

ADMINISTRATIVE REVIEW PROCESS

ANNUAL STATISTICAL REPORT 2022

Conference Room Paper

UNAIDS INTERNAL JUSTICE SYSTEM
ADMINISTRATIVE REVIEW PROCESS
ANNUAL STATISTICAL REPORT 2022

PART I

Introduction

1. This report is the 5th annual statistical overview of administrative review cases in the UNAIDS/WHO Internal Justice System (IJS) (Part I) for the period 1 January to 31 December 2022.
2. The report provides a statistical analysis, anonymized aggregated data and an overview of trends. Part II of the report summarizes lessons learned, recommendations and further observations on the administrative review process in UNAIDS.
3. The statistics and descriptions in this report are based on data collected internally by the HR Policy and Legal Unit (“HPL” or “Unit”), People Management Department (“DPM”), which is responsible for centrally addressing requests for administrative review at UNAIDS.
4. Requests for administrative review are received and acknowledged through the Director, DPM¹ email address and a dedicated email inbox (hrmlegal@unaids.org), which is independently overseen and managed by HPL. All requests are logged and closely monitored by the responsible Legal Officer of the Unit.
5. To recall the functioning of the mechanisms of the UNAIDS Internal Justice System (IJS) and statistical data for previous reporting periods, please refer to the following documents:
6. UNAIDS Internal Justice System. Administrative Review Statistical Overview 2021, available on the webpage of the 50th UNAIDS Programme Coordinating Board²;
7. UNAIDS Internal Justice System. Administrative Review Statistical Overview 2020, available on the webpage of the 48th UNAIDS Programme Coordinating Board³;
8. UNAIDS Internal Justice System. Administrative Review Statistical Overview 2019, available on the webpage of the 46th UNAIDS Programme Coordinating Board⁴;
9. UNAIDS Internal Justice System. Administrative Review Statistical Overview 2018, available on the webpage of the 44th UNAIDS Programme Coordinating Board⁵.
10. Reference is also made to the 2022 Annual Report of the WHO Global Board of Appeal⁶.
11. The reporting period had diverse procedural modalities and elements related inter alia to the nature of the cases submitted. Consequently, the present report will contain

¹ In accordance with paragraph 14 of HRM/IN 2019-7 on Internal Justice System, a signed and dated request for administrative review in UNAIDS must be submitted to Director, HRM.

² This document is accessible following the link: [PCB CPR 50 Administrative Review Statistical Overview 2021. Update on strategic human resources management issues \(unaids.org\)](#).

³ This document is accessible following the link: https://www.unaids.org/sites/default/files/media_asset/PCB_48_Agenda_Item_6_CRP2.pdf.

⁴ This document is accessible following the link: https://www.unaids.org/sites/default/files/media_asset/UNAIDS%20Administrative%20Review%20Statistical%20Overview%202019_En.pdf.

⁵ This document is accessible following the link: https://www.unaids.org/sites/default/files/media_asset/UNAIDS_PBC44_HR_Mgt_Issues_update_EN.pdf.

⁶ [Global Board of Appeal Annual Report 2022.pdf \(who.int\)](#) (internal document).

information and data referring not only to the number of the AR requests submitted as a departing point/comparator but also to the number of staff members submitting such AR requests.

12. To facilitate interpretation of the statistical data for the reporting period, in certain instances information already available as at the first quarter of 2023 was added. This is also in view of a 'sliding' progression of the case review, where the case may have been filed in late 2022 but a certain outcome became available early in the following year.

Highlights and trends in 2022

Some trends and key indicators worth highlighting in respect of the 2022 reporting year include:

13. In 2022, **12 new AR requests** were received from **14 different staff members**, all holders of fixed-term appointments. This marks **an upward trend of 42%** difference with the same reporting period in 2021. For ease of reference, a total of 7 (seven) AR requests were received in 2021. Please refer to *Figure 1* for the overall statistics of cases received during the period from 2018 to 2022.
14. The number of staff members who submitted requests for review in 2022 (14) is higher than the actual number of the AR requests (12) for the following reasons. 2 (two) administrative review requests were submitted by the same staff member that related to factual and legal elements arising from the same legal relationship and they were thus joined in a single administrative review process⁷. In one instance, 4 (four) different staff members requested for review of the matter related to common factual or legal elements that were reviewed in the context of a single case.
15. An increase in caseload is explained by the institutional restructuring exercise (the "Alignment") being in its final stage titled "Performance" that was still underway as at 31 December 2022. Specifically, **6 AR requests concerned the Alignment-related administrative decisions** (*Figures 2 and 3*). For ease of reference and information, the majority of the UNAIDS staff members concerned were formally informed of abolition of the positions they incumbered on 14 April 2022. The Alignment-related institutional mechanism allowing the staff members concerned to apply to the available positions was open from 14 April to 6 May 2022 (the "Compendium"), followed by the reassignment process for eligible staff members in accordance with Staff Rule 1050.2⁸ and UNAIDS Information Note on Reassignment Process for Qualifying Staff Members (HRM/IN 2013-10). For majority of the UNAIDS staff members, the reassignment process took place from 31 May 2022 for the period of 6 months (i.e. to 30 November 2022).
16. The occurrence of formal grievances related to post reductions in the context of the 2021-2022 Alignment corresponds largely to the occurrence of grievances during

⁷ In accordance with paragraph III.12.3.105 of the WHO eManual "[r]equests for administrative review may be joined in a single administrative review process, either at the request of an initiating party or the Director, [DPM], in the following circumstances:

- a. separate requests for administrative review submitted by the same staff member that relate to factual or legal elements of the same nature or arise from the same legal relationship; or
- b. separate requests for administrative review submitted by different staff member relating to common factual or legal elements or to factual or legal elements of the same nature."

⁸ Staff Rule 1050.2 provides that "[i]n accordance with conditions and procedures established by the Director-General, and unless otherwise provided in the contract of employment, reasonable efforts shall be made to reassign staff members whose posts have been abolished or have come to an end [...]."

the last major UNAIDS restructuring exercise which took place in 2016-2017 (the “Repositioning”). Specifically, in the context of the Alignment across 2021-2022, 7 administrative review requests were filed whilst already as at 1 May 2022 the rate of reduction of posts in the context of the Alignment had reached 9%. As at 31 December 2022, the implementation of Alignment-related decisions was still underway. By way of comparison, 9 administrative review requests had been filed from 2016 to 2017 related to the UNAIDS Repositioning exercise, during which the Secretariat reduced its staff by 13%⁹.

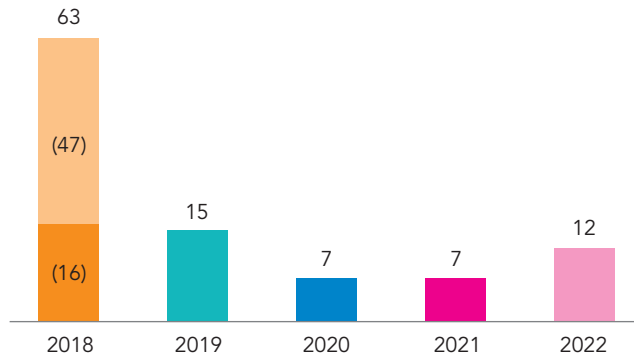
17. **All 12 AR requests** received in 2022 were submitted **by serving staff**.
18. All 12 AR requests were submitted in English.
19. **7 AR requests** were submitted **by male** and **4 AR requests** were submitted **by female staff members**.
20. **7 AR requests** within the reporting period were submitted by staff members located in the duty station Geneva, Switzerland, UNAIDS Global Centre (*Figure 4*).
21. In 2022, **staff members chose to be represented either by a professional outside legal counsel or a person of their choice in 6 AR requests (50%) and self-represented in 6 other cases** (*Figure 10*).
22. **In 10 AR processes, informal resolution efforts** were undertaken prior to and within the review.
23. In two AR cases, the Administration extended the time limit for submission of an administrative review request, in order to allow for further informal resolution efforts¹⁰.
24. In 2022, a total of **11 final administrative review decisions were issued** including 2 decisions in the AR requests that had been submitted in the last quarter of 2021 and where the cases were still under review as of 31 December 2021.
25. Out of the 12 AR requests received in 2022, **5 (five) were challenged before the Global Board of Appeal (GBA)**, as at 31 December 2022.
26. In total, **12 (twelve) new appeals** were submitted before the GBA by UNAIDS staff members in 2022 demonstrating a 58% increase compared to the same period in 2021.

⁹ Please see paragraph 5 of the Update on strategic human resources management issues, UNAIDS/PCB (40)/17.11: “Through the repositioning, the Secretariat has reduced its staff by 13% since the beginning of 2016. [...]”.

¹⁰ In accordance with paragraph III. 12.3.60 of the WHO eManual “the Director, [DPM] may extend the time limit for submitting a request for administrative review, pending efforts for mediation or other forms of information resolution. [...]”.

AR requests from 2018 to 2022

Figure 1. Number of AR requests per year from 2018 to 2022



27. The number of AR requests for the year of 2018 includes 47 AR requests arising in relation to ICSC compensation matters (i.e. Geneva post adjustment and changes to education grant). Please consult Administrative Review Statistical Overview for 2018 which is available on the webpage of the 44th UNAIDS Programme Coordinating Board.

AR requests by category:

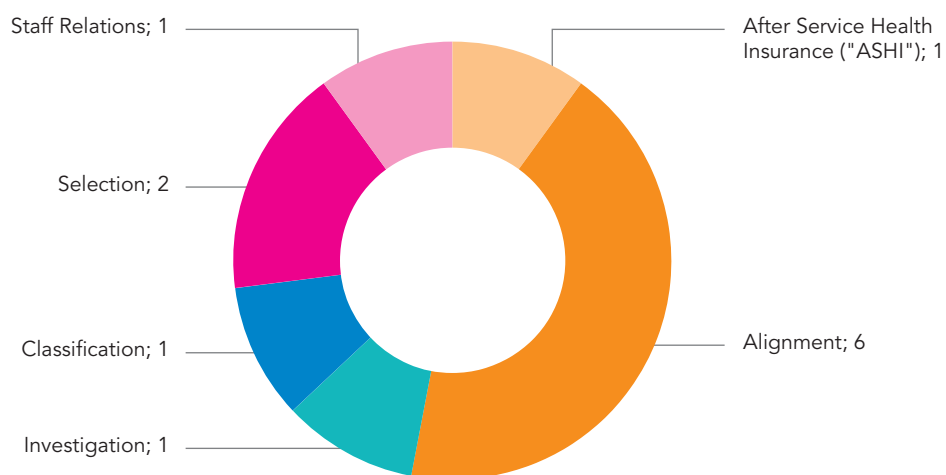
28. Below (*Figure 2*) is a detailed breakdown of the **12** AR requests received in 2022 across 6 different subject categories:

After Service Health Insurance (ASHI): 1;
Alignment – 6;
Classification – 1;
Investigation – 1;
Selection – 2;
Staff Relations – 1.

29. Please note that in some AR requests the subject matters in question were cross-cutting. However, matters under review have been categorized by their overarching category.

30. In the “Alignment” category, 1 AR request was related to the challenge of an administrative decision to relocate a fixed-term position, where the incumbent was offered the option to relocate to the new duty station with the position at the lower grade retaining their current grade on a personal basis¹¹; and 5 AR requests concerned abolitions of posts.

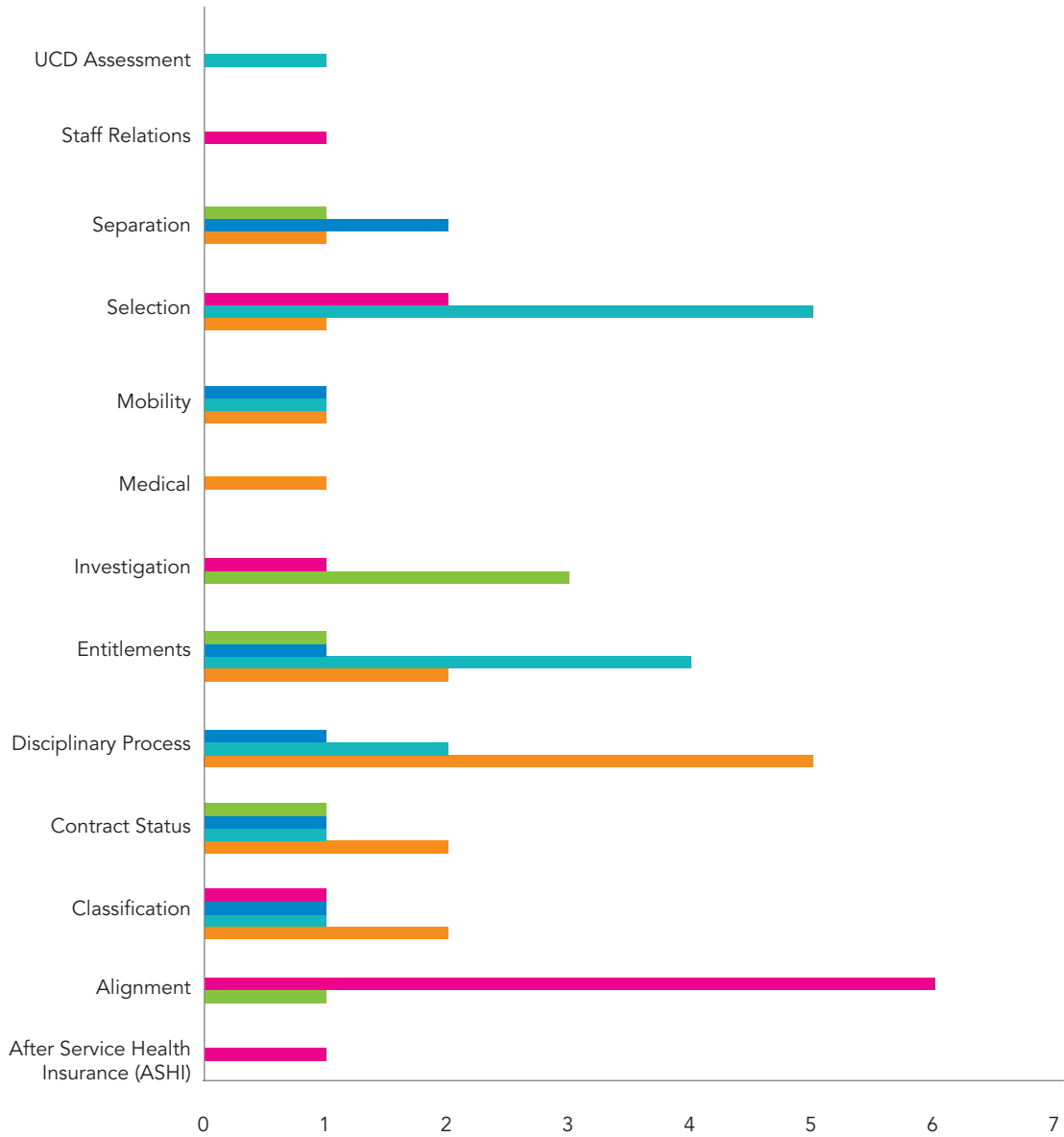
Figure 2. AR requests received from 1 January to 31 December 2022



¹¹ Reference is made to paragraphs 6 and 14(a) of the UNAIDS Alignment Implementation Guidelines (internal document).

31. In Figure 3 below, please see the categories of AR requests for the period from 1 January 2018 to 31 December 2022.

Figure 3. Categories of AR requests in 2018–2022



	After Service Health Insurance (ASHI)	Alignment	Classification	Contract Status	Disciplinary Process	Entitlements	Investigation	Medical	Mobility	Selection	Separation	Staff Relations	UCD Assessment
■ 2022	1	6	1				1			2		1	
■ 2021		1		1		1	3				1		
■ 2020			1	1	1	1			1		2		
■ 2019			1	1	2	4			1	5			1
■ 2018			2	2	5	2		1	1	1	1		

AR requests by location and structural unit:

32. As in previous years, 2018-2021, the majority of AR requests (7) continues to be submitted by the staff members (6) located in the duty station Geneva, Switzerland, considering that one staff member in the duty station, Geneva, Switzerland, filed 2 AR requests (*Figure 4*).
33. In 1 (one) joined administrative review process submitted by 4 staff members, there were 3 staff members located in the duty station Geneva, Switzerland and 1 staff member in the office in Asia Pacific region.
34. Overall, in 2022, 9 staff members, representing 64% of all staff members who submitted the AR requests (14) in 2022, were located in the UNAIDS Global Centre.
35. This trend correlates with the institutional changes in the context of the Alignment being underway as at 31 December 2022, the fact that as of 31 December 2022 one of the largest number of staff members holders of fixed-term and temporary appointments (171) was located in the UNAIDS Global Centre, Geneva, Switzerland. Please refer to *Figure 5* on AR requests by location during the period from 2018 to 2022.
36. For comparison and ease of reference, the majority of AR requests in previous years also originated from the UNAIDS Global Centre:
- five requests representing 71% of the total number of AR requests were submitted in 2020, and
 - four requests representing 57% of the total number of AR requests were submitted in 2021.

Figure 4. 12 AR requests by location in 2022

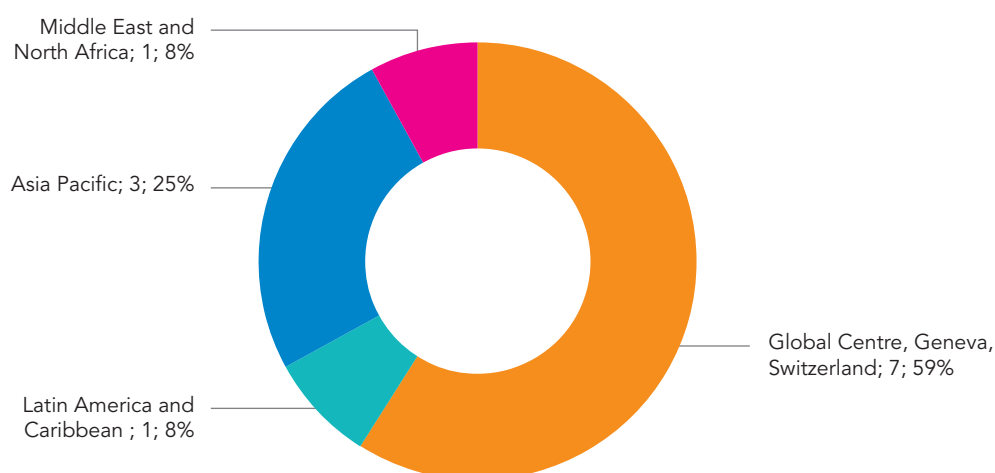
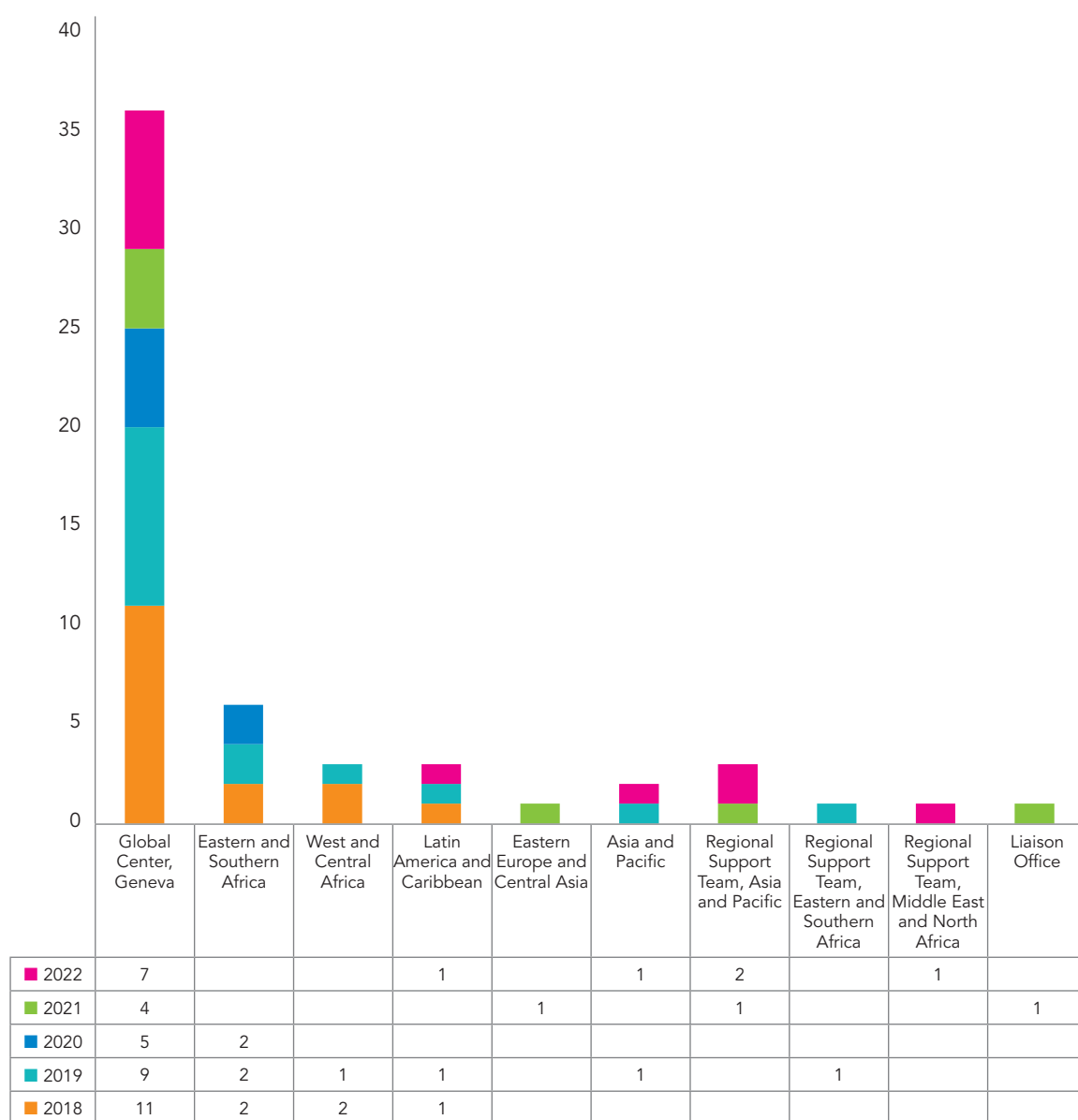


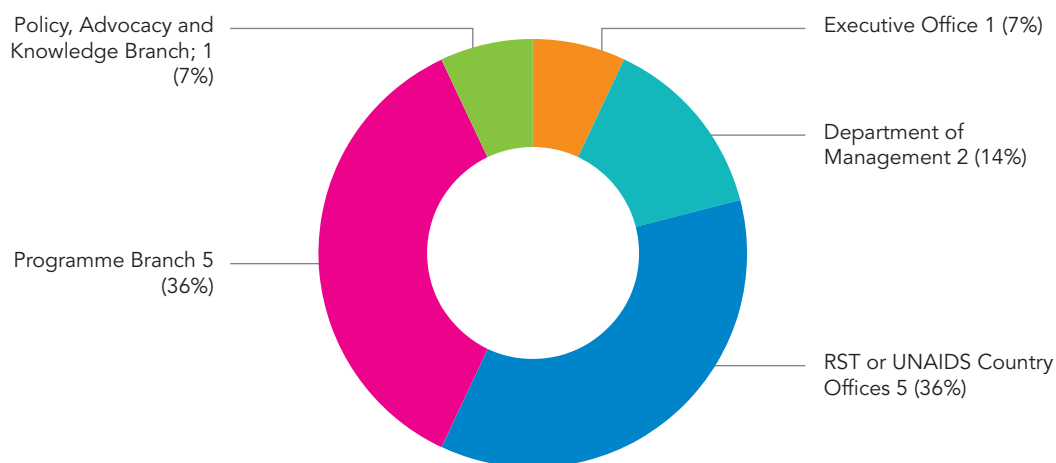
Figure 5¹². AR requests by location in 2018–2022



¹² As at 31 December 2022, there were:

- a. 171 staff members holders of the fixed-term and temporary appointments in the UNAIDS Global Centre, Geneva, Switzerland;
- b. 32 staff members holders of the fixed-term and temporary appointments in Latin America and Caribbean region;
- c. 56 staff members holders of the fixed-term and temporary appointments in Asia and Pacific region;
- d. 22 staff members holders of the fixed-term and temporary appointments in the Regional Support Team, Asia and Pacific region;
- e. 8 staff members holders of the fixed-term and temporary appointments in the Regional Support Team, Middle East and North Africa.

Figure 6. 14 staff members filed 12 AR requests in 2022 by branch/practice/support team/department/office/unit



37. Please refer to *Figure 6*, which provides details about the location of 14 UNAIDS staff members who filed 12 AR requests in 2022 by branches, practices, support teams, departments, offices, units as applicable. It demonstrates the prevalence of location of the staff members who submitted the AR requests in the Programme Branch, followed by staff members from the regional support teams and country offices, Department of Management, Policy and Advocacy Branch and Executive Office¹³.

38. In relation to the number of AR requests (12) filed by 14 staff members as demonstrated in *Figure 6*:

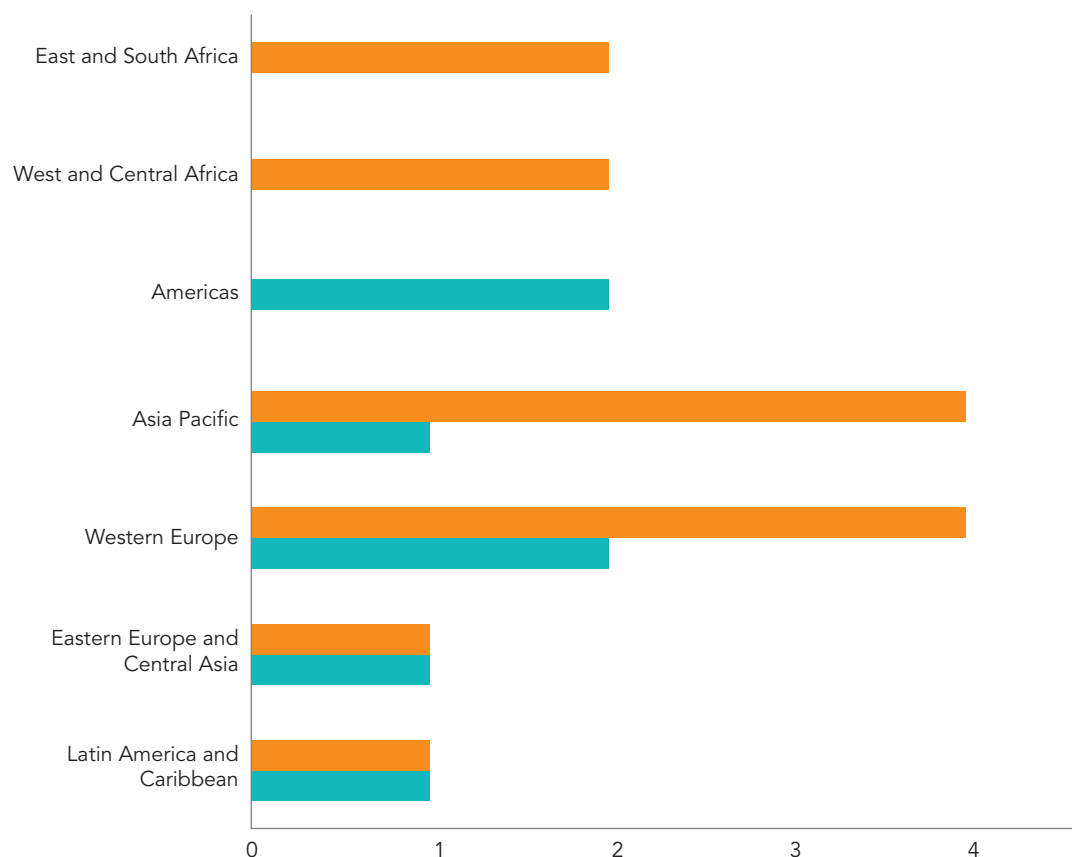
- i. 3 AR requests out of 12 were submitted by the staff members from the Programme Branch, Geneva, Switzerland, UNAIDS Global Centre;
- ii. 4 AR requests originated from the regional support teams, liaison, or country office;
- iii. In 1 (one) joined administrative review process submitted by 4 staff members, there were 3 staff members from the Programme Branch and 1 staff member from the Asia Pacific region;
- vi. 2 AR requests were submitted by the staff members from the Department of Management;
- v. 1 AR request originated from the Policy and Advocacy Branch, and
- vi. 1 AR request from the Executive Office.

¹³ As at 31 December 2022, there were:

- a. 57 staff members holders of the fixed-term and temporary appointments in the Programme Branch;
- b. 402 staff members holders of the fixed-term and temporary appointments in the regional support teams and country offices;
- c. 66 staff members holders of the fixed-term and temporary appointments in the Department of Management;
- d. 39 staff members holders of the fixed-term and temporary appointments in the Policy and Advocacy Branch, and
- e. 33 staff members in the Executive Office.

AR requests by region of nationality of staff members

Figure 7. 12 AR requests by region of nationality of 14 UNAIDS staff members, who filed their requests in 2022

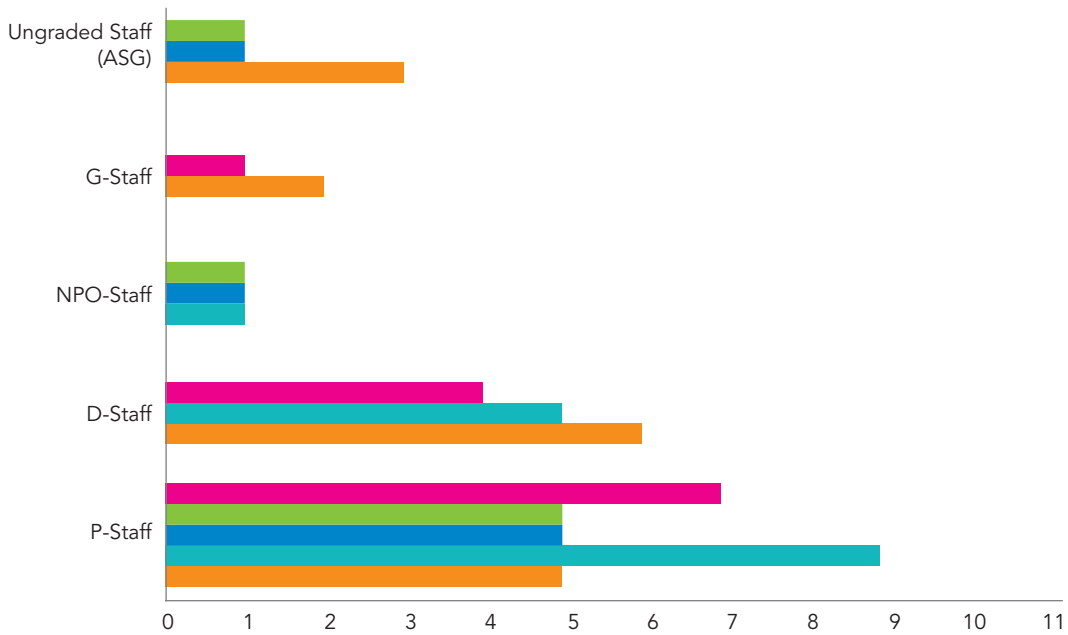


	East and South Africa	West and Central Africa	Americas	Asia Pacific	Western Europe	Eastern Europe and Central Asia	Latin America and Caribbean
2022	2	2		1	2	1	1
2021			2	4	4	1	1

AR requests by type of appointment, contract status and category

39. In 2022, all 12 AR requests originated from staff members holding fixed-term appointments. This trend has persisted for the last five reporting periods.
40. Requests were predominately submitted by staff members in the Professional and higher category (11 out of 12 AR requests), where four of these requests were submitted by staff at the Director level. Only one AR request was submitted by a staff member in the General Service category.

Figure 8. 12 AR Requests by staff category in 2018–2022

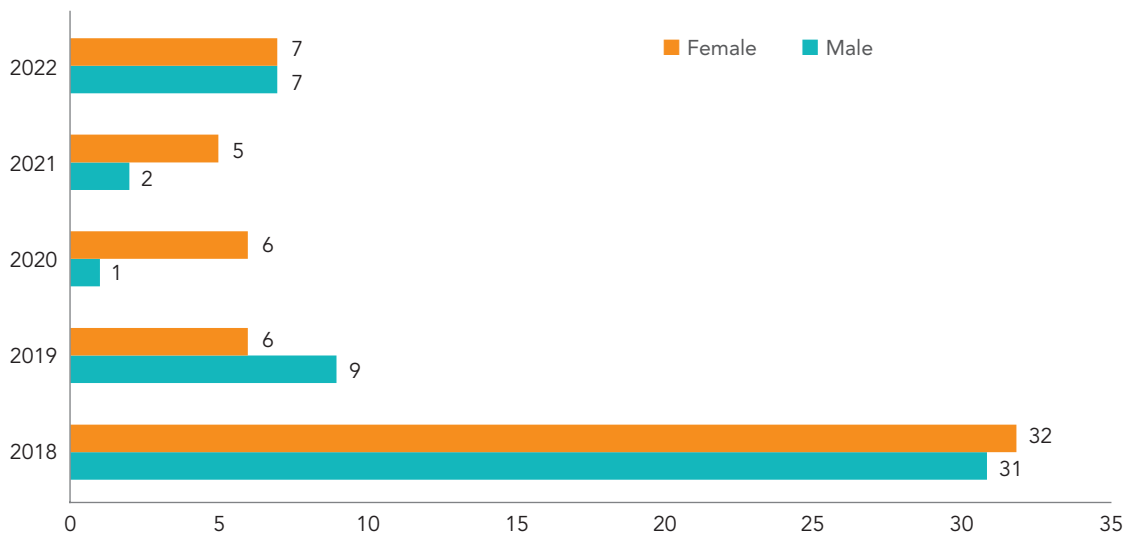


	Ungraded Staff (ASG)	G-Staff	NPO-Staff	D-Staff	P-Staff
2022		1		4	7
2021	1		1		5
2020	1		1		5
2019			1	5	9
2018	3	2		6	5

All AR requests by gender:

41. Among twelve (12) AR requests in 2022, 7 AR requests were submitted by male staff members, 2 cases of which were submitted by one male staff member; 4 AR requests were submitted by female staff members, and in 1 (one) joined administrative review process 3 claimants were female staff members and 1 claimant was male.

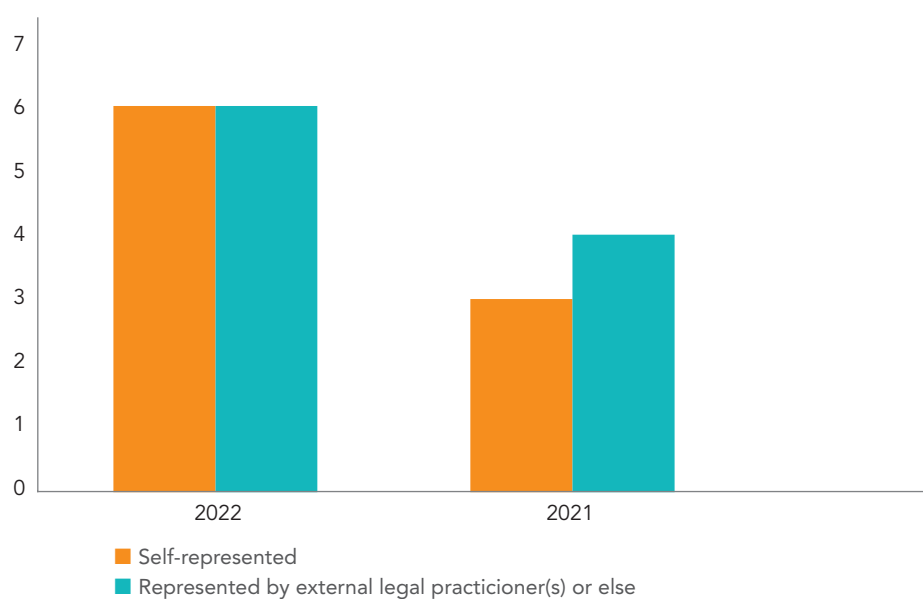
Figure 9. Gender of staff members in AR requests in 2018–2022



Representation at the stage of administrative review

42. Whilst the process of administrative review is considered an administrative desk review process enabling the Administration “to confirm, rescind or otherwise amend the final administrative decision”¹⁴ and to assess whether the matter can be resolved, in 2022¹⁵ **the staff members chose to be represented either by a professional outside legal counsel or a person of their choice in 6 AR requests (50%) and self-represented in 6 other cases.**
43. In all 6 cases, where the staff members were represented by a professional external legal counsel, the final administrative review decisions, if issued at the material time and as at 31 December 2022, were challenged before the WHO Global Board of Appeal in 2022. Please see paragraphs 50–51 of the report in relation to the outcomes of the administrative review processes and the matter of representation.

Figure 10. Representation in AR requests in 2021–2022



¹⁴ Paragraph 15 of the UNAIDS Information Note on Internal Justice System provides as follows: “Upon completion of an administrative review, Director, HRM provides recommendation(s) to the Deputy Executive Director, Management and Governance (DXD/MER) to confirm, rescind or otherwise amend the final administrative decision. [...]”

¹⁵ For information related to the matter of representation at the stage of administrative review in 2021, please refer to the page 6 of [PCB CPR 50 Administrative Review Statistical Overview 2021. Update on strategic human resources management issues \(unaids.org\)](#)

Status of review of AR requests submitted in 2022 at 31 december 2022:

44. In 2022, a total of 11 (eleven) final administrative review decisions were issued including:
 - i. 2 (two) decisions in 2 AR requests that were submitted in the last quarter of 2021 and where the cases were still under review as of 31 December 2021. Only in one case the appeal was filed; and
 - ii. 9 (nine) final administrative review decisions in the 10 AR processes¹⁶, where the requests for review were submitted in 2022.
45. There were 2 AR requests, submitted in the last quarter of 2022, where the final administrative review decisions were pending as at 31 December 2022 (Figure 11).
46. In 2022, in 2 cases, where the AR requests were submitted in the last quarter of 2021, the original administrative decisions were upheld.
47. Among 10 AR requests submitted in 2022 and where 9 final administrative review decisions were issued as at 31 December 2022:
 - i. 1 (one) case was found to be manifestly irreceivable due to the time bar on certain aspects of the request and was also rejected as filed prematurely regarding some other elements of the subject matter in question. No appeal was filed in this case;
 - ii. In 8 (eight) cases, the original administrative decisions were upheld. Whilst these AR requests were admitted for review, the final administrative review decisions also identified some irreceivable elements that could not form part of the AR requests. As at 31 December 2022, 5 final administrative review decisions were appealed before the Global Board of Appeal.
48. In 7 AR processes the extension of the deadline for issuance of the final administrative review was necessary¹⁷ including but not limited for exploring informal resolution efforts or given that other administrative decisions were pending at the material time to ensure a holistic review and coordination with the various stakeholders, as relevant and applicable (managers and supervisors, UNAIDS Ethics, UNAIDS Staff Counsellor and Wellbeing Officer, WHO Office of Ombudsman, WHO Staff Health and Wellbeing Services, Department of People Management etc.).
49. The aforementioned extensions increased the average review time of an AR request by 22 calendar days, which was 77 calendar days in 2022.¹⁸

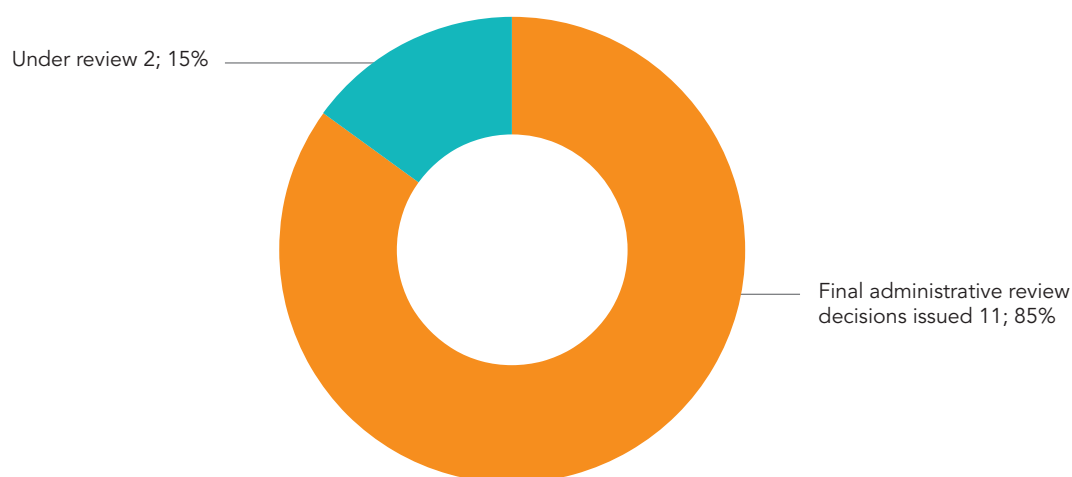
¹⁶ It is relevant to recall that where in 2022 one staff member submitted 2 AR requests that for the purposes of calculation of the total number of the final administrative review decisions issued, the requests were joined, and one final decision was issued.

¹⁷ In accordance with paragraph III.12.3.90 of the WHO eManual "[t]he deadline of sixty (60) calendar days to conduct an administrative review [...] may be extended by the Director, [DPM], including in the event that the staff member submits an amended request for an administrative review, in case of joined administrative reviews, for the purpose of informal resolution, or where additional decisions are pending or expected (e.g. outcome of a reassignment process following abolition of post) or where the extension is based on other reasonable grounds, such as illness."

¹⁸ In accordance with Staff Rule 1225.4, the final decision on a request for administrative shall be communicated in writing to the staff member within sixty (60) calendar days of receipt of the complete request for administrative review.

50. In relation to the outcome of the reviews correlated with the mode of representation, in 6 AR requests, where the legal advice was sought externally (*Figure 10*), the final administrative review found that the requests were irreceivable fully or in part and the original administrative decisions were upheld notwithstanding and without prejudice to the irreceivability of the claims.
51. In 6 other AR cases the self-represented staff members (*Figure 10*) decided to withdraw their claims or not to pursue the matter before the WHO Global Board of Appeal finding resolution and settlement in the informal resolution efforts or in the final administrative review decision issued:
- i. in 4 (four) cases, where the final administrative review decision was issued, no appeal was filed, and
 - ii. 2 (two) administrative review requests were underway as at 31 December 2022. 1 (one) AR request was withdrawn in the early 2023 following a satisfactory resolution of the matter fully in favour to the staff member.

Figure 11. Status of AR requests as of 31 December 2022



Specialized (or subject-matter specific) review mechanisms

52. In 2022, there was no case filed within the regulatory framework of the UNAIDS Classification Review Standing Committee intended to process cases related to classification review requests or the UNAIDS Global Rebuttal Panel in the context of resolution of disputes related to the outcomes of performance evaluation.

Decisions further appealed

A. Appeals to the Global Board of Appeal in 2022

53. In 2022, a total of 12 (twelve) new appeals were submitted before the GBA by UNAIDS staff members¹⁹ (compared to 5 in 2021, 12 in 2020 and to 15 in 2019) (Figure 12).

54. In 2022, the appeals were submitted challenging the following decisions as per Figure 13.

Figure 12. Appeals submitted by UNAIDS staff members in 2019–2022

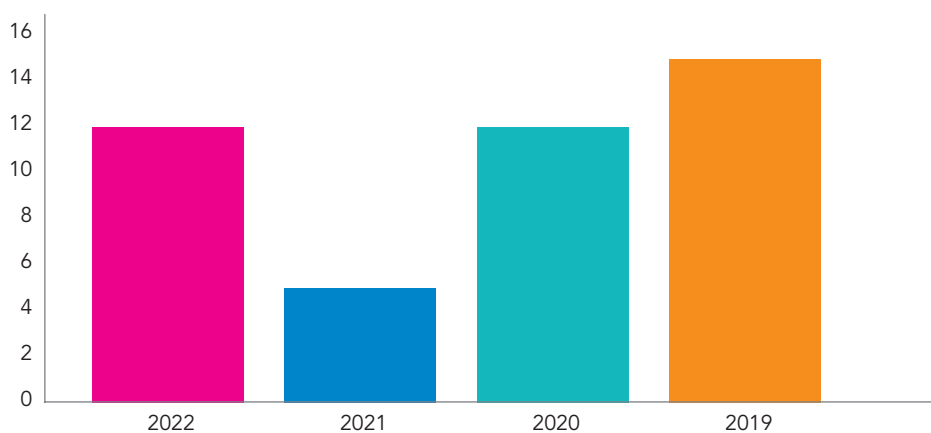
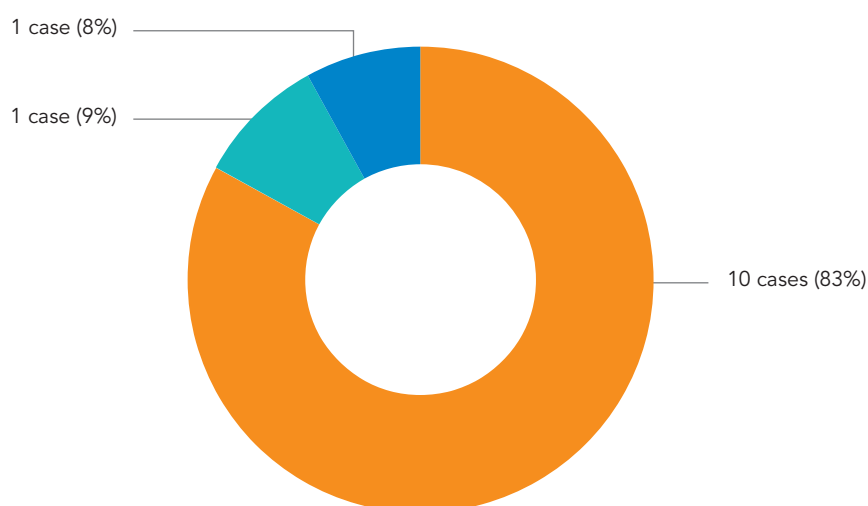


Figure 13. Decisions appealed to the GBA in 2022

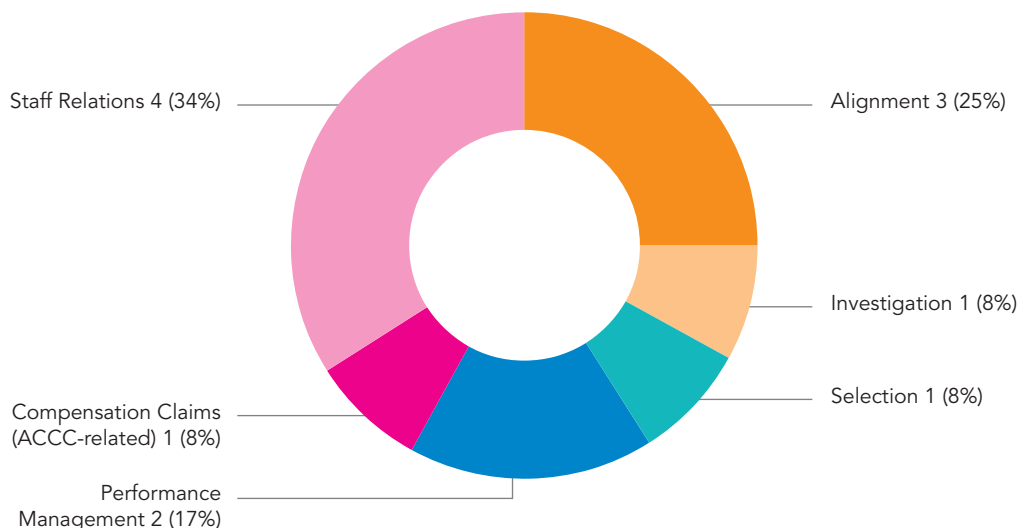


- Final administrative review decisions ("ARD") issued.
- Decision, which was based on recommendations of the WHO Advisory Committee on Compensation Claims ("ACCC") (direct appeal to GBA).
- Decision taken pertaining to the provisions of performance management and rebuttal processes at UNAIDS (direct appeal to GBA).

¹⁹ Please refer to the page 6 of the WHO Global Board of Appeal annual report for 2022 (internal document).

55. In 2022, the appeals were submitted in the following categories:

Figure 14. 12 appeals by category in 2022



56. As at 31 December 2022, all 12 (twelve) cases received by the GBA in 2022 were pending before the Board or were under review by the UNAIDS Executive Director (or “EXD”) following issuance of the GBA recommendations. It should be noted that among these 12 cases, 2 (two) appeals were joined in one case and 4 appeals were joined in one case subsequently.

57. In relation to 3 (three) appeals that were reported to the 50th PCB as “pending” before the GBA or “under review” by the EXD following issuance of the GBA recommendations as at 31 December 2021²⁰, in 2022 the EXD made 2 (two) decisions following issuance of the GBA recommendations in accordance with Staff Rule 1230.6.121. In both cases the EXD decided to uphold the recommendations of the GBA and to dismiss the appeals in their entirety.

58. The average time for the EXD to review the report of the GBA and to provide the appellants and/or their representatives with the final decision was 37.5 calendar days in full compliance with Staff Rule 1230.6.2.²²

²⁰ Please refer to the page 9 of the statistical report on the process of administrative review for 2021: : [PCB CPR 50 Administrative Review Statistical Overview 2021. Update on strategic human resources management issues \(unaids.org\)](#)

²¹ In accordance with Staff Rule 1230.6.1 the UNAIDS Executive Director shall make the final decision on appeals.

²² In accordance with Staff Rule 1230.6.2 the UNAIDS Executive Director shall inform the parties to the appeal and the chair of the Board of her/his decision within sixty (60) calendar days of the date of the receipt of the findings and recommendations of the GBA Panel.

Representation at the stage of appeals before the GBA

59. In accordance with paragraph III.12.4.180 (GBA Rule 280) of the WHO eManual the Appellant may be self-represented during the appeal process or may be represented by another person, including an external legal counsel at the Appellant's own expense. If he/she is being represented by another person, the Appellant must submit to the Board a duly signed and dated Power of Attorney appointing his or her representative.
60. In 2022, in all 12 (twelve) appeals before the GBA staff members were externally represented, as follows:
 - i. by external legal practitioners – in 10 (ten) cases;
 - ii. by another person – in 2 (two) cases.
61. For further details on GBA cases in 2022, reference is made to the 2022 annual report of the GBA²³.

B. Complaints filed before the ILO Administrative Tribunal (ILOAT)

62. In 2022, 2 (two) new complaints were lodged with the ILOAT challenging the final decisions of the UNAIDS Executive Director made in 2020 and 2021.
63. As at 31 December 2022, 19 (nineteen) outstanding personnel matters (complaints), submitted during the period of 2019-2022, were pending with the ILOAT.

²³ GBA Annual Reports. GBA Annual Report for 2022: <https://intranet.who.int/homes/gba/> (internal document)

PART II

Continued practice, trends and lessons learned

Integrated approach to prevention and informal resolution with focus on the Alignment-related decisions:

The Department of People Management (“DPM”) over the reporting period continued its efforts towards conflict prevention and early resolution through policy and legal advice at all operational stages, with special focus on Alignment related processes and implementation. Close coordination with staff members, managers, hiring managers and other in-house and external stakeholders is undertaken to the extent possible prior to submission of the AR requests as well as within the administrative review process. All reviews on the decisions related to Alignment, as per standard practice, involved comprehensive desk review of the materials available but also extensive outreach and discussions with concerned staff members and managers, as relevant and necessary, to maximize transparency and provide reasons of the contested administrative decisions (frequently concerning abolition or relocation of post), as per established case law. The reviews also provided the staff members with the information and referrals to relevant available recourse and support mechanisms such as UNAIDS Staff Counsellor, UNAIDS Ethics Office, WHO Staff Health and Wellbeing Services, WHO Office of the Ombudsman.

Formal requirements in submissions of administrative reviews

As in previous years, the outcomes of administrative review processes in 2022 showed that clear and complete submission of administrative review request enables timely and efficient review. Staff members should continue to pay attention to the applicable formalities and time limit requirements for submission of administrative review requests and receivability elements required for the case to be admitted for review. In this regard, the Secretariat initiated review of the administrative review request submission modality and is currently working on a solution that will allow minimization of any incompleteness of requests and will enable more structured and comprehensive submission going forward.

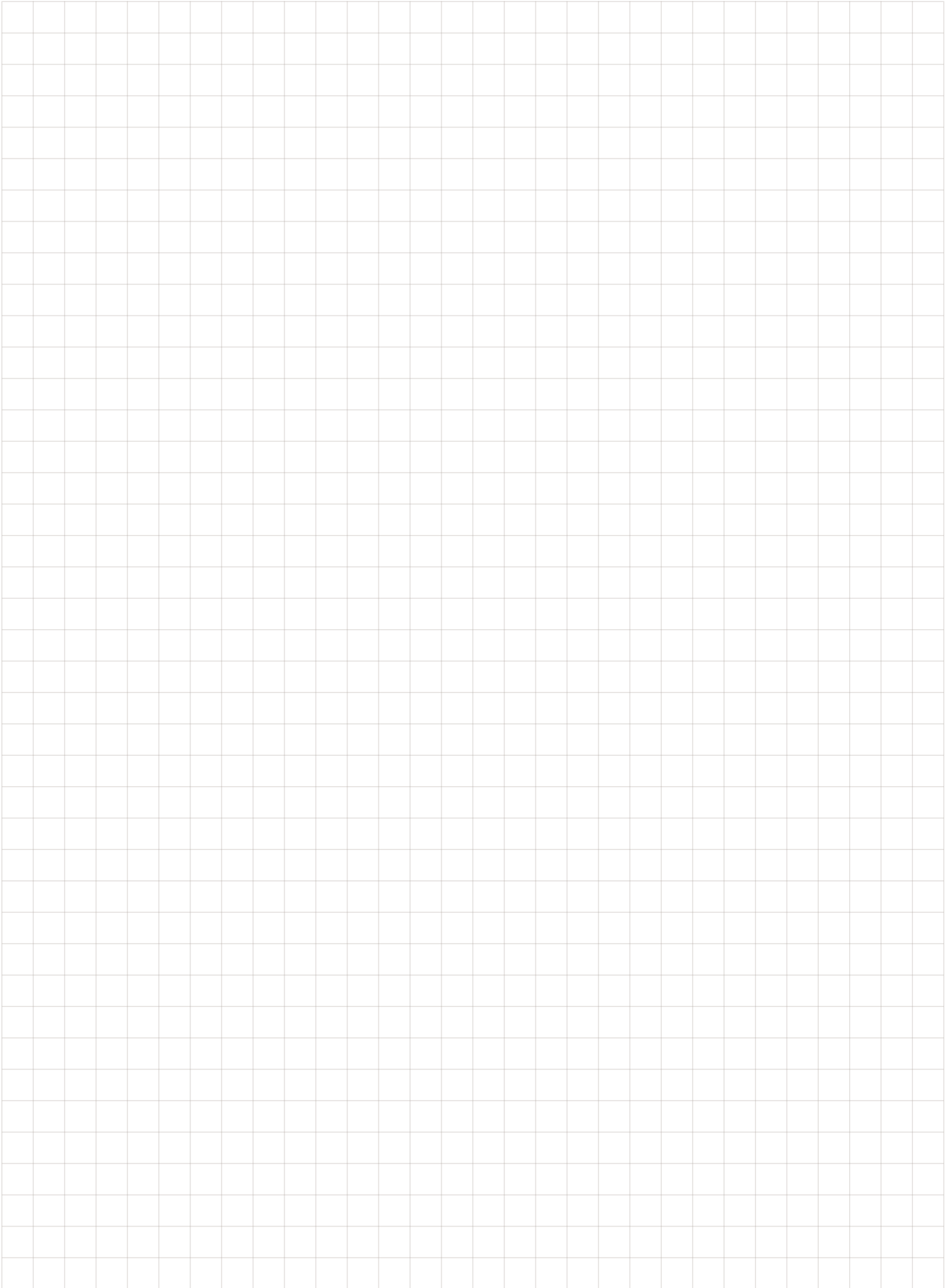
Representation

The mechanism of administrative review is an administrative desk review exercise. It allows assessing whether the grievance can be resolved, and the original administrative decision amended or rescinded. In this regard, there is a trend observed during the last two reporting periods that demonstrates that staff members opt for accessing external legal advice. Access to information and adequate legal support is an important aspect of a well-functioning dispute resolution system. It appears timely and necessary to consider

establishment of an independent function to provide staff with legal support and advice or a staff legal counsellor as is the case for the United Nations Secretariat (i.e. the “Office of Staff Legal Assistance” or the “OSLA”). Options for such representation similar to the OSLA which is considered essential to help staff in resolving employment-related matters²⁴ and is already available to the United Nations Secretariat staff members should continue to be explored to provide staff with an independent legal support. This matter has been discussed and considered positively by the WHO Global Staff Management Council (the “GSMC”) in 2022, of which UNAIDS is part.²⁵

²⁴ Please see “Why legal insurance for employment matters is essential”, G.Vestal, E. Kortum, C. K. Corsini, retrieved from [why_legal_insurance_for_employment_matters_is_essential.pdf \(ficsa.org\)](#) on 12 April 2023

²⁵ Please see Recommendation 10.1 of the Report of Discussions and Recommendations by the WHO Global Staff Management Council – 21st Meeting, 18-20 October 2022 (internal document).



UNAIDS
Joint United Nations
Programme on HIV/AIDS

20 Avenue Appia
1211 Geneva 27
Switzerland

+41 22 791 3666

unaids.org