

How to report misconduct and what to expect ?

►Competence ►Misconduct ►Reporting ►Investigation

Competence of the Inspector General's Office

The Inspector General shall undertake a preliminary investigation when there is reason to believe that a staff member has engaged in misconduct. However, the Inspector General does not have the competence to deal with :

- ♦ Reports against non UNHCR personnel;
- ♦ Disagreements on performance related issues;
- ♦ Management issues;
- ♦ Appeals for protection, refugee status determination, resettlement.

Reporting

If you believe that you have information about the possible misconduct of a UNHCR staff member, it must be reported. The most effective way of reporting possible misconduct is through the:

Confidential email: inspector@unhcr.org

Confidential fax: 0041 22 7397380

Telephone hotline: 0041 22 739 8844

It also is possible to report possible misconduct to your manager for appropriate action or directly to staff in the IGO, whether in Headquarters or on mission. They may be able to assist you with determining the nature of the possible misconduct and can advise you of how best to proceed.

The report should be specific and include if possible the date(s) of the incident(s), name(s) of witness(es), and alleged perpetrator(s). It should be indicated whether supporting evidence is available or might become available.

If you report misconduct and an investigation is considered necessary, you will receive an acknowledgement that includes a case registration number for further reference if necessary.

Important points to remember :

- All staff have a duty to report instances of misconduct they have observed.
- An investigation is a fact-finding exercise and not a punitive undertaking.
- The procedure is confidential. Due process will be respected at all times.
- The complainant is not updated on the investigation and will not be informed of the outcome of the investigation.
- The subject may remain in the office during investigation.
- Unless separated from service, the staff member could remain in the office even after the completion of the investigation.

What's misconduct?

Misconduct includes but is not limited to :

- ♦ Fraud
- ♦ Theft
- ♦ Assault or threats
- ♦ Sexual exploitation and abuse
- ♦ Harassment and abuse of authority
- ♦ Misrepresentation or false certification with regard to UN claims or benefits
- ♦ Misuse of UNHCR assets, including office equipment, files, vehicles
- ♦ Breach of confidentiality
- ♦ Abuse of UN privileges and immunities
- ♦ Acts or behaviour that would discredit the UN
- ♦ Non compliance with local laws



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

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The Investigation Process

- ◆ Once a complaint has been sent to the Investigation Unit of the IGO (IU/IGO), it will be acknowledged to the source within five working days;
- ◆ The IU/IGO will investigate to determine whether the facts support a finding of misconduct;
- ◆ Investigations respect the individual rights and obligations of all staff;
- ◆ Investigations are conducted with strict regard for fairness, impartiality, the presumption of innocence and due process;
- ◆ If the investigation concludes that there is sufficient evidence, a report is sent to DHRM;
- ◆ The decision to institute disciplinary proceedings rests with the Director of DHRM;
- ◆ If the investigation concludes that the allegation of misconduct is unfounded the case is closed. The staff member suspected of wrongdoing will receive a clearance letter ;
- ◆ Investigation findings are only shared with the person being investigated and not with other staff contacted during an investigation process;
- ◆ The investigation from registration until the transmission of a report to DHRM can take up to five months.

“Circumstances are beyond human control, but our conduct is in our own power .”

Benjamin Disraeli

Reference documents of special interest :

- IOM/FOM/54/2005 of 3 November 2005 on “The role, functions and modus operandi of the Inspector General’s Office”.
- Brochure “Addressing Grievances in UNHCR - Where to go for help”.
- IOM/FOM/29/2005: UNHCR’s Policy on Harassment, Sexual Harassment and Abuse of Authority.

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Where to report allegations of fraud :

E-mail: inspector@unhcr.org

Inspector General’s Office
Confidential fax:
+41-22-739-7380

Mailing address : UNHCR, Case postale 2500,
CH-1211 Geneva 2 Depot

Telephone hotline
+41-22-739-8844



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