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EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

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Reports relating to programme and administrative
oversight and evaluation

Report on activities of the Inspector General's Office

Report by the Inspector General

Summary

The present report has been prepared in conformity with the decision of the Executive Committee of the High Commissioner's Programme to receive a report on evaluation at its annual plenary session under item (vi) of the agenda: Reports relating to programme and administrative oversight and evaluation (A/AC.96/1003, para. 25.1(f)(vi)). Also relevant is the decision of the Executive Committee to regularly make available to the Committee summary reports covering inquiries and the main categories of investigations, the number of such types of investigation, the average time taken to complete investigations and a description of related disciplinary action (A/AC.96/1021 para. 24(e)). The report covers the period from mid-2007 to mid-2008.

I. INTRODUCTION

1. The Inspector General's Office (IGO) within the Office of the United Nations High Commissioner for Refugees has three core functions: inspections of the quality of management of UNHCR operations; investigations of allegations of misconduct by UNHCR personnel; and ad hoc inquiries into violent attacks on UNHCR personnel and operations, as well as into other incidents causing major losses or damage to UNHCR's integrity, credibility or assets.
2. This report outlines activities undertaken by the IGO between July 2007 and July 2008.
3. Restructuring of the IGO took place on 1 January 2008, with the Deputy Inspector General's post being retitled as Head of Service (Inspections and Investigations), with responsibility for supervising the Chiefs of both the Inspection and Investigation Sections.
4. In accordance with Paragraph 3.3 of UNHCR internal memorandum IOM-FOM/54/2005, the High Commissioner called for an independent periodic review of the role, functions and modus operandi of the IGO: this was started in May 2008 and is expected to be concluded by the third quarter of the year. The review is being carried out by the European Anti-Fraud Office (OLAF).

II. INSPECTIONS

5. The Inspection Section of the IGO comprises a Chief of Section, four Senior Inspection Officers, a Junior Professional Officer (JPO) and an Inspection Assistant. During the reporting period the IGO carried out the schedule of standard inspections as planned. The resultant IGO inspection reports are available to Executive Committee (ExCom) members on the UNHCR intranet.
6. Since its report to the 58th session of the Executive Committee, the IGO has conducted a total of eight standard inspection missions, in Côte d'Ivoire, Ethiopia, Jordan, Kazakhstan, Myanmar, Somalia, Sri Lanka and Sudan, as well as a compliance mission to Mozambique. Eight standard inspections of UNHCR's operations (Argentina, Chad, China, Egypt, the Islamic Republic of Iran, Lebanon, the Italy Regional Representation - including Greece, Malta, Portugal and Cyprus - as well as the Statelessness Unit of the Division of International Protection Services) are scheduled to take place in the second half of 2008. Two compliance inspections are also planned during this period for Sweden and Yemen.
7. Inspection missions provide an important internal oversight and management tool designed to provide the High Commissioner and his senior managers with an objective assessment of the quality of management of UNHCR operations, covering both activities at Headquarters and in the Field. The inspection reports in the past year have once again shown a satisfactory overall standard of management, despite the many changes resulting from the ongoing outsourcing, decentralization and regionalization initiatives.

8. A total of 134 recommendations emanated from inspections conducted during the reporting period. These recommendations covered, inter alia, issues related to protection and programme management, human resources and overall management.

9. The IGO has continued to refine its inspection methodology. Meetings have taken place with Directors of the Regional Bureaux to discuss their concerns, in order to obtain a clearer understanding of any aspects of the methodology which are considered problematic, and may therefore require a revision of the methodology in order to ensure that inspections are indeed an effective tool for responding to managers' oversight needs. The challenges arising from undertaking comprehensive inspections using multifunctional teams, notably the late issuance of inspection reports, was a recurring theme during these discussions. The IGO will therefore continue to review and rationalize the existing methodology in order to introduce the changes required to address existing concerns.

10. The development of new automated inspection survey tools is ongoing. The latest survey tool will be field-tested before the end of 2008.

11. As part of its efforts to strengthen management and accountability within the organization, the IGO shared a report on recurrent findings with the High Commissioner in May 2008. This report catalogued key findings which occurred repeatedly during inspections undertaken during the past four years, many of which are documented in the IGO's annual reports to the Executive Committee. The report focuses not only on systemic problems or areas where policy changes are required, but also on policy changes that have been introduced which have impacted positively or negatively on areas of organizational management. The report has been discussed in the Senior Management Committee, and action to address the key issues highlighted in the report is already being taken.

A. Best practices

12. The IGO seeks to ensure, through its inspection reports, that good practices and innovative approaches are given equal prominence alongside any weaknesses in the management of each operation. Both provide lessons learned which are valuable to other UNHCR operations.

13. In Sri Lanka, the Office has developed Standard Operating Procedures for monitoring internally displaced persons (IDPs). A number of standardized tools, checklists and monitoring forms have been developed to ensure a consistent approach and engagement with IDP populations. The information obtained is consolidated and analysed to facilitate the development of strategies and interventions to address protection and assistance needs more effectively.

14. In Somalia, the Protection Monitoring Network (PMN) and the Population Movement Tracking (PMT) systems are also considered examples of good practice. The PMN is based on the monitoring and collection of information on incidents of human rights violations and other protection issues. This is done through a network of local non-governmental organizations (NGOs), local media and medical facilities. The collaboration with local NGOs is particularly significant in the Somalia context, where as a result of United Nations security restrictions, UNHCR and its international partners have very limited access, if any, to many areas where

people of concern live. The value of these tools lies in the identification and documentation of protection data, enabling a more timely response to protection issues; the use of such information for advocacy purposes; and the possibility of capitalizing on the field presence of numerous local humanitarian actors to streamline data collection activities.

15. A number of good practices have also been identified in the Sudan operation. These include: a geographic information system (GIS) platform for effective planning and implementation of returnee programmes, with village profiles before and after displacement in Darfur; shelter support programmes for older people in Darfur which build on the capacity of the community and in particular on the traditional role of young people in assisting older people in need; and the ongoing use of participatory assessments outside the yearly planning cycle as a tool for dialogue with the community in a constantly changing protection environment. Another welcome initiative is the community-based paralegal network set up through a national NGO in Khartoum.

B. Compliance

16. During the reporting period, the IGO continued to follow up on the implementation of all recommendations resulting from inspections of field operations and headquarters units, covering a wide range of operational and internal management issues. Compliance checks on the implementation of recommendation is continue until the IGO is satisfied that each recommendation has been fully implemented, or that circumstances have changed so that the recommendation no longer valid, and/or the Office has endeavoured to carry out the recommendation, but for reasons beyond its control, implementation has not been possible.

17. Once implementation of recommendations has been completed, the inspection is formally closed. The average implementation period is presently about 18 months after the issuance of each final inspection report. A number of initiatives are being considered to help reduce the implementation period.

18. In September 2007, the IGO carried out a compliance mission to Mozambique. The compliance mission concluded that the key recommendations had been successfully implemented. Relations with key interlocutors were being conducted in a mutually satisfactory manner; staff morale was good, as were internal working relations.

**Implementation of recommendations
(July 2007 - July 2008)**

Bureau/country/date of inspection	Number of recommendations	Number of recommendations "in progress"	Number of recommendations "completed"	Percentage ⁽¹⁾ implemented
Headquarters				
Private Sector Fund Raising Section (11 Nov–22 Dec 06)	12	**/	**/	**/
Subtotal Headquarters	12	**/	**/	**/
Africa				
Rwanda (24 Mar -3 Apr 07)	23	15	8	100%
DR Congo (10–27 Apr 07)	47	**/	**/	**/
Senegal/Gambia/Mali (20 Jun–4 Jul 06)	39	13	19	82%
Sudan (27 Oct–18 Nov 07)	94	*/	*/	*/
Subtotal Africa	203	28	27	89%
Asia & Pacific				
India (24 Apr– 6 May 07)	15	8	7	100%
Sri Lanka (19 Oct–11 Nov 07)	40	*/	*/	*/
Turkmenistan (1-7 Jul 07)	11	5	5	91%
Subtotal Asia	66	13	12	96%
Middle East & North Africa				
Morocco (10–20 Dec 06)	27	7	20	100%
Saudi Arabia (including Kuwait & United Arab Emirates) (12-23 Mar 07)	29	17	10	93%
Yemen (5-13 June 07)	56	19	29	86%
Subtotal MENA	112	43	59	91%
Europe				
Sweden (Nordic & Baltic States) (4–16 Jun 06)	19	3	16	100%
Switzerland & Liechtenstein (5–16 May 07)	18	13	5	100%
The former Yugoslav Republic of Macedonia (20–26 May 07)	24	9	15	100%
Ukraine (incl. Belarus & Moldova) (7-15 Jun 07)	62	*/	*/	*/
Subtotal Europe	123	25	36	100%
Americas				
Mexico (5-15 Jun 07)	40	**/	**/	**/
Subtotal Americas	40	**/	**/	**/
Grand Total	556	109	134	93%

- (1) Implemented recommendations include both those "in-progress" and "completed".
*/ Implementation report not yet due.
**/ No implementation report received.

19. The table above demonstrates an overall compliance rate of 93 per cent. There are however three implementation reports which, at the time of drafting of this report, have not been submitted to the IGO. These include the implementation reports on the Private Sector Fund Raising Section (Division of External Relations); on UNHCR's regional operation in Mexico; and on the operation in the Democratic Republic of the Congo. In the case of the latter, the operation has been substantially restructured and upgraded. With regard to the remaining two, the inspected office and unit have principled disagreement on the validity of the inspection findings and recommendations; The IGO is addressing the need for the required implementation reports with the Oversight Committee.

20. The IGO is pleased to report that as a result of full compliance with their inspection recommendations, the following inspections have been closed: Australia, Ghana, Malawi, Mozambique, Sierra Leone, Thailand and Tunisia.

III. OVERALL MANAGEMENT

A. External relations

21. Inspection reports in the past year have noted considerable progress by field offices in strengthening working relations with local donor missions. This has resulted in donors being increasingly aware of the opportunities and challenges faced by country operations in the areas of protection, resource mobilization and programme implementation. Nevertheless, in a few country operations, an efficient system of information-sharing and consultation with donor missions has yet to be instituted. In such operations, donor missions acknowledge receipt of good quality information when requested, but indicate that these offices were not sufficiently proactive in engaging with them. The IGO will continue to encourage all field offices to pay particular attention to building relationships with donor missions that are mutually beneficial.

B. Contacts with populations of concern

22. A number of mechanisms, including participatory assessments under the Age, Gender and Diversity Mainstreaming (AGDM) methodology, are now in place to ensure that populations of concern are regularly consulted and participate in the design of programmes to address their particular protection and assistance needs. Inspection missions routinely review the frequency and quality of field offices' engagement with refugees, asylum-seekers and IDPs.

23. While awareness amongst managers has increased regarding the need to visit the Field and have more frequent dialogue with beneficiaries, the IGO has recommended that new initiatives be introduced to ensure that competing priorities, meetings, demands for external liaison, and heavy reporting requirements do not further reduce the number of such visits, especially by senior field managers based in capitals.

24. The IGO has also reported on the increasing difficulty for asylum-seekers, refugees and IDPs to gain access to UNHCR premises as a result of Minimum Operating Security Standards (MOSS) requirements. The fact that many offices are required to put strict security measures in place carries with it an obligation to ensure that alternative measures are taken to enable staff to meet regularly with beneficiaries in alternative safe locations.

C. In-country management and supervision

25. In some field offices, the inspection missions found that while regular meetings between staff members are convened, the majority of these are simply to share information, creating a risk of compartmentalization of operational activities. More frequent working meetings between functional units have been encouraged. The IGO has recommended that UNHCR's AGDM approach should further stress the importance of a multifunctional approach carried through from the planning stages into the day-to-day work of field operations.

26. Joint missions by the Directors of the Division of Operational Services (DOS) and the Division of International Protection Services (DIPS) to a number of operations have revealed that regular use of the AGDM approach ensures that the identification of appropriate strategies, key issues, and activities planned to address them, are undertaken in a holistic multidimensional manner. This model is being encouraged in all field operations through protection, programme and field staff undertaking joint monitoring missions and submitting joint reports.

IV. PROGRAMME MANAGEMENT

A. Implementing partners

27. Inspection reports indicate that UNHCR's working relations with its Implementing Partners (IPs) have generally improved. Offices are now making concerted efforts to ensure NGO involvement in the participatory planning and needs assessment phases of programme management. There is, however, still a need for greater consistency among offices as to what it means to work in partnership with NGOs. The IGO has recommended continued attention to these issues, since some NGOs continue to report a lack of transparency in their relationship with field offices, coupled with the fact that they are treated as contractors rather than partners. Others have expressed ongoing concerns about budget cuts during the year which are undertaken with little or no consultation; the late signing of agreements; the late transfer of instalments; and salary caps.

B. Use of standards and indicators

28. During the reporting period, an increased use of standards and indicators was observed in a number of operations. UNHCR and implementing partner staff are being encouraged to carry out additional training in the use of standards and indicators, to ensure reports better reflect the reality on the ground.

V. ADMINISTRATIVE MANAGEMENT

A. Exercise of delegated authority under MSRP

29. Human resources administration of national staff was delegated to country offices in 1999. The technology at that time did not allow for a corresponding delegation of the data entry function.

30. The introduction of the Management Systems Renewal Project (MSRP) enables a more complete delegation of data management to the Field thereby permitting administrative staff in capital cities with proven internet connectivity to carry out the direct data entry into the global data system. This will considerably reduce costs at Headquarters and at the Global Service Centre in Budapest, and will allow for quicker settlement of personnel-related entitlements at the field level. Inspection missions have encouraged some field offices to maximize the use of the current MSRP-related technology in the exercise of delegated authority for the data entry function.

B. Security and welfare of national staff

31. In two field locations, inspection missions observed a marked difference in treatment between national and international staff who are recruited and posted to difficult and insecure duty stations. Whereas guest houses, staffed with security guards and equipped with generators to ensure that lighting, hot water and cooking facilities are available for international staff, these facilities are not extended to national staff in the same locations. National staff must, instead, navigate the very limited private sector on their own and make do with sub-standard and insecure accommodation. The IGO has proposed that clear guidelines be drawn up to address such situations.

32. The welcome initiative of the Deputy High Commissioner to improve UNHCR's standards for working and living conditions in the Field should ensure a harmonized approach through the establishment of minimum acceptable standards. Implementation of these Working and Living Standards in UNHCR offices in the Field will be monitored during future standard inspections.

C. Code of Conduct

33. IGO inspections have continued to monitor managers' compliance with their obligations to ensure that UNHCR's Code of Conduct is signed by all staff, national and international, particularly those newly recruited to the operations. In most offices, the compliance rate is high. UNHCR has facilitated sessions and achieved considerable progress in implementing refresher courses. Inspection missions conducted during the reporting period noted that some offices have yet to appoint a focal point for Code of Conduct issues: responsibility for organizing these sessions thus remains unclear and is often left to the initiative of individual staff.

D. Training and staff development

34. IGO inspections have continued to identify situations in which staff in field locations are recruited, take up their positions and are expected to function without adequate orientation and training. Short missions undertaken by senior staff from the Representation are considered inadequate to provide on-the-job training, guidance or monitoring of performance.

35. In addition, while e-learning is available and more cost-effective in comparison with any other types of learning activity, many field offices in remote locations do not enjoy the uninterrupted internet access needed to enable staff members to take advantage of such career development opportunities.

36. The High Commissioner has requested an internal review of training needs on a global basis.

VI. INVESTIGATIONS

37. The Investigation Section consists of one Chief of Section, three Senior Investigation Officers, one Investigation Officer, one Investigation Assistant and one Investigation Clerk. Despite an increased caseload, the Investigation Section maintained the same number of professional staff as in the previous year. However, due to UNHCR-wide budgetary reductions, one senior investigation officer position (P-4) was downgraded to P-3 level.

38. The IGO contributes to the overall integrity of UNHCR's operations by investigating reports of possible misconduct by UNHCR staff.

39. Together with the Legal Advice Section (LAS) of the Division of Human Resources Management (DHRM), the IGO has contributed to the drafting of an internal memorandum (IOM/FOM) on UNHCR's strategy to address fraud and corruption, which was issued on 25 June 2008.

40. The IGO has also contributed to the formulation of UNHCR's policy on "Protection against retaliation for reporting misconduct or for cooperating with or participating in duly authorized audits, inspections, investigations, inquiries, or the activities of the Mediator" (the whistleblower policy), which is expected to be issued shortly.

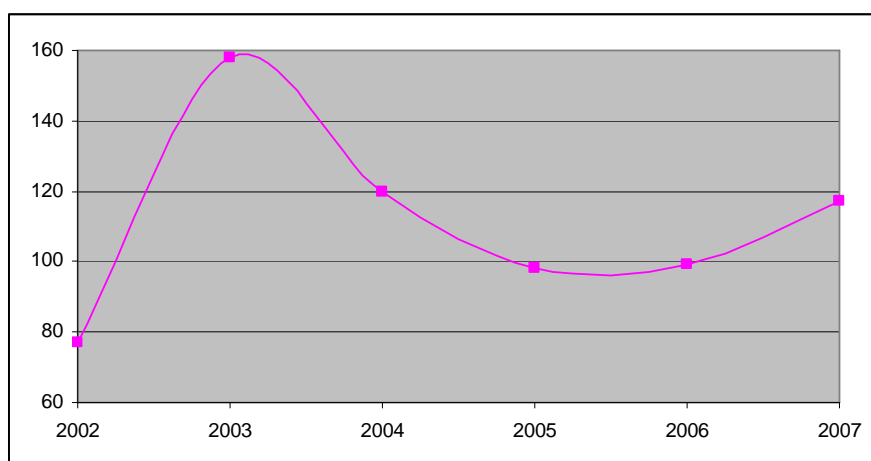
A. Caseload during the reporting period and new procedures

41. The IGO received a total of 285 reports for the period July 2007 to June 2008, 133 of which were considered as falling within the scope of the IGO's mandate and registered for investigation. This represents an increase over the previous reporting period, when 101 cases were registered for investigation. Although the previous reporting period was one month shorter (August 2006 through June 2007), there was a 28 per cent increase in this period which was absorbed by the IGO Investigation Section within existing resources.

42. Eight investigation missions have been undertaken by Senior Investigation Officers to nine countries during the past year. Some countries were visited more than once.

43. All complaints and any other information received by the IGO, or brought to its attention, which involve possible misconduct are assessed preliminarily by the Chief of Section and one of the Senior Investigation Officers. Together, they decide whether the matter falls within the scope of the IGO's investigative mandate. The involvement of an Investigation Officer in preliminary assessments was introduced in April 2008 to ensure that all cases are adequately assessed, and to reduce potential bias or lack of objectivity. Since April 2008, all closure reports are approved by both the Chief of the Investigation Section and the Head of Service (Inspections and Investigations). Issues that do not fall within the scope of the IGO's investigative mandate are referred to other actors, such as the Office of Internal Oversight Services (OIOS), the UNHCR Mediator, the UNHCR Staff Welfare Section, DHRM or the relevant manager.

Cases registered for investigation (2002-2007)



44. There were 115 cases completed over the reporting period (July 2007 – June 2008), which resulted in 27 preliminary investigation reports (PIRs) and 88 closure reports.

45. The 27 PIRs were referred to the Director of DHRM for disciplinary action. PIRs are issued when the IGO considers that misconduct has been sufficiently established. The Director of DHRM reviews the IGO's finding of misconduct, and decides whether to proceed with sanctions or to clear the staff member. The Director of DHRM may also decide to issue a reprimand (which is not a disciplinary measure); negotiate an agreed disciplinary measure with the staff member concerned; or refer the case to the Joint Disciplinary Committee for advice as to the appropriate disciplinary measure. Disciplinary measures range from written censure to summary dismissal.

46. The status of the 27 PIRs sent to DHRM during this reporting period is as follows: i) Pending with DHRM: 14; ii) Cleared by DHRM: 2; iii) Loss of steps: 5; iv) Written censure: 1; v) Separation from UNHCR: 1; and vi) Summary dismissal: 2.

47. Of the two remaining cases, one staff member has since left the organization and one is suspended with full pay.

48. There were also 88 closure reports. A closure report is prepared when the IGO has not found sufficient information to confirm an allegation of misconduct (unsubstantiated allegation) or evidence to refute that allegation (unfounded allegation). In such cases, the IGO normally sends a clearance letter to the staff member who has been the subject of the investigation. The latter has the right to request the Director of DHRM to place this letter in his/her personal file.

49. During the reporting period, 13 management implication reports (MIRs) were issued as compared with 17 in the previous reporting period. These reports address management issues revealed during investigations that do not amount to misconduct, covering issues that range from bad management style to failure to comply with policies, procedures and guidelines. MIRs are shared within the IGO with the inspection section so as to monitor compliance with the recommendations formulated in inspection reports. Although some operations address the issues raised in MIRs, the IGO plans to analyse the available data in order to assess their impact more effectively.

50. At the time of this report there are 57 ongoing investigations, comprising one outstanding case from 2003; one case from 2006; 15 cases carried over from 2007; and 40 cases registered in 2008.

Main categories of cases registered July 2007 – June 2008

Misuse assets/abuse privileges & immunities	16
Embezzlement/corruption/fraud	26
Harassment/abuse of authority /discrimination	16
Sexual harassment	7
Breach of confidentiality	5
Conflict of interest/ involved in outside activity	3
Threats/theft/assault/non-compliance local laws	7
Sexual exploitation	7
Resettlement/status determination/fraud	27
Medical Insurance Plan fraud	2
Retaliation	1
Others	16

51. Compared to the caseload from the previous reporting period, the number of refugee status determination/resettlement allegations has risen from around 11 per cent to 20 per cent of total cases, now topping the list for this period. This increase may be partly the result of increased awareness among beneficiaries. Also high on the list are cases of embezzlement/corruption/fraud, on a par with the number for the previous reporting period. There was also a noticeable rise in misuse of assets and privileges from around 6 per cent in the previous reporting period to 12 per cent in the past year.

B. Priority cases

52. Cases of alleged sexual exploitation and abuse (SEA) affecting beneficiaries or beneficiary communities are given a high priority. The status of these cases is shown in the table below.

Allegation	Number of cases	Status
Request for sexual favours and discrimination	1	Closed – allegation unfounded
Mistreatment refugees and sexual exploitation	1	Investigation in progress
Aid workers using prostitution	1	Investigation in progress
Sexual exploitation of a national staff member	1	Closed – allegation unfounded
Sexual exploitation and resettlement fraud	1	Investigation in progress
Sexual abuse	1	Investigation in progress
Sexual exploitation	1	Investigation in progress

53. UNHCR has participated fully in the ECHA/ECPS¹ United Nations and NGO Task Force on SEA. Suspected under-reporting of SEA cases remains a key concern and the IGO is working in close collaboration with the Community Development, Gender Equity and Children Section of the Division of International Protection Services to review the complaints/reporting mechanisms.

C. Coordination with DHRM/LAS

54. The Oversight Committee agreed during the reporting period that DHRM, LAS and IGO should meet on a more regular basis to promote a common understanding of the relevant data to be collected and maintained from the investigation phase through the administrative and disciplinary proceedings.

D. Awareness activities

55. During the reporting period, the IGO continued to carry out awareness activities that contribute to upholding an environment of integrity in UNHCR by pursuing the maintenance of the highest standards of personal and professional conduct by UNHCR personnel, in accordance with UNHCR's Code of Conduct.

56. The Investigation Learning Programme (ILP) training module has resulted in the establishment of an ILP Roster of some 80 staff with diverse professional and language skills. About 20 per cent of them have since been involved in assisting the IGO in investigations. As part of the IGO's awareness initiatives, and in order to expand the ILP roster, another ILP is envisaged in the second half of 2008.

¹ Executive Committee on Humanitarian Affairs (ECHA) and Executive Committee on Peace and Security (ECPS)

57. The IGO recognizes the growing need for a large-scale, high profile initiative to introduce additional anti-fraud measures into refugee status determination and resettlement activities. There is also a need for enhanced financial monitoring to minimize the risk of fraud, and for ongoing training in MSRP both to familiarize new staff members and also to upgrade existing staff members' skills.

58. Additional awareness activities are under preparation in order to provide more detailed and accessible information about the IGO's investigation function to staff members and UNHCR beneficiaries.

VII. AD HOC INQUIRIES

59. The third part of the IGO's oversight portfolio involves ad hoc inquiries. These are conducted whenever an attack on UNHCR staff, operations or premises causes fatalities, serious injuries or large-scale damage involving major financial or material losses to the Office. There is also provision for the High Commissioner to request the IGO to conduct an inquiry or review into other types of incident if they pose a risk to the Office's mandated responsibilities, interests or operations. During the reporting period, two ad hoc inquiries were conducted.

60. From 6 to 15 December 2007, the IGO carried out an inquiry into the relationship between the UNHCR Operation in Chad and the NGO Arche de Zoé, registered in Chad as "Children's Rescue". Due to the fact that this NGO was later reported to be responsible for the attempted abduction of 103 children from Chad and Sudan, the purpose of the inquiry was to ascertain and analyse actions and decisions taken by UNHCR in relation to the above incident, including an assessment of the effectiveness and adequacy of supervision and controls at the country level.

61. As a direct result of the bombing of the United Nations offices in Algiers on 11 December 2007, in which 17 people were killed and some 40 injured, and in which other United Nations agencies and UNHCR suffered serious damage to premises and property, the IGO ordered an inquiry which took place from 19 to 23 April 2008. Taking into consideration the establishment by the Secretary-General of the Independent Panel on Safety and Security of United Nations Personnel and Premises, which examined this incident in a wider framework, the inquiry conducted by the IGO was limited to internal aspects and to aspects linked to its role and participation in the United Nations Country Team and Security Management Team. At the time of preparation of this document, the inquiry report was still being finalized.

62. Findings of ad hoc inquiries are contained in confidential reports submitted to the High Commissioner, who then tasks concerned managers with appropriate follow-up.