

Complaint of misconduct and possible perjury by Ms Kim Taylor.

Dear High Commissioner,

I am writing to make a formal complaint of misconduct, abuse of authority, harassment and possible perjury by Ms Kim Taylor, Chief, Human Resources, OHCHR.

Ms Taylor has repeatedly and deliberately misled both me and third parties regarding measures that would be taken to ensure that I had functions that had terms of reference, appeared on a workplan, and had an associated portfolio and budget line.

At a meeting with the former Deputy High Commissioner on 13 September 2017, which meeting was called specifically and uniquely to discuss the false and defamatory press release issued by OHCHR on 2 February 2017 (Annex 1; Minutes of meeting), Ms Taylor explicitly promised to “work together” with me during my deployment to Mauritania to identify a suitable post to which I could be transferred. Ms Taylor did not keep this promise, and instead I spent humiliating days in the cafeteria on my return to work without functions.

On 2 April 2018, the Secretary-General specifically instructed the former High Commissioner to transfer me and mediate my case. The former High Commissioner lied in his response to the Secretary-General, falsely claiming that I had refused an unspecified post in January 2018 (I was offered no post in January 2018) and further falsely claiming that I had refused mediation. It is of note that the Deputy High Commissioner complained in writing to the Dutch government in September 2018 that I continued to seek mediation.

In failing to at any point discuss possible posts with me, Ms Taylor has knowingly harassed me, according to the definitions included in ST/SGB/2019/8. Notably, by failing to inform me what my job would be on 1 May 2018, she was co-responsible (with Ms Marta Helena Lopez) for the fact that I spent a humiliating day in the OHCHR cafeteria, without an office and without functions. Ms Taylor is aware that her repeated failure to inform me of what my functions are, or to consult with me in good time to find a mutually agreeable post relevant to my expertise and experience, causes me offence and humiliation, and therefore constitutes harassment as defined in sec. 1.3 of ST/SGB/2019/8. Furthermore, it also constitutes abuse of authority as defined in sec. 1.8 of that instrument: By refusing to exercise the authority delegated to her, Ms Taylor is improperly using her position of influence, power and authority against me. She improperly influences my career and employment conditions by refusing to provide basic information on my functions. Her refusal to provide such information even when only days remain on temporary assignments was clearly intended to intimidate and coerce me to accept posts that do not appear in any workplan, do not have an associated budget, and are not commensurate with my expertise and experience.

On 4 June 2019, Ms Taylor appeared as a witness in the case *Reilly v UN Secretary-General*, where she gave evidence regarding my employment record. Ms Taylor was sworn in, promising to tell the truth, the whole truth and nothing but the truth. While under oath, Ms Taylor made specific commitments about the process that would be followed at the end of my assignment at that time which was due to be completed in September 2019, incidentally *after* the date on which judgement in the cases was due, had the UN management not deliberately engineered the removal of the judge.

Ms Taylor stated, specifically:

“I have repeatedly said I am available, I will help you, we’ll do the same thing [go through the full list of vacant posts together to identify a suitable post] when we’re coming up to the end of your assignment in September of 2019. I said we’ll meet in July. I have subsequently sent a meeting invitation for her for 27 June because in speaking with Marta Helena she said we’ll see what we

can do, but it's very difficult for me to identify a post six months in advance. I can't leave a post vacant, so my intention is to find this solution. We will move her out of there. We would have done it last year but we identified something she wanted to do, and then subsequently identified something else that she wanted to do... If you like, it's been put into abeyance because of her desire to work in rule of law. And it's worked out, it's going very well."

Later, after she was shown the letter from the CdC and the OHCHR reply, which Ms Taylor was able to confirm was false regarding both the statement that I had refused a post in January 2018 and the statement that I had refused mediation, and after she was asked how many of the approximately 80 staff requiring transfer were the subjects of an intervention from the CdC on part of SG, Ms Taylor again stated:

"I maintain that I am available, willing and supportive of Ms Reilly and will find her that transfer."

Ms Taylor repeatedly stated, under oath, that she understood that my expertise and experience is primarily in rule of law, i.e. a relatively specialised area of civil and political rights. Ms Taylor's promise, made under oath, was not kept. No meeting at which we went through vacant posts to identify posts relevant to my expertise and experience was held. Instead, she proposed only one single post, working in the Economic, Social and Cultural Rights Section. This despite knowing, and being reminded by me (email of 3 October 2019, preference acknowledged in email of 4 October 2019) that my interest and experience is primarily in the field of civil and political rights. The only section in the entirety of OHCHR that does not work on civil and political rights is the Economic, Social and Cultural Rights Section. This seems calculated as a deliberate punishment.

The transfer was highly irregular. I remain without terms of reference and functions, my post is not relevant to any workplan for the Section or Division, there is no portfolio and no associated budget line. Ms Taylor expressly stated that my transfer was necessary to "protect" Mr. Eric Tistoune, a D-2, against me, a P-3, due to a complaint of harassment apparently made by Mr. Tistoune relating to the fact that I have repeatedly reported an apparently ongoing policy of reporting names of human rights defenders to the Chinese government, which those whose names were handed over has confirmed led to the harassment, intimidation, arrest, arbitrary detention, torture, and in some cases death in detention of their family members. The policy expressly provides that any transfer for purposes of protection, whether of me against harassment or of Mr. Tistoune against the truth, must be with the consent of the staff member.

Furthermore, my transfer was not reflected either in the organigram of the section to which I was transferred (due to my lack of functions) or in the full list of transfers, promotions, etc. which is published on a periodic basis. This fully demonstrates that normal processes were not followed.

Her testimony before the Tribunal revealed that Ms Taylor was in the habit of secretly copying Mr. Ward in our communications without my knowledge, with Mr. Ward in turn immediately forwarding those communications to the UNOG legal team. This is highly irregular, and a further abuse of authority. Decisions on my placement should be taken based on policy and good management practice and not in retaliation for having exercised my right as a staff member to seek review of management decisions by the Tribunals. It is especially concerning given that evidence before the Tribunal reveals that Mr. Ward has colluded with Mr. Tistoune to try to convince my subsequent supervisors to complain about me, calling them into meetings for this express purpose. Furthermore, it was Mr. Ward who collaborated with those same lawyers as to the defamatory wording included in the press release. When asked who was involved in decisions on my placement, Ms Taylor repeatedly misled me, explicitly claiming that Mr. Ward was not involved.

Regarding previous efforts to forcibly transfer me without consulting me, Ms Taylor expressly stated;

"Ms Reilly made clear that she felt this was not a respectful way to treat her... I concurred."

Ms Taylor is thus aware that she is treating me disrespectfully by repeatedly transferring me to non-existent posts. This is also constitutive of harassment under the policy.

Kindly confirm that you will open an investigation into this matter. I can provide extensive email communications to the investigators, along with the tapes of Ms Taylor's testimony, showing that no effort whatsoever was made to comply with the process Ms Taylor laid out under oath. While the Administration has deliberately withheld vital evidence from the Tribunals, and deliberately lied in its filings, perjury remains a serious matter.

Regards,

A handwritten signature in black ink that reads "Reilly". To the left of the name is a stylized horizontal line with a small arrowhead pointing to the right, which is part of the signature.

Emma Reilly

Copy to:

- Kim Taylor
- Nada al-Nashif
- Secretary-General