

## **Extension of the temporary suspension in part of Financial Rule XII 112.1**

### **Report by the Director-General**

1. The WHO Financial Rules<sup>1</sup> establish the Office of Internal Oversight Services (IOS) as the sole authority for all investigations of misconduct and other irregular activities conducted in WHO, and the Director of Internal Oversight Services as the responsible officer for these investigations.

2. To ensure that the Organization's management response to the report of the Independent Commission appointed by the Director-General to investigate allegations of sexual abuse and exploitation during the response to the 10th Ebola Virus Disease epidemic in the provinces of North Kivu and Ituri, the Democratic Republic of the Congo<sup>2</sup> can be implemented quickly and efficiently, and taking into consideration that the Director-General decided that the Head, Investigations, while situated in the Office of Internal Oversight Services, should report directly to him and be responsible for all investigations of sexual misconduct and abusive conduct, the Executive Board at its 150th session decided to temporarily suspend Financial Rule XII, 112.1,<sup>3</sup> in part, in order to enable the following:

- During this suspension, the Head, Investigations shall be responsible for all investigations of sexual exploitation and abuse and abusive conduct.<sup>4</sup> In this capacity the Head, Investigations shall have the same reporting lines, the same type of access, the same channels for reporting the results of work undertaken, including to the Executive Board, and same authority those currently granted to the Director, Internal Oversight Services in this area.
- All other investigations that are not investigations of sexual exploitation and abuse or abusive conduct as referred to above remain under the overall responsibility of Director, Internal Oversight Services.
- This provision will remain in effect until the 151st session of the Executive Board.

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<sup>1</sup> Financial Rule XII, 112.1 establishes that "(t)he Office of Internal Oversight Services (IOS) is responsible for (...) investigation of misconduct and other irregular activities. (...)".

<sup>2</sup> Preventing & responding to sexual exploitation and abuse: WHO management response to the report of the Independent Commission to investigate allegations of sexual abuse and exploitation during the response to the 10th Ebola virus disease epidemic in the provinces of North Kivu and Ituri, the Democratic Republic of the Congo, of 28 September 2021. Geneva: World Health Organization; 2021 ([https://cdn.who.int/media/docs/default-source/ethics/who-management-response-20211020-finalv2.pdf?sfvrsn=591a9adf\\_12&download=true](https://cdn.who.int/media/docs/default-source/ethics/who-management-response-20211020-finalv2.pdf?sfvrsn=591a9adf_12&download=true), accessed 5 April 2022).

<sup>3</sup> See decision EB150(23).

<sup>4</sup> As defined in the WHO Policy on Preventing and Addressing Abusive Conduct.

3. This decision, which was taken due to exceptional circumstances and does not set a precedent, has been implemented. Investigations are currently being handled accordingly.

4. The Board is requested to consider extending the suspension in part of Financial Rule XII, 112.1, until its next session.

### **ACTION BY THE BOARD**

5. The Board is invited to note the report and consider the following draft decision:

The Executive Board, having considered the report by the Director-General,<sup>1</sup>

Decided to extend the temporary suspension of Financial Rule XII, 112.1, in part, as set out in decision EB150(23), with this provision to remain in effect until the 152nd session of the Executive Board.<sup>2</sup>

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<sup>1</sup> Document EB151/8.

<sup>2</sup> This decision is taken due to exceptional circumstances and does not set a precedent.