



UNITED NATIONS INTERNATIONAL CIVIL SERVANTS' FEDERATION
FEDERATION DES FONCTIONNAIRES INTERNATIONAUX DES NATIONS UNIES

9th September 2021

UNISERV/04/2021

To: Mr. António Guterres, Secretary-General United Nations

Cc: Ms. Maria Luiza Ribiero Viotti, Chef de Cabinet
Ms. Ana Maria Menendez Perez, Senior Advisor on Policy
Ms. Catherine Pollard, USG, DMSPC

From: Mr. Stephen Towler, President UNISERV *S.T.*

Subject: Ms. Lanla Kamara – Non-Renewal of Contract

Dear Mr. Secretary General,

On behalf of the UNISERV Federation,

We are writing to you to address the non-renewal of Ms. Lanla Kamara's fixed-term contract.

Ms. Kamara's contract was not renewed and allowed to expire on 31st August 2021 after twenty-one years of satisfactory service with the United Nations, even though the post with the office of the Ombudsman is still in place, due to an alleged conflict of interest. We insist that Ms. Kamara be reinstated under staff Rule 4.18, Reinstatement, in the absence of any valid reason for the non-renewal of her contract.

"(a) A former staff member who held a fixed-term or continuing appointment and who is re-employed under a fixed-term or a continuing appointment within 12 months of separation from service may be reinstated if the Secretary-General considers that such reinstatement would be in the interest of the Organization".

This highly sensitive decision was allegedly taken on the grounds that her role with UNPAD was a conflict of interest with her role as Conflict Resolution Officer. This issue became moot once Ms. Kamara resigned from her role with UNPAD on 26 August, immediately after she was notified of the Ethics Office's determination on the matter. Upon Ms. Kamara's resignation from UNPAD, any concerns regarding conflict of interest are cleared and the matter is back with your Administration to decide. In doing so, we would like you to take into account the following:

The office of the Ombudsman has claimed they took advice from the Ethics Office and relied on this advice to make their decisions. This advice was not shared with Ms. Kamara and we strongly believe that, had this happened, the outcome would have been

different. It was not until the reply to Ms. Kamara's application at the Tribunal was issued that an email exchange between the Ombudsman and the Director of the Ethics Office, which took place between 8 and 12 March 2021, re the Applicant's participation in UNPAD, was shared with the Applicant's lawyers and Ms. Kamara for the first time. Any formal instruction from the Ethics Office should have been shared with Ms. Kamara, for her to be bound by it.

In the UN, conflicts of interests are mitigated all the time by removing staff from assignments that will result in an actual or perceived conflict of interest. The Deputy Ombudsman, Mr. Louis Germain, had written to Ms. Kamara giving her new tasks and focal point roles, (15.4.2021), that would have mitigated the perceived conflict. This again, at face value, seems to have been overlooked as a resolution to the ongoing situation. Amicable solutions to this case should have received more direct attention.

On 26th August 2021, when Ms. Kamara became aware through the disclosure by the UN Ombudsman at the Tribunal that there was an existing determination from the Ethics Office, she proceeded to communicate her decision to resign from UNPAD, thus removing the reason and condition for the non-renewal. Notwithstanding, the UN Administration proceeded with the separation on 31 August 2021.

It has been stated that Ms. Veronica Luard, an external mediator, was to be used to try and find an amicable solution to this issue, to which Ms. Luard had agreed. We feel that this mediation should have been allowed to go ahead and would again have allowed a more suitable outcome for the staff member and the organization. We further note with some level of disappointment that the Tribunal was misled by the Administration to believe that they had themselves not committed to making efforts at informal resolution, despite having themselves hired an external mediator for the purpose. Ms. Kamara's good faith efforts at informal resolution were in turn used against her to reject her request for suspension of action.

UNPAD, and especially Ms. Kamara, have worked extremely effectively towards your own goals of full inclusivity of all and were invited to take part in all 7 of the working groups of the Task Force on Anti-Racism by the ASG OHR, on 12th September 2020. This email from UN Administration also included the line, *"I would like to take this opportunity to thank you and the entire UNPAD leadership for your briefing on Monday 23rd November. Your insight into UNPAD's efforts of promoting diversity and inclusion in the UN common system and the outcome of its survey on racism was well received and appreciated by all in the UN"*. The email goes on to state, *"...we look forward to working collaboratively with UNPAD and the other interested groups on this important task"*.

UNISERV holds an extremely strong view that to engage with Ms. Kamara and UNPAD at this level has only led to vast improvements within the "One UN" and at no

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time have the Administration or your own representatives seen this as a conflict of interest and only a benefit to all.

Sir, in summary we believe that you should reinstate Ms. Kamara into a position within the organization immediately, in consideration of the extremely sensitive work she has carried out for the benefit of all. The perceptions this non-renewal is causing can only lead to worsened workplace relations, less inclusivity and reputational damage to the United Nations as a whole and the Office of the Ombudsman in particular.

We trust you will give this situation your utmost attention and find an immediate resolution.

Please accept, Excellency, the assurances of our highest consideration.