertaken for all recruitments.

Case No. 4: The Committee examined a case comprising of two allegations: i. attempting to extort and coerce external parties for pecuniary gain on more than one occasion and ii.

breaching the standards of conduct as required of international civil servants and laid down in the Standards of Conduct for the International Civil Service and the ILO Principles of Conduct. The Committee noted that the subject official is the same person as the one in Case No. 3 above.

The Committee reviewed a detailed investigation report prepared by IAO and its supporting documents and considered the investigation methods sufficient and reliable. Through the examination of bank statements and other evidence (e.g. WhatsApp messages), the Committee confirmed that the subject official requested different amounts with ascending values from one external party, pressured them with urgency, and eventually succeeded in obtaining funds. Another external party was allegedly also approached by the subject official but did not send funds.

In light of the Office policy of zero tolerance for acts of fraud and misconduct, the Committee recommended that the matter be referred for consideration of the highest level of disciplinary sanction and that any funds transferred by the external party be recovered from the subject official. Furthermore, consideration should be given to the need to report the official in any common system screening database used by United Nations system organizations, to prevent any future reemployment and/or engagement whether through external collaboration or other contracts by the ILO or other organizations, and any other steps necessary to protect the Office.

Case No. 5: The Committee examined a case comprising of three allegations: i. making false declarations in IRIS claiming to be at the duty station concerning requests for teleworking; ii. failing to record absences in IRIS for six days to avoid controls put in place regarding teleworking maximum allowable days; and iii. deliberate misrepresentation to ILO colleagues with regards to physical presence and place of residence and attempting to unduly obtain payment of a settling-in grant.

The Committee considered a detailed investigation report prepared by IAO and its supporting documents. It noted that the investigation consisted of collection and analysis of documents, forensic review of system logs, user activity and communication records involving ILO-hosted applications, as well as interviews with the subject official and witnesses. It hence considered the investigation methods sufficient and reliable.

The Committee further considered the arguments made by the subject official in replying to the Committee's request for comments. For the first allegation, it determined that the fact that the subject official worked 52% at duty station during the overall period concerned was irrelevant to the fact that false declarations were made in IRIS and to HRD as regards the real teleworking location. For the second allegation, the subject official's argument that only five days (not six days) were not recorded as absences did not change the nature of the action. For the third allegation, the Committee dismissed the subject official's argument on the causal effect of the misrepresentation made. The Committee hence concluded that all three allegations were substantiated.

In light of the Office policy of zero tolerance for acts of fraud (including attempted fraud), the Committee recommended that the matter be referred for consideration of the highest level of disciplinary sanction, and that the Office review the subject official's entitlement for the settling-in grant and recover any amounts unduly paid. Subsequent to the completion of disciplinary proceedings, consideration should be given to the need to report the official in any common system screening database used by United Nations system organizations, to prevent any future reemployment and/or engagement whether through external collaboration or other contracts by the ILO or other organizations, and any other steps necessary to protect the Office. Finally, the Committee recommended that the Office consider reviewing the procedures for the administration of the settling-in grant and other mobility related entitlements with a view to minimizing the risk of fraud.

Case No. 6: The Committee examined a case concerning a request for reimbursement for air ticket purchased by a subject official during mission. As no prior investigation was conducted by IAO, the Committee proceeded with the review of the case in accordance with its own Rules of Procedure.

The Committee requested additional information, explanation and supporting documents from the subject official, reviewed these materials, and then held interviews with the subject official and the supervisor in order to clarify some details surrounding the case. Following these processes, the Committee noted a number of key facts: the subject official travelled to the mission destination without the required entry visa; upon being denied entry into the mission destination country, the subject official decided to purchase a return air ticket to the duty station and to shorten the mission, without prior consultation with the supervisor; the subject official did not submit an updated security clearance request with UNDSS to reflect the changes to the travel plans or inform the local UNDSS office. Such actions violated the Office travel and security policies and procedures (IGDS 437 and IGDS 399) and the standards of conduct as required of international civil servants.

In view of the findings and conclusions, the Committee recommended that the subject official not be reimbursed the cost of air ticket purchased without prior authorization as a result of travel without entry visa. Considering the subject official's actions in violation with Office policies and placing the Office at reputational and operational risk, the Committee further recommended that the matter be referred for the consideration of an appropriate disciplinary sanction.

The members of the Committee for 2023 were: Mr Perrin (Chairperson until 30 June 2023) and Mr Guido (Chairperson from 17 July 2023 onwards), Ms Sosic (FINANCE), Ms Beaulieu (JUR, until 6 March 2023) and Ms Koskenmäki (JUR, from 7 March 2023 onwards), and Ms O'Neill (HRD). Ms Zhang (TR/CF) served as Secretary.

Date: August 2024

Horacio Guido
Chairperson, Committee on Accountability

**Disciplinary sanctions are subject to separate procedures – the outcomes of disciplinary cases are published in an IGDS Information Note each biennium.*