Seventy-seventh meeting of the Standing Committee 10-12 March 2020

Agenda item 4

Oral update on the work of the Inspector General's Office

- Introduction: 2019 was an intensive year for the Inspector General's Office (IGO). Important policy improvements were introduced and an oversight data management tool that will allow for the meta-analysis of data to identify trends and root causes was developed. Furthermore, the number of complaints related to misconduct continued to rise, and more investigations were conducted compared to 2018. This resulted in a record number of substantiated investigation reports being forwarded to the Director of the Division of Human Resources for disciplinary proceedings.
- **Policy level changes:** In December 2019, UNHCR's <u>Policy on Independent Oversight</u> was finalized and promulgated in conjunction with the Administrative Instruction (AI) on conducting investigations in UNHCR. The policy sets out UNHCR's independent oversight framework that promotes and enhances organizational accountability by defining and confirming the authority and responsibilities of the different oversight functions in UNHCR. It also introduced new roles and terms of employment for the Inspector General. The AI on conducting investigations in UNHCR ¹ implements the investigation function defined in the policy and provides additional detailed instructions on the investigation process and related roles, responsibilities, authorities, rights and obligations. It also incorporates best practices on investigations relating to sexual misconduct, including through a victim-centred approach.
- Collaboration with internal actors on sexual misconduct: The IGO regularly participates in and contributes to organization-wide discussions on how to prevent and respond to sexual exploitation and abuse (SEA) and sexual harassment (SH), including on how best to define and apply a victim-centred approach in the context of sexual misconduct. In relation to the High Commissioner's Inter-Agency Standing Committee (IASC) Championship on Protection from SEA and SH, the IGO is in the process of developing an online training package for its partners on how to conduct investigations relating to SEA.
- Commitment to improving its procedures: The IGO is committed to continuous improvement of its functions. During the reporting period, the United Nations Development Programme (UNDP) Investigation Service conducted a peer review² of the IGO's Investigation Service, resulting in various recommendations for improvement. The final report noted that the Investigation Service is overall an effective service that is composed of committed professionals conducting good quality work. It also noted that the caseload has steadily increased over time, which impacts on the ability of the function to carry out its work efficiently with its current organization and capacity. The IGO has already commenced work on several of recommendations contained in the report. However, additional positions and budgetary resources will be required to implement many of the remaining recommendations.
- Resource plans: With the exception of the Investigation Service, the IGO structure and resources have remained stable following the implementation of the oversight reform recommendations. The Investigation Service continues to strengthen its presence in the field, with an aim to respond to allegations in a more efficient and timely manner. Currently, the Investigation Service has a presence in Bangkok, Geneva, Nairobi, Pretoria, and, effective 1 January 2020, also in Amman. Positions for the Investigation Service in Amman are expected to be filled in the first quarter of the year. In the coming years, the Investigation Service aims to further reinforce its presence in the field. Efforts have been and will continue to be made on hiring more female investigators and staff from diverse backgrounds. Such efforts combined, will contribute to a strengthened investigative function.
- **Complaints:** In the past four years, the number of complaints relating to misconduct grew from 399 in 2016, 664 in 2017 and 1,186 in 2018. In 2019, the number of complaints stabilized with only a slight increase of 3.4 per cent, reaching a total of 1,226. Based on the level of complaints received during the first month of this year, the Investigation Service is projecting a similar level in 2020.

The AI applies to all UNHCR personnel, partners, and other parties with whom UNHCR has a contractual arrangement, subject to the conditions in those agreements. UNHCR personnel, for the purposes of the AI, includes UNHCR staff members, affiliate workforce, and persons on secondment or loan to UNHCR.

The Investigation Service is subject to an external peer review every five years, which aims to assess the adequacy of its structure and resources, organization and quality of work, as well as its independence. In 2013, the review was conducted by the European Anti-Fraud Office of the European Commission.

- Consistent with 2018, the top three categories of complaints relating to misconduct in 2019 were: (i) fraud with financial implications; (ii) SEA;³ and (iii) refugee status determination and resettlement fraud. Of the 1,226 complaints relating to misconduct, 44 per cent implicated UNHCR personnel; 34 per cent implementing partner personnel; and 22 per cent others.⁴ Complaints implicating UNHCR personnel remained at similar levels as 2018, while those implicating implementing partners increased from 28 per cent in 2018 to 34 per cent in 2019. In light of the notable increase, the Investigation Service will soon conduct an investigation workshop in Pretoria for implementing partners in countries covered by the Regional Bureau for Southern Africa. In addition, the Investigation Service will continue to work closely with the Implementing Partnership Management Service of the Division of Strategic Planning and Results on these matters.
- Investigations: During the reporting period, the Investigation Service opened 134 investigations implicating 165 individuals,⁵ an increase compared to 113 investigations implicating 145 individuals in 2018. In parallel, the Investigation Service finalized 164 investigation reports,⁶ of which 55 per cent were substantiated (90/164). This is a notable increase from 144 investigation reports finalized in 2018, of which 49 per cent were substantiated (71/144). The number of investigation reports transmitted by the IGO to the Division of Human Resources relating to UNHCR personnel for possible disciplinary action increased from 31 in 2016, 61 in 2017 and 64 in 2018 to 85 in 2019. This steady increase, combined with the high level of complaints reported, reflects UNHCR's efforts to reinforce our systems to detect, report and respond to cases of misconduct.
- Investing in prevention: The number of management implication reports (MIRs) issued by the Investigation Service increased from 8 in 2016 to 17 in both 2018 and 2019. MIRs are addressed to executive and senior management on areas of systemic weaknesses and gaps identified in the course of investigations, with an aim to address the weaknesses and prevent similar irregularities from occurring in the future. At year end, the compliance rate with recommendations from MIRs was high, recording 98.9 per cent.
- Identifying trends, early warning and addressing root causes: In order for the IGO to provide advice and early warning to executive management, the Strategic Oversight Service continued developing a tool that allows for meta-analysis of trends in oversight findings based on data extracted from audit and evaluation reports. In 2020, the tool will be further populated with data from other oversight functions. The service is expected to be at full capacity by mid-year with the arrival of a Head of Unit [Oversight Operations] (P5) and a Senior Oversight Officer (P4) in 2019, and the recruitment of an Oversight Officer (P3) which is expected to be completed in the coming months.
- Internal audit: The IGO continued to collaborate closely with the United Nations Office of Internal Oversight Services (OIOS) UNHCR Audit Service, which provides internal audit services to UNHCR. The UNHCR Audit Service successfully implemented its 2019 work plan by achieving a 100 per cent completion rate. The 2020 internal audit work plan has a strong emphasis on UNHCR's regionalization and decentralization process, emergency operations, and information and communications technology.
- Conference of International Investigators (CII): Together with 10 other Geneva-based international organizations, the IGO led the organization of the 20th Conference of International Investigators (6-8 November 2019). The annual conference assists investigators and their offices in the professional conduct of their work and their strengthened efforts to support their offices in tackling integrity issues. It serves as a crucial platform to address common challenges, promote collegiality and close cooperation among investigative offices, and to facilitate the exchange of new ideas, best practice and information. The 20th Conference welcomed over 187 participants from 51 international organizations.

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³ The 'SEA' category includes complaints with and without identifiable or identified victims.

The 'others' category includes contractors, national authorities, vendor personnel and unknown.

Of the 165 individuals, 89 per cent (147/165) implicated UNHCR personnel, while 11 per cent (18/165) implicated contractors, implementing partner and vendor personnel.

Of the 164 reports, 94 per cent (154/164) implicated UNHCR personnel, while six per cent (10/164) implicated contractors and implementing partner personnel.