



Governing Body

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Rules concerning the Director-General

Draft rules governing the handling of allegations of misconduct against a Director-General

Purpose of the document

This document contains proposals for draft rules governing the handling of allegations of misconduct against a Director-General (see the draft decision in paragraph 9).

Relevant strategic objective: All.

Main relevant outcome: Enabling outcome B: Improved governance and oversight.

Policy implications: None.

Legal implications: Depending on the decision of the Governing Body, possible approval of rules for inclusion in a new annex to the *Compendium of rules applicable to the Governing Body of the International Labour Office*.

Financial implications: None.

Follow-up action required: Depending on the decision of the Governing Body.

Author unit: Office of the Treasurer and Financial Comptroller (TR/CF).

Related documents: [GB.350bis/PFA/2](#), [GB.343/PFA/11](#).

► Introduction

1. In November 2021, the ILO Governing Body noted ¹ the 2020 report of the Joint Inspection Unit of the United Nations System (JIU), *Review of the state of the investigation function: progress made in the United Nations system organizations in strengthening the investigation function*, which recommended that “The legislative bodies of United Nations system organizations that have not yet done so should develop and adopt appropriate formal procedures for the investigation of complaints of misconduct by executive heads and adopt appropriate policies by the end of 2021”. ² This report concurred with the United Nations Representatives of Investigation Services network (UNRIS) ³ that organizations should adopt a policy which would:
 - (a) provide for an external investigative body to carry out the investigation and to confirm that the applicable investigation standards will be applied in this process;
 - (b) define the respective responsibilities for the intake and preliminary review of allegations and identify the internal oversight body or bodies (depending on the nature of the allegation) to which these responsibilities are to be assigned;
 - (c) define the process to be followed and criteria to be used by the head of the assigned internal oversight body when deciding whether or not to refer the allegations to the external investigation body, and how this is communicated;
 - (d) define the process to be followed by the external investigation body in the investigation and reporting of results;
 - (e) confirm the responsibilities of, and the process to be followed by, the legislative body or other designated body or individual when coming to conclusions on the report of the external investigation body;
 - (f) establish adequate confidentiality and whistle-blower protections governing the process.
2. At the level of the United Nations, developing guidelines for the process has proven challenging, as while certain similarities exist, no model can be fully transposed due to differences in governance structures across UN bodies. At its Annual General Meeting in November 2024, the UNRIS working group presented general recommendations, following a survey of its membership, with a view to formulating guidelines in 2025.

► ILO context

3. The constitutional responsibility of the Governing Body in relation to the Director-General's role implies that the disciplinary authority in the event of misconduct by the Director-General rests solely with the Governing Body. The exercise of its authority, to ensure accountability and effective oversight, should be based on an established procedure incorporating a number of applicable principles of international administrative law. It is recalled in this regard that any

¹ GB.343/PFA/11.

² JIU/REP/2020/1, recommendation 7.

³ JIU/REP/2020/1, para. 224.

disciplinary measure taken by the Governing Body against a Director-General could be subject to review by the Administrative Tribunal of the ILO.

4. The possibility of allegations of misconduct being made against a Director-General of the ILO had been envisaged in the Standard Operating Procedure for Investigations of the Office of Internal Audit and Oversight (IAO) of 2018, ⁴ section 5.8 of which provides:

Allegations of fraud/misconduct concerning the Director-General shall be reported to the Chair of the Governing Body either directly or via the Treasurer and Financial Comptroller, Chief Internal Auditor [Director of the IAO], or the Chair of the IOAC [Independent Oversight and Advisory Committee].

5. The terms of reference for the Independent Oversight Advisory Committee (IOAC) were amended in June 2024 to state that the IOAC may also provide advice to the Governing Body in cases of allegation of misconduct or allegation of retaliation concerning the Director-General. ⁵
6. Drawing on the recommendations of the JIU and UNRIS and on policies adopted by other UN specialized agencies (Appendix II), as well as being mindful of the specificities of the ILO, the Office has prepared for the Governing Body's consideration draft rules for the investigation of allegations filed against an ILO Director-General (Appendix I). In light of their nature, it is proposed that the future rules be included as a new annex to the *Compendium of rules applicable to the Governing Body of the International Labour Office*. ⁶

► Overview of the draft rules

7. The rules proposed in Appendix I will be applied with the presumption of innocence and reputational protection of the Director-General. The investigative and follow-on processes will be undertaken with full independence of the parties involved, with due regard to the confidentiality of the findings and maintaining full reporting transparency with the Governing Body and its Officers. The proposed rules provide a framework that is guided by principles to uphold the credibility and objectivity of the oversight function and accountability and equality before the law, irrespective of rank or position.
8. These rules, when approved, will be published as Annex VIII to the *Compendium of rules applicable to the Governing Body of the International Labour Office*, as is done for the Rules governing the appointment of the Director-General.

► Draft decision

9. **The Governing Body approved the rules governing the handling of allegations of misconduct against a Director-General of the ILO, as set out in Appendix I to GB.356/INS/9/1, and decided that they should be included in a new annex to the *Compendium of rules applicable to the Governing Body of the International Labour Office*.**

⁴ Standard Operating Procedure – Investigations.

⁵ GB.350bis/PFA/2, Appendix, para. 3(e).

⁶ Compendium of Rules.

► Appendix I

Draft rules governing the handling of allegations of misconduct against a Director-General of the ILO

I. Introduction

1. These rules provide the framework for handling allegations of misconduct against a Director-General of the ILO, based on the presumption of innocence, full confidentiality and protection of the reputations of the individuals concerned.

II. Scope of application

2. These rules shall apply to the handling and investigation of all allegations of misconduct against a Director-General while in office.
3. For the purposes of these rules, the term “misconduct” shall have the same definition as that provided under article 12.1(2) of the Staff Regulations and paragraph 8(i) of the Office Directive, *Reporting misconduct and protection from retaliation* (IGDS No. 551).
4. The rules should be read in conjunction with the ILO Constitution, the ILO Staff Regulations, the ILO Financial Regulations and Rules, the Standards of Conduct for the International Civil Service issued by the International Civil Service Commission, the Principles of Conduct for Staff of the International Labour Office, and relevant Office directives, including those on reporting misconduct and protection from retaliation.
5. An investigation under these rules is administrative in nature and a fact-finding exercise that forms part of the ILO’s accountability framework, taking into account the constitutional status of the Director-General. It shall be conducted based on the ILO’s internal rules and on general principles of international administrative law, as applied by the ILO Administrative Tribunal, as well as the ILO’s Standard Operating Procedure for Investigations ¹ and the Uniform Principles and Guidelines for Investigations of the Conference of International Investigators. ²
6. Unless otherwise provided for under these rules, the provisions of the Staff Regulations and relevant internal rules and procedures shall apply to the investigation of allegations of misconduct against a Director-General, including the principles of due process, protection of whistle-blowers, protection against retaliation and protection against bad faith allegations. At all times, information shall be shared on a strict need-to-know basis and all meetings, including those of the Officers of the Governing Body and the Independent Oversight Advisory Committee (IOAC), shall be private.
7. These rules will be reviewed every five years, or upon request by the Governing Body. The Office, in consultation with the IOAC, will propose amendments in line with best practices and guidance in the UN system. Any amendments will be subject to the approval of the Governing Body.

¹ ILO, Office of Internal Audit and Oversight, [Standard Operating Procedure Investigations](#), 2018.

² CII, [Uniform Principles and Guidelines for Investigations](#), 2nd edition, 2009.

III. Guiding principles

8. The implementation of the rules for handling allegations of misconduct against a Director-General will be guided by the following principles, which aim to ensure that allegations are effectively addressed, findings are evidence-based, investigations are conducted impartially and with respect for fundamental rights, and the process is completed in a timely manner to maintain trust in the Organization's governance mechanisms:
 - (a) **Independence, transparency and timeliness:** Investigations into duly reported allegations shall be conducted by an independent body with no real or perceived conflict of interest and with recognized expertise and neutrality. The process shall be independent from the Director-General, transparent within the institutional framework and conducted promptly. Substantiated findings shall lead to appropriate disciplinary measures being imposed. The absence of substantiated findings shall result in the Director-General being exonerated of misconduct.
 - (b) **Duty of good faith:** The highest standards of conduct are expected from all participants in the process, who are expected to act with honesty, integrity and good faith. Whistle-blowers and witnesses shall be protected from retaliation, and effective mechanisms shall be in place to address alleged retaliatory actions. The handling of sensitive information, including responsibilities for its protection, shall be defined to preserve confidentiality and ensure the safety and trust of those involved.
 - (c) **Due process and confidentiality:** Due process guarantees shall be observed at all stages until allegations are duly substantiated or found to be unsubstantiated through a fair and impartial process. In line with the case law of the Administrative Tribunal of the ILO, appropriate standards of justice and procedural fairness shall apply and all related information shall remain strictly confidential.

IV. Reporting and intake

9. Allegations of misconduct, including workplace harassment, sexual exploitation and abuse, retaliation or abuse of authority, against a Director-General shall be reported to the Office of Internal Audit and Oversight (IAO), either in writing, by email, through the Integrity Hotline or in person. Reports may be anonymous. Allegations that constitute a staff grievance rather than a report of misconduct against a Director-General should be referred to the internal conflict resolution mechanism.
10. All reported allegations shall be registered by the IAO upon receipt. The IAO shall acknowledge in writing the receipt of such reports, indicating any relevant procedural matters.
11. The Director of the IAO shall, in consultation with the Legal Adviser and the Ethics Officer as appropriate, undertake the assessment of each report of misconduct to determine whether it merits, wholly or in part, referral for a formal review. Allegations shall be deemed sufficient to merit referral if they are considered to have been made in good faith. From its receipt, a report of misconduct shall be considered to have been made in good faith unless there are reasonable grounds to determine that it is frivolous or vexatious. Frivolous or vexatious allegations include those that are patently lacking in materiality or credibility.
12. An anonymized report shall be provided by the Director of the IAO to the IOAC each time there are reports of allegations that were considered not to have been made in good faith or not to fall within the scope of these rules. The IOAC will then forward this report to the Officers of the Governing Body, with any comments or advice deemed necessary.

V. Referral of allegations

13. For each report of misconduct meeting the above criteria, the Director of the IAO will prepare a fact-based report documenting the findings, which will include one of the following two recommendations:
 - (i) a referral recommendation, if the allegations, wholly or in part, warrant referral to an external investigation entity for formal review; or
 - (ii) a closure recommendation, if the allegations, wholly or in part, do not warrant further review or investigation, and the reasons for such a recommendation.
14. The IOAC shall review the assessment report and may request the Director of the IAO to provide clarification as to the assessment report. Following its review, the IOAC shall submit recommendations, along with the assessment, to the Officers of the Governing Body for their consideration and decision.
15. The Officers of the Governing Body may decide whether to endorse a referral recommendation received from the IOAC and whether there is a need to follow up with interim measures, as set out in section IX. In the case of a referral recommendation, an external investigation entity shall be identified and approved by the Officers of the Governing Body.
16. The IAO shall notify the person who submitted the allegations of the referral of the matter for investigation where appropriate.

VI. Investigation and reporting by the external investigation entity

17. A referral recommendation endorsed by the Officers of the Governing Body shall be promptly transmitted by the IAO to the external investigation entity with a referral notification letter, enclosing the assessment report(s), terms of reference, a declaration of absence of actual or perceived conflict of interest and a declaration of confidentiality, to the external investigation entity, copying the IOAC.
18. The external investigation entity will conduct an investigation in accordance with the relevant and applicable investigative standards and procedures set forth under the IAO's Standard Operating Procedure for Investigations and the Uniform Principles and Guidelines of the Conference of International Investigators.
19. In accordance with these standards and procedures, the external investigation entity shall inform the Director-General that an investigation has been initiated. The Officers of the Governing Body, the IOAC and the Director of the IAO will be copied on the notification.
20. In conducting an investigation, the external investigation entity will gather all evidence, both inculpatory and exculpatory, and determine whether it is sufficient to substantiate the allegations. The external investigation entity will prepare an investigation report that serves as a complete record of the investigation, including the external investigation entity's findings and the evidence on which these findings were reached.
21. The external investigation entity will endeavour to expeditiously conclude the investigation, normally within six months from the start of their investigation. The Officers of the Governing Body may extend this period, on the basis of an interim report from the external investigation entity detailing the complexity of the investigation and timeline envisaged for its completion.
22. The investigation report will be transmitted through the IOAC, who shall provide their advice to the Officers of the Governing Body. The Officers of the Governing Body shall then decide on the referral of the investigation to the Governing Body, if required.

VII. Post-investigation actions

23. If the external investigation entity concludes that the allegations are unfounded or unsubstantiated, the Officers of the Governing Body shall decide to close the matter and report this in writing to the members of the Governing Body.
24. If the external investigation entity concludes that the allegations are substantiated, either wholly or in part:
 - (a) The Officers of the Governing Body shall formulate a letter of charges based on the investigation report and transmit this letter and a copy of the investigation report to the Director-General with all the supporting documentation on the basis of which the allegations were found to have been substantiated.
 - (b) The Director-General shall be requested to respond in writing within 15 working days from receipt of the investigation report, and to identify any perceived factual errors, introduce additional rebuttal or clarificatory information, or provide any other comments on the report and the investigative process.
 - (c) The Officers of the Governing Body will review the response from the Director-General. The IAO and the external investigation entity may be required to serve as resource persons during the Officers' deliberations. The Officers of the Governing Body will prepare a report that shall include an assessment as to whether misconduct has occurred beyond reasonable doubt, and, if so, its seriousness in light of any aggravating or mitigating circumstances.
 - (d) The Officers of the Governing Body will transmit the investigation report, the Director-General's replies and their own report to the Governing Body.
25. If the Officers of the Governing Body conclude that a decision of the Governing Body is required on the allegations or on any measure to be imposed, the Officers of the Governing Body shall convene a private sitting of the Governing Body members, with the Director-General, at its next session. The Director-General may be assisted by legal counsel of their choosing or a former or serving staff member of the Office, the United Nations or a specialized agency who is not a party to the proceedings.
26. If the Officers of the Governing Body are of the opinion that the circumstances are sufficiently serious that the Governing Body should be convened urgently before its next regular session, a special session of the Governing Body may be convened for the purpose of reaching a decision on the allegations or on any measure to be imposed.
27. The highest-ranking official of the Office not concerned by the allegations of misconduct shall lead the Office secretariat support to the Governing Body at the private sitting. The members of the secretariat shall be limited to a list endorsed by the Officers of the Governing Body.
28. The Governing Body shall decide on any appropriate measure to impose, based on the investigative findings and taking into account the Director-General's written response to the letter of charges.
29. The Governing Body may impose disciplinary measures against a Director-General who is found to have engaged in misconduct, including early termination of the contract of employment or other measures.
30. A Director-General who is found to have engaged in misconduct may be required to reimburse the Organization for any financial losses suffered by it as a direct result of that misconduct.

31. A Director-General who is found to have engaged in misconduct shall be notified by the Chairperson of the Governing Body of any measure imposed by the Governing Body under these rules and shall initial and return the notification, adding any observations they may wish to make.

VIII. Interim measures

32. At any time following the assessment stage during the investigation process outlined under these rules, and before a final decision is taken regarding specific allegations, the Governing Body, as advised by the Officers of the Governing Body, may decide to impose on the Director-General any interim measures deemed appropriate under the circumstances, including administrative leave with or without salary. Such action shall be without prejudice to the rights of the Director-General under these rules.
33. The Director-General shall be provided with a written statement containing the reason or reasons for such leave, their status during the leave and the probable duration of the leave. The statement may also specify the conditions under which the Director-General may have access to the Office premises, equipment and documents.
34. Interim measures imposed under these rules shall not be considered as disciplinary measures.

IX. Rights and responsibilities of parties

35. The entire process established by these rules shall be managed under a protocol of strict confidentiality.
36. Unless otherwise provided in these rules, the responsibilities and obligations under the ILO's internal legal framework as well as the rights of parties involved in an investigation process shall be applicable to the Director-General and other parties to an investigation under these rules.
37. The Director-General shall be entitled to file a complaint against any final decision made pursuant to these rules with the Administrative Tribunal of the International Labour Organization.
38. Persons who submit allegations and witnesses shall have a right to be protected against retaliation in any form for having submitted allegations of misconduct against the Director-General or for having cooperated with an investigation under these rules. Allegations of retaliation by a Director-General shall be reported as incidents of misconduct and formally reviewed in accordance with the process outlined under these rules. Allegations of retaliation allegedly committed by a Director-General against the Director of the IAO or IAO staff members shall be reported directly to the external investigation entity or the IOAC.
39. Malicious or false reports of misconduct by staff members against a Director-General shall be considered misconduct and may lead to the initiation of disciplinary proceedings and the imposition of disciplinary measures.

► Appendix II

Policies adopted by other specialized agencies

This appendix summarizes the policies adopted by other international organizations within the UN system which have adopted rules and published these rules.

International Civil Aviation Organization (ICAO) ¹

Allegations are to be reported to an investigative entity, normally the United Nations Office of Internal Oversight Services (OIOS), which is responsible for receiving, assessing, investigating, closing and reporting on any allegations of misconduct against the Secretary General. The President of the ICAO Council is notified of such development. Recommendations of interim measures and investigative findings are submitted to the Council for final decision. Provision is made for protection against retaliation.

International Fund for Agricultural Development (IFAD) ²

Allegations against a President of IFAD are to be reported to the internal Office of Audit and Oversight (AUO) or the Ethics Office (ETH), which jointly undertake an initial determination as to whether referral to an external investigation entity is warranted. The Audit Committee reviews this initial determination and any recommendation from the AUO and ETH and submits a report to the Executive Board, which decides to refer the matter to an external investigation entity. That entity undertakes a preliminary assessment and, if required, an investigation. The investigative findings are reviewed by the Audit Committee, which, after charging and hearing the President, submits a report for decision by the Executive Board. The final decision rests with the Governing Council. Provision is made for interim measures to be decided by the Executive Board and for protection against retaliation.

International Maritime Organization (IMO)

There are no specific procedures. The Staff Regulations provide that the Internal Oversight and Ethics Office or the Joint Inspection Unit will conduct investigations into allegations against the Secretary-General.

International Telecommunication Union (ITU) ³

Allegations are referred to the Chairs of the Council and the Independent Management Advisory Committee (IMAC). After an initial review – either by the Council Chair, with advice from IMAC, or the external investigation entity, normally the UN OIOS – an investigation may be undertaken. The investigation findings are submitted to the Council Chair, who, with the advice of IMAC, may refer the case for disciplinary proceedings to the ITU Council.

¹ Document 7559/11, 2022.

² Document EB 2024/143/R.22, December 2024.

³ Document C25/105, June 2025.

United Nations Educational, Scientific and Cultural Organization (UNESCO) ⁴

Allegations against a Director-General of UNESCO are to be reported to the Director of Internal Oversight Services, who determines whether the allegations are manifestly unfounded or not. If not, the Oversight Advisory Committee meets to decide whether an investigation is warranted, in which case the UN OIOS is notified and undertakes an investigation. The OIOS report is then submitted to the Chairperson of the Executive Board for further action, as appropriate.

United Nations Industrial Development Organization (UNIDO) ⁵

Allegations against a Director-General of UNIDO are to be reported to the Director of the Office of Evaluation and Internal Oversight (EIO), who undertakes an initial assessment. If a full investigation is warranted, the EIO determines whether it can be done internally or should be referred to an external investigation entity. In any event, the investigation report is submitted to the President of the Industrial Development Board, and any findings of misconduct are referred to the Board for its action.

Universal Postal Union (UPU)

According to the information available, the procedure regarding allegations against a Director-General of the UPU rests with the Chairperson of the Executive Council, and the Executive Council is responsible for taking any decisions.

World Health Organization (WHO) ⁶

Allegations against a Director-General of the WHO are to be reported to the regular channels and routed to the Office of Internal Oversight Services, which undertakes a prima facie determination. If required, further analysis is to be conducted by a selected external investigation entity. The recommendation of the external investigation entity, reviewed by the Independent Expert Oversight Advisory Committee (IEOAC), is normally acted upon unless the Executive Board, upon recommendation of its Officers, decides otherwise. The IEOAC Chair may recommend interim measures to the Officers of the Board for decision. The investigation report is transmitted, through the IEOAC, to the Officers of the Board, who may decide to initiate disciplinary proceedings. The Executive Board reviews the full file and makes a recommendation to the World Health Assembly for final decision.

World Intellectual Property Organization (WIPO) ⁷

Allegations against a Director-General of WIPO are to be reported to the Internal Oversight Division (IOD), which will seek guidance from the Independent Advisory Oversight Committee (IAOC). After a preliminary examination, either by the IOD or an external investigation entity, the Chairs of the General Assembly and Coordination Committee decide whether to close the case or refer the matter for investigation by an external investigation entity. Investigation reports are submitted to these two Chairs, who, after advice from the IAOC, submit the matter to the Coordination Committee with a recommendation either to close

⁴ Document 42 C/27, November 2023.

⁵ Document DGB/2021/13, September 2021.

⁶ Document WHA78(8), May 2025.

⁷ Document WO/PBC/33/7, July 2021.

the case or to initiate disciplinary proceedings. It is understood that the final decision rests with the WIPO Assembly.

World Meteorological Organization (WMO) ⁸

Allegations against a Secretary-General of the WMO are to be reported to the UN OIOS, which has the authority to review allegations, determine whether a full investigation is required, recommend interim measures, undertake this investigation and close it. The investigation report is submitted to the President of the WMO and to the Executive Council Disciplinary Committee for review and, if required, a decision on disciplinary proceedings, with the assistance of the Audit and Oversight Committee. The final decision rests with the President in consultation with the Executive Council Disciplinary Committee or the Executive Council.

⁸ Document EC-76/Doc. 7.1(4), March 2023.