

United Nations  Nations Unies

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REFERENCE:

30 May 2018

Dear Ms. Edwards,

I refer to your email of 27 March 2018 addressed to the Secretary-General, Ms. Miranda Brown's letter of 27 April 2018 addressed to the Secretary-General, your letter to me of 17 May 2018, and Ms Brown's email to me of 24 May 2018. As you represent Ms. Brown, I am responding to you in respect of those communications.

By your email of 27 March 2018, you provided copies of email messages that you indicated had been written by the Spokesperson for the UN High Commissioner for Human Rights. The Spokesperson has acknowledged that they were his email messages. But as you indicated in your letter of 17 May 2018 and as the Spokesperson made clear, the remarks set forth in those messages clearly expressed personal views and were specifically sent in confidence as off-the-record. They were expressly not intended to constitute a public statement or to convey the views of the Organization.

Mr. Kompass has resigned from the service of the Organization and has no pending claims alleging retaliation. Moreover, Ms. Brown's claims of retaliation have been fully adjudicated. Based on the foregoing, and considering all the available information, there is no basis to take further action relevant to Ms. Brown concerning the matter of the Spokesperson's message.

I would also like to take this opportunity to follow up on a matter that I had mentioned in my previous response to you, dated 12 February 2018. In that letter, I indicated that a review would be conducted of your allegations that: (i) the UNOG Chief of Human Resources was involved in the decision not to renew Ms. Brown's appointment or in her having been offered a position in Fiji; and (ii) when making those decisions, the UNOG Chief of Human Resources had a conflict of interest because his son was under consideration for a position at WIPO. These allegations have been investigated and it has been determined that the UNOG Chief of Human Resources had not been involved in making the non-renewal decision or in Ms. Brown's having been offered a position in Fiji. The investigation further confirmed that there was no connection between those events and the son of the UNOG Chief of Human Resources having been employed at WIPO.

Finally, in your correspondence you maintain that Ms. Brown is a whistleblower who continues to suffer retaliation by officials of OHCHR. As I had advised you in my letter of 12 February 2018, in United Nations Dispute Tribunal Judgment No. 2017/048, it was held that the Organization showed good faith in its dealings with Ms. Brown and "assumed and discharged a duty of care, beyond the usual." The UNDT also found that there was "no doubt that the decision not to renew [Ms. Brown's] appointment was based on objective reasons" and, even though Ms. Brown had no legitimate expectation of renewal

of her appointment, the "Organization went beyond its obligations in trying to find another assignment." Thus, the question of whether Ms. Brown has been the subject of retaliation as a whistleblower has been fully resolved and is *res judicata*. Consequently, the Organization considers this matter to be closed.

Yours sincerely,



Jan Beagle
Under-Secretary-General
for Management

Ms. Beatrice Edwards
Government Accountability Project
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