



PAN AMERICAN HEALTH ORGANIZATION
WORLD HEALTH ORGANIZATION



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STATEMENT BY THE REPRESENTATIVE OF THE PAHO/WHO STAFF ASSOCIATION

1. The Staff Association would like to express its appreciation to the members of the Executive Committee for their attention and interest to issues related to current staff working conditions, in accordance with the provisions of the International Civil Service. The staff members of the Pan American Sanitary Bureau (the Bureau) appreciate the confidence the Governing Bodies of the Pan American Health Organization (PAHO) have placed in them. Moreover, they reiterate their commitment to continuing to provide international cooperation in health and fulfilling the mandates of the Organization, in accordance with its mission, vision, and values.
2. At this session of the Executive Committee, the Staff Association would like to review the scope of the relations with PAHO's Executive Management and administration, particularly with regard to the internal justice system and the importance of specific actions that will lead to a better organizational climate and staff motivation. In addition, we will refer to the issue of human resources management and administration in the Organization.
3. It is important to note that we have begun a new administration with the election of Dr. Carissa Etienne as Director of the Bureau and that this coincides with the preparation of Strategic Plan 2014-2019 and the Biennial Program and Budget 2014-2015. We are at a historic juncture, since many of the actions that are taken now can determine the future of the Organization and its scope in the public health of the Region. Our mission as an Organization is more relevant now than ever. Our mandates continue to be valid and thus the PAHO staff believes that we should ensure the level of effort necessary to fulfill them.
4. We must demonstrate that the Organization is all of us, the Member States and the Pan American Sanitary Bureau, the health authorities, Executive Management, and staff—we are all public servants. At times like these, there is a need not only for

charismatic leaders and well-defined priorities, but also for a shared vision and a profound commitment constructed through dialogue and the participation of all, not only limited to small groups of advisers. The idea of a broad work process is to strengthen in-house experience and extend it into the regional and global sphere.

5. With regard to relations between staff and the new Director, we would qualify it as a proactive and professional work relationship, based on mutual respect. We have the commitment of the entire staff to support the administration of Dr. Etienne with a view to implementing the Strategic Plan and to keeping the Organization on the global health agenda. We have had the opportunity to share our perspective on the importance of reviewing certain processes and consolidating certain institutional achievements, to make them more efficient and effective.

6. We reiterate our position on the importance of conducting an independent review of the different elements that make up the Integrity and Conflict Management System (ICMS), which comprises, among others, the following offices: Ethics Office, Ombudsperson, Board of Appeal, Human Resources Management, and the Office of the Legal Counsel of PAHO. These offices have a role in what is known as the internal administration of justice. Our observation, experience, and evidence-based analysis is that PAHO has an internal justice system that does not meet the minimum requirements to ensure free access to justice, due process, transparency, independence, impartiality, credibility, and swiftness. It also lacks a system of check and balances and accountability. We have offered our feedback on the mechanisms currently in use and we hope that the new Administration and the Governing Bodies of PAHO, if they truly want to make changes to make the Organization more efficient, will act immediately, promoting an independent analysis that can be carried out by the United Nations Joint Inspection Unit.

7. For years, as we have indicated in our past statements to the PAHO Executive Committee and especially in these last months, we have had extensive discussions about options and we believe it is important to strive to build confidence in the internal system for the administration of justice. PAHO is a small and highly decentralized institution and thus it is more than imperative to review some of the services that make up the internal administration of justice or conflict management system so that it can operate more effectively and efficiently.

8. It is necessary to address certain gaps that place the Organization at risk and that instill mistrust in the staff. From our experience, we can affirm that the creation of each and every one of the components of the ICMS has been the product of a spontaneous initiative and rather the result of contextual pressures, with no basis in evidence, and without planning or a critical look at process.

9. We have at our disposal the lessons learned by international institutions that have invested in internal justice systems, the recommendations of the United Nations Joint Inspection Unit, and the findings of a Staff Association survey on the staff's knowledge and use of, and satisfaction with, the services of the Ethics Office and the Office of the Ombudsperson, and the official reports issued by the Ethics Office and the Office of the Ombudsperson.

10. The following are the main issues that still need to be addressed:

- (a) The Ethics Office does not have a professional investigation service nor is it equipped to provide professional guidance for investigations when these services are contracted to third parties.
- (b) PAHO's Investigation Protocol is not applied as it should be nor is it adequate.
- (c) There are no mandatory deadlines or time limits at each stage of the conflict management process.
- (d) There is no mechanism establishing a mandatory timeframe in which to make decisions or implement recommendations after an investigation has been carried out.
- (e) No one has been made functionally responsible for educating, disseminating information about, or serving as a reference for exercising the right of appeal; the Staff Association is alone in providing systematic information to the staff about the exercise of this right. Appeal is a staff right and the office responsible for running the ICMS has not truly managed to make staff aware about making free use of this right and other conflict management mechanisms.
- (f) The PAHO Board of Appeal functions very erratically; there is no accountability as there is in other internal tribunals in international agencies, where this is a common practice, such as the Organization of American States, the Inter-American Development Bank, etc. To date, with a Chair of the Board from outside the Organization, no one is functionally in charge of the process, the secretariat is very weak, the proposed rules of procedure are irrational from a legal standpoint, the members of the board have not been elected, and no type of mechanism has been created to provide information to staff.
- (g) There is no clear division of tasks, roles, and responsibilities among the different entities that make up the internal administration of justice system with respect to policy-making and implementation, application of procedures, analysis, presentation of recommendations, and conflict resolution, which in legal terms and in higher courts is known as a "procedural defect."

- (h) There are no systematic campaigns to prevent abuse of authority, harassment, and poor conduct by staff in general. We wish to stress that the staff of the Representative Offices, regardless of the type of contract or the duration of the assignment, are the most vulnerable to harassment and abuse of authority, which means that it is imperative to prioritize attention to these groups.
- (i) The system does not have an oversight or monitoring mechanism that ensures the exercise of this right, due process, or the presentation of systematized information broken down by variables, among others.

11. In conclusion, after several years of experience with the operation of the Integrity and Conflict Management System, we can assert that it does not meet the minimum standards of an internal justice system, and even violates the Universal Declaration of Human Rights and specifically case law determined by the International Labor Organization (ILO) in this field.

12. We reiterate the commitment of the Staff Association to work together with the Administration to improve the organizational climate and promote credibility and confidence in conflict management. Our initiative to work with the Administration on a program that promotes a respectful work environment was discussed as part of the Global Council between management and staff that is sponsored by the World Health Organization (WHO).

13. With respect to issues related to human resources management and administration, it is important to highlight the new Director's initiative to better organize strategic planning by the Bureau, which, in addition to the programming and budgetary component, has a human resources plan that accompanies implementation of the PAHO Strategic Plan. It is important to recognize that the purpose of this initiative is to prevent managers from exercising discretionary powers over human resources management since it has a negative impact on the mission of the Organization. We will also pay particular attention to the Representative Offices, because the staff of those offices have different types of employment agreements. It is important for the Organization to conduct a serious analysis of those functions that are international in nature and those that can be contracted using other mechanisms, to clearly define the use of contracts for regional, multicountry, subregional, and national functions, as well as to ensure the sustainability and continuity of the Organization's key functions. An analysis is required in relation to variables such as: type and size of PAHO operations at the regional and country level, to determine whether a subregional level is required, PAHO presence at the national level, enabling functions and technical cooperation functions, expansion of technical cooperation functions using other work modalities, accountability and analysis of the overall cost of the country presence, and application of budget policy.

14. It is important to indicate that we believe that it is a good practice to prepare and review a human resources plan for each of the offices of the Pan American Sanitary Bureau, and that these plans should be aligned with the review of biennial work plans since they are part of the technical cooperation package that the Organization offers. The Staff Association believes that just as the design and review of the work plans is a broad and participatory process, the human resources plan should be as well, and that its review should be part of the same institutional exercise.

15. It is imperative to address the different aspects of human resources management, not in an individual review by each of the Organization's entities, but rather from a global perspective that includes: that funding of posts come from regular resources or from voluntary contributions, descriptions for professional posts for international and local recruitment, reclassifications, promotions, and refresher training.

16. Each entity's human resources plan should reflect the guidelines of a general human resources plan for the Organization, a document that does not exist to date, to prevent the formation of silos, promote interprogrammatic work, and develop internal capacity. If we want PAHO's technical cooperation to be relevant, this type of analysis has to be done regularly in the same way that work plans and the budget are organized.

17. We cannot ignore that the Bureau will have a significant impact with regard to human resources when the PASB Management Information System is implemented, and therefore we recommend that the Executive Management of PAHO use this valuable time to review, discuss, and establish criteria that will guide human resources planning.

18. Improving strategic planning for our work force and the opportunities for staff development are now more relevant than ever. The Organization has a unique opportunity to establish effective mechanisms for timely replenishment of staff with the competencies required for technical cooperation, and investment in human resources development. Such planning will allow staff, both general services and professional, to advance their careers based on their merits, and will limit the hiring of retired staff.

19. With this, we conclude our statement by renewing our commitment to the Organization and its Member States; we will accompany the work of the Executive Management with a spirit of cooperation, because our interest is to contribute to the mission of PAHO.

Conclusions

20. The Staff Association respectfully asks that the PAHO Executive Committee consider, endorse, and promote proposals and recommendations related to the matters addressed in this document. These are:

- a) Carry out an independent review of the PAHO Integrity and Conflict Management System to improve its performance in a framework of internal justice; and
- b) Develop a human resources plan that accompanies implementation of the PAHO Strategic Plan.

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