

# Zero Draft Strategy on Gender Equality and Workplace Culture for the International Criminal Court

## **EXECUTIVE SUMMARY**

The following zero draft for a Strategy on Gender Equality and Workplace Culture for the International Criminal Court (ICC or "the Court") is proposed to address recent challenges regarding gender equality and workplace culture. The zero draft looks at the two topics in a planned, comprehensive and strategic way, taking into account internal ICC needs, as well as recent evolutions across work environments around the world. It also provides a way forward to address part of the findings and recommendations made by the Independent Experts Review (IER) in their Report.

This zero draft draws from good practices and successes achieved in other international organizations (such as the United Nations), as well as in States' national entities (such as Ministries of Foreign Affairs).

This zero draft Strategy is shared internally within the Court and externally with key stakeholders (States Parties, international organizations, civil society, experts, academia, etc) for extensive consultations prior to final review and adoption by the ICC Principals, in 2022.

Once adopted, the Strategy is envisaged to also pinpoint concrete action plans, in line with the identified priority areas the zero draft categorizes. These action plans will be either developed or reinforced by different mandate holders within the Court as part of the Strategy's implementation.

## **SECTION 1**

Developing a Strategy on Gender Equality and Workplace Culture for the ICC as a key component to address gender equality and workplace culture and as part of the Court's answer to the IER recommendations

Many organizations have reviewed in the last 15 years their workplace and leadership values (such as the United Nations, several intergovernmental organizations and countries who have adopted feminist foreign policies that reflect in their internal organization and on their external operations). Reference is made *inter alia* to the UN Secretary-General's <u>System-wide Strategy on Gender Parity</u> and the <u>Enabling Environment Guidelines</u>, as well as legislative mandates around improving gender parity, including the <u>Beijing Declaration and Platform for Action</u> and General Assembly Resolutions (most recently <u>A/C.3/76/L.65</u>). In doing so, these organizations have developed good practices.

This draft proposal suggests that the ICC could bring some of these tested good practices onboard and use them as a roadmap for change; this proposed process would complement and reinforce the efforts already underway since 2018 and the ongoing work led by the Court Principals, the Staff Wellbeing Framework, the Staff Wellbeing and Engagement Committee (SWEC), and the COVID Crisis Management Team Sub-Committee on Wellbeing and Resilience.

It is recalled that the <u>IER Experts review</u> found very serious findings across their report on gender-related and work culture aspects.

As reflected in paragraph 64 of the Report, when detailing their findings on the working culture of the Court,

"decisive action needs to follow the ASP's and Court's commitment to ensuring gender equality and providing a welcoming environment for all individuals affiliated with the Court. The Experts make a number of findings and recommendations throughout the Report addressing gender inequality, particularly in senior positions, through measures relating to elections, recruitment, working environment, training and professional development. Targeted interventions for gender equality should be complemented by gender mainstreaming".

Furthermore, attention is drawn to paragraphs 205 to 214, which touch upon the working environment and culture, staff engagement and staff welfare, and which illustrate severe gaps regarding bullying and harassment, including sexual harassment, the inadequacy of existing internal justice mechanisms, the overrepresentation of males in managerial positions, and the impact on leadership, managerial approaches and the culture in the workplace.

Several of the IER recommendations linked to working culture at the Court and internal grievances procedures were identified for prioritization by the Experts, and the Court agreed with this prioritization, as reflected in paragraphs 197 to 202, 255 and 258 of the Court's Overall Response to the IER Final Report. Furthermore, the Review Mechanism identified work culture and gender equality as priority areas in its Comprehensive Action Plan, which was adopted by the Bureau of the Assembly of States Parties ("ASP") on 28 July 2021.

Additionally, these key areas where more work is needed are reflected in the <u>High-Level Statement on Gender Equality</u> adopted by the Principals of the Court on 30 April 2021.

There is therefore an opportune momentum for the ICC to adopt a comprehensive strategy to address this overall issue.

When looking at the experience of the United Nations and States' feminist foreign policies when dealing with gender equality, it is clear that the answer is not only about more representation of women in senior positions (although it is critical and needs to remain a priority); these organizations and State entities have found that gender equality within an organization is as much about equal representation as it is about safe and inclusive culture and work environment.

That is why the strategies and action plans they developed also focus on an enabling work environment, life-work balance and a harassment-free workplace.

Therefore, based on the strategies and actions developed by other actors, as well as on the gender assessment conducted by the Focal Point for Gender Equality at the ICC in March/May 2021, it is suggested that the ICC' strategy should focus on 27 potential components, articulated in 3 key pillars:

- Safe and inclusive workplace culture and processes
- Life-work balance
- Gender parity & equal opportunities

Additionally, the proposed components are organized in two parts\*:

#### SHORT-TERM DELIVERABLES AND PILOT PROJECTS

for each pillar, some of which are already underway at the ICC, and based on good examples identified from practices by other actors;

#### **MID- TO LONG-TERM ACTIONS**

following the momentum supported by the short-term deliverables and the results that will start to appear, leading towards more sustainable and comprehensive progress across the organization.

<sup>\*</sup> The categorization of the short-term and mid- to long-term deliverables and actions, as well as some of the examples of good practices, will be inspired by the 30 key recommendations identified by UN Women in their "Supplementary Guidance on the Enabling Environment Guidelines" of 2019.

## **SECTION 2**

# THE THREE PILLARS OF THE DRAFT STRATEGY, A SELECTION OF GOOD PRACTICES AND PROPOSED ACTIONS

## PILLAR I: Safe and inclusive workplace culture and process

This Pillar includes 6 rubrics:

- Create and support a culture of respect and accountability for any form of discrimination, harassment, including sexual harassment and abuse of authority;
- Build a diverse, inclusive and safe workplace for all personnel;
- Develop and cultivate mentoring networks and informal support systems to foster a sense of inclusion and to re-define the Court's culture and core values;
- Collect data to track and report misconduct prevalence and accountability measures;
- Cultivate an environment that promotes diverse discussions and provides early options for conflict resolution;
- Formalize mandatory exit interviews and handover notes for staff and interns and visiting professionals prior to departure.



Create and support a culture of respect and accountability for any form of discrimination, harassment, including sexual harassment and abuse of authority

1.

Review and strengthen the ICC regulatory and disciplinary framework to address prohibited misconduct related to any form of perceived discrimination, harassment (including any form of harassment: vertical, horizontal, etc), including sexual harassment, and abuse of authority (the review of the Administrative Instruction on harassment is already underway, as well as the development of Administrative Instructions on disciplinary proceedings and investigations) - Short-term deliverable;

#### **EXAMPLE OF GOOD PRACTICES**

UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR): INTRODUCING A POLICY ON DIGNITY AT WORK

Through a two-year participatory process led by the Deputy High Commissioner, the OHCHR developed a Dignity@ Work Policy and Action Plan to fully implement the UN Policy on Prohibition of discrimination, harassment, including sexual harassment

and abuse of authority (ST/SGB/2008/5). The Policy, approved by the High Commissioner in November 2017, reaffirms that "with respect to all its places of work, OHCHR has a policy of ZERO TOLERANCE for abuse of authority, discrimination and harassment – including sexual harassment." It is premised on the organization's duty of care towards personnel and combines efforts to address prohibited conduct effectively with measures to establish a dialogue that builds the trust of personnel and capacity of managers. Through a strong framework for accountability, especially of managers, short-term and long-term measures are enforced in three areas: generating information on the prevalence and incidence of prohibited conduct within OHCHR, preventative and corrective measures.

## 2.

In line with paragraphs 64 and 213-214 and recommendation 88 of the IER Report, adopt and implement a gender training programme for the ICC (this proposed programme was prepared by the Focal Point and is an illustration of a concrete Action Plan that could support the Strategy) - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP):
MANAGER ACCOUNTABILITY IN PERFORMANCE REVIEWS

UNDP instituted a mandatory people management goal for all supervisors, which includes, among others, the following criteria: (1) Tangible steps to promote gender equality in the organization, such as work to eliminate gender biases and ensure equal opportunities, as well as to create and maintain an inclusive and respectful working environment free from any form of bias, harassment, sexual harassment, discrimination and abuse of authority, and (2) Ensure that all supervisees have completed mandatory online courses on time.

## 3.

ICC to make a commitment as part of the UN Generation Equality Forum and of the UN HeForShe initiative<sup>1</sup> - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

GLOBAL – LED BY UN WOMEN, STATES AND UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS: ENGAGING THE ORGANIZATION AND MALE LEADERS IN GENDER EQUALITY INITIATIVES

The UN Women programme HeForShe, originally launched in 2014, has rolled out

 $<sup>1\ {\</sup>rm The}\ {\rm commitment}$  as part of the Generation Equality Forum was recently recommended by the International Gender Champions initiative to all Gender Champions.

an effort to engage male staff as allies in gender equality efforts. Since its launch, it has engaged millions of global activists and been the subject of more than 2 billion conversations on social media.

The Generation Equality Forum movement is a continuation of that - it was launched in March of this year in Mexico (it is co-sponsored by France and Mexico, and organized by UN Women), and brought together different international stakeholders (States, companies, international organizations, civil society, etc) to make concrete commitments regarding gender equality. These commitments were announced in June/July 2021 at the Summit in Paris.



In line with paragraph 231 of the IER Report, ensure that onboarding / induction sessions are provided for all ICC staff, as well as interns and Visiting Professionals, including sessions on gender awareness, harassment and disciplinary proceedings policies, and rights and duties and mechanisms of internal justice - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO): INDUCTION PLATFORM AND PROGRAMMES

WIPO uses its Induction Programme for Newcomers to promote respect for diversity and inclusion. The mandatory week-long programme includes a presentation on gender and diversity.



Build a diverse, inclusive and safe workplace for all personnel

**5**.

Develop an internal campaign where ICC managers and staff (from all genders) would commit to "setting the tone" against sexism or any form of discrimination or exclusion, using the example of the <u>Set the Tone campaign</u> adopted by Male Champions of Change; these concrete commitments would be publicized internally, contributing to further visibility on the issue and on shifting the organizational culture on acceptable behaviors - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

INTERNATIONAL LABOUR ORGANIZATION (ILO): PUBLIC CHAMPIONING AND TRANSPARENCY ON DIVERSITY AND INCLUSION

In March 2018, the ILO developed a Champion Gender Equality tool to provide ideas and support managers in understanding what they can do to champion gender equality. Human resources created a brochure and held a week-long campaign raising visibility around the issue. The tool has helped foster a dialogue between managers and personnel around the ILO Gender Action Plan and efforts towards achieving gender parity.



Develop and cultivate mentoring networks and informal support systems to foster a sense of inclusion and to re-define the Court's culture and core values

6.

In line with recommendations 14 to 20, as well as 87 and 88 of the IER Report, adopt a thorough and consultative process to define and implement the common core values of the ICC - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

**UNITED NATIONS: UN #NEWWORK INITIATIVE** 

Like at the ICC, the internal dissatisfaction throughout the UN was evidenced through feedback to the UN Staff Engagement Survey, staff engagement sessions and various reports from different parts of the organization. The UN #NewWork initiative is a staff-driven initiative that proactively responds to this, aiming to change the workplace culture, drawing on staff feedback and further articulating a vision, goals and action plans.



Collect data to track and report misconduct prevalence and accountability measures

7.

Develop and adopt a data collection process to collect information on matters of alleged prohibited misconduct related to any form of perceived discrimination, harassment, including sexual harassment, and abuse of authority; create a central repository of this data that can report regularly on disaggregated data and evolution, ensuring full respect for the Court's legal framework and for confidentiality obligations - *Mid- to long-term actions*;

#### **EXAMPLE OF GOOD PRACTICES**

WORLD BANK GROUP: MISCONDUCT DATA COLLECTION AND CENTRAL REPOSITORY

The World Bank recently created a new position of "Anti-Harassment Coordinator". As the model requires a mandatory informal process through that position, it allows for a centralized repository for this data within the organization, thus showing misconduct prevalence levels and progress.



Cultivate an environment that promotes diverse discussions and provides early options for conflict resolution

8.

In line with paragraph 255 and recommendation 118 of the IER Report, and whilst the Court reviews the merits and feasibility of migrating to the unified UN system with a package of alternative dispute resolution mechanisms and disciplinary avenues, develop an internal service for alternative dispute resolution mechanisms, including the establishment of an Ombudsman and the use of Court certified mediators for mediation services - *Mid- to long-term actions*;

#### **EXAMPLE OF GOOD PRACTICES**

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO): CONFLICT MANAGEMENT PROGRAMME

WIPO has conducted a mandatory conflict management programme since 2014, which contributes to better understanding and respect for diversity and inclusion at the workplace. The programme provides practical tools and opportunities for staff at all levels to practice dealing with difficult situations.



Formalize mandatory exit interviews and handover notes for staff and interns and visiting professionals prior to departure

9.

Ensure all staff, interns and visiting professionals leaving the organization provide feedback on their experience at the Court, including on how management and human resources can improve the workplace culture and environment - *Mid- to long-term actions*;

#### **EXAMPLE OF GOOD PRACTICES**

#### INTERNATIONAL TRADE CENTER (ITC): MANDATORY EXIT INTERVIEWS

Since 2015, the ITC has implemented anonymous, online mandatory exit questionnaires to better understand why staff separated from the organization and how management could improve the experience of staff members. Staff have the option of requesting a follow-up exit interview with the Gender Focal Point, protected by confidentiality.

#### PILLAR II: Life-work balance

This Pillar includes 5 rubrics:

- Respect core hours and encourage personnel to be offline after working hours and while on leave, unless there is a valid justification;
- Cultivate a culture supportive of work-life balance and flexibility;
- Offer part-time employment options;
- Standardize parental leave;
- Consider ways to improve the conditions of service of Counsel, members of defence teams, legal representatives of victims and members of their teams.



Respect core hours and encourage personnel to be offline after working hours and while on leave, unless there is a valid justification

## 10.

Develop and adopt a Court-wide guide on work communication - Short-term deliverable;



Cultivate a culture supportive of work-life balance and flexibility

## 11.

Make use of flexible working arrangements within the organization, having in mind staff wellbeing and business continuity - *Short-term deliverable*;

## 12.

Provide ICC managers with a practical guide on how to best implement these arrangements within their teams - *Short-term deliverable*;

#### **EXAMPLES OF GOOD PRACTICES**

INTERNATIONAL TRADE CENTRE (ITC): RESPONDING POSITIVELY TO FLEXIBLE WORKING ARRANGEMENTS (FWA) REQUESTS

The ITC launched a revised work-life balance system in 2018, with a new e-system for the request, approval and monitoring of FWA options. This includes a time-bound approval process for FWAs: supervisors need to respond to a FWA request within five working days. If no action is taken in this timeframe, a default positive response will be sent by the system from ITC. The ITC Executive Director also established four guiding principles for staff members and managers to follow in the use and management of FWA at ITC:

- Staff members who request FWAs will get a fair hearing before a decision is made;
- Managers will adopt a default positive stance to FWAs and support/approve requests to the maximum extent possible;
- FWAs should be tailored to the needs of staff members to the maximum extent possible; and
- Staff members and managers shall accept mutual responsibility for the efficient management and productive use of FWAs and adhere to the Work Life Balance (WLB) Code of Conduct.

#### **AUSTRALIA: "IF NOT, WHY NOT"?**

The Australian Ministry of Foreign Affairs implemented an 'if not, why not?' approach to flexible work, where flexibility is the default; this helped large numbers of staff transition to working flexibly during the COVID-19 pandemic.



#### Offer part-time employment options

## 13.

Assess the experiences of staff when requesting for part-time working arrangements via a survey with disaggregated data - *Mid- to long-term actions*;

## 14.

Factor in these results in the revision of the flexible working arrangements policy - *Mid- to long-term actions;* 

#### **EXAMPLE OF GOOD PRACTICES**

INTERNATIONAL FUND FOR AGRICULTURE DEVELOPMENT (IFAD) / ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS (OPCW): JOB-SHARING PROGRAMME

IFAD developed a job-sharing programme in which two staff members at the same grade level who hold the same type of contract may perform the same functions of a position on a 50:50 basis. The OPCW has also adopted an Administrative Directive in 2010 on part-time employment, which includes a job-sharing possibility. According to <a href="EurWORK"><u>EurWORK</u></a>, "In some European countries, job sharing is already a common employment form. In others – in companies in the Czech Republic and Poland, for instance – it has only recently emerged as a more widespread practice without being specifically regulated. Legal provisions on job sharing have recently been introduced in some countries, for example, in Slovenia and Slovakia."



#### Standardize parental leave

## **15.**

Review the ICC maternity leave policy and align it with modern standards, taking into account UN Organizations practice, regarding parental leave, to afford all parents, gestational and non-gestational, an equal post-birth paid leave entitlement - *Mid- to long-term actions*;

#### **EXAMPLE OF GOOD PRACTICES**

**UNITED NATIONS: REVISED PARENTAL LEAVE POLICIES** 

The United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) were the first entities to augment their maternity leaves. In addition, in January 2018, UNICEF announced its extension of leave for non-gestational parents (fathers, adoptive parents and parents through surrogacy) to four months. In December 2017, the World Food Programme (WFP) extended its leave entitlement for non-birth parents to 10 weeks and extended maternity leave to its consultants and short-term staff.

It is noted that the programme of work of the International Civil Service Commission for 2021-2022 includes discussions on the conditions of service applicable regarding parental leave; this was a result of the Heads of UNICEF, UN WOMEN, the UN Development Programme (UNDP) and the UN Population Fund (UNFPA), representing over 37,000 UN staff members under the United Nations Common System, pushing for the Commission to endorse revised parental policies. This includes, but is not limited to, paid parental leave for all parents regardless of gender, including parents who adopt, foster, or have children through surrogacy or assisted reproductive technology, as well as flexible working arrangements for parents. These organizations argue that family-friendly policies are irrefutably linked to better workforce productivity and the ability to attract, motivate and retain employees.



Consider ways to improve the conditions of service of Counsel, members of defence teams, legal representatives of victims and members of their teams

## 16.

In line with recommendations 333, 334 and 335 from the IER Report on support staff from external counsel teams, explore the possible options, within the framework of the reform of the legal aid scheme and the different regime and policies that apply to external counsel and their team members, to improve the conditions of service of counsel, members of defence teams, legal representatives of victims and members of their teams - *Mid- to long-term actions*;

## PILLAR III: Gender parity and equal opportunities

This Pillar includes 6 rubrics:

- Strengthen recruitment outreach by advertising diversity and inclusion;
- Mitigate bias in the selection process;
- Redesign job descriptions and vacancy announcements, application forms and processes to maximize diverse candidate pools;
- Provide consistent career development opportunities as well as training and learning programmes for all personnel;
- Utilize temporary special measures, when applicable;
- Strengthen accountability for selection decisions and compliance with diversity targets.



## Strengthen recruitment outreach by advertising diversity and inclusion

## **17.**

Enhance ongoing efforts regarding workforce planning, including targeted outreach for specific job profiles and proactive and creative sourcing initiatives - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

UNITED NATIONS INVESTIGATIVE TEAM TO PROMOTE ACCOUNTABILITY FOR CRIMES COMMITTED BY DA'ESH/ISIL (UNITAD): TARGETED OUTREACH AND INTERNAL COORDINATION OF EFFORTS TOWARDS DIVERSITY

UNITAD has taken a number of steps in this crucial area by, *inter alia*, conducting a campaign to show the multifaceted character of UNITAD, showcasing female staff talking about their work experience in Iraq, and also including the impact of female staff on UNITAD's work and mandate. Furthermore, a gender parity working group was established with staff from all sections and levels to ensure a gender perspective is integrated in the way the workplace is made more conducive for female staff.



#### Mitigate bias in the selection process

## **18.**

Streamline mandatory trainings on unconscious bias for all hiring managers and recruitment panel members ahead of a recruitment - *Short-term deliverable*;

#### **EXAMPLE OF GOOD PRACTICES**

UNITED NATIONS OFFICE OF PROJECT SERVICES (UNOPS): INTERVIEW PANEL DIVERSITY AND TRAINING

UNOPS includes a section on unconscious bias in their Competency-Based Interview (CBI) trainings. The Convener, usually the Hiring Manager, and the HR representative on the panel need to be CBI certified to participate in the panel. A recruiter network was also established to ensure consistency and robustness of selection, whereby diverse and trained CBI panel members are made available when needed. The same recruiter network also provides inputs to new tools and methods for recruitment.



# Redesign job descriptions and vacancy announcements, application forms and processes to maximize diverse candidate pools

## 19.

Enhance ongoing efforts regarding language and key components of job descriptions and vacancy announcements (including by ensuring that vacancy announcements are drafted without language bias), as well as recruitment software's options when it comes to gender and diversity aspects - *Short-term deliverable*;

#### **EXAMPLES OF GOOD PRACTICES**

UN WOMEN / SOUTH AUSTRALIA GOVERNMENT / INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM): USING GENDER-INCLUSIVE LANGUAGE IN JOB DESCRIPTIONS

GenderTerm, developed by UN Women, is a searchable gender-inclusive lexicon in English, French and Spanish that can be used to ensure terms are gender-inclusive. The Office for Women of the Government of South Australia has also developed extensive and practical <u>Guidelines for gender neutral recruitment</u>. The SuccessFactors tool that the ICC is also considering to use provides the possibility to review job vacancies to ensure the language used is inclusive and attractive to all; furthermore, the International Organization for Migration (IOM) has also developed expertise in this area.

## 20.

Consider making applications anonymous on criteria such as gender to recruitment panel members - *Mid- to long-term actions;* 

#### **EXAMPLE OF GOOD PRACTICES**

**UNITED NATIONS UNIVERSITY (UNU)** 

To address unconscious bias during the screening and selection process, UNU removed personal information of candidates, including marital status and information about dependants.

## 21.

Promote the ICC workforce around values and benefits that are appealing to today's job market, based on the frequently asked questions by candidates in the current process (notably regarding flexible working arrangements, workplace culture, etc.) - *Mid- to long-term actions;* 

#### **EXAMPLE OF GOOD PRACTICES**

#### **WORKING FAMILIES: INCLUSIVE JOB ADVERTISEMENTS**

The non-profit Working Families leads the way in helping organizations and employees build enabling and flexible environments that enhance productivity, creativity and well-being for everyone. The "happy to talk flexible working" logo was designed to be displayed on job advertisements to inform potential candidates that the organization is open to negotiating flexibility. The logos are free to use, and Working Families also provides simple guidance on job design and what types of flexible working arrangements may work best for organizations.



Provide consistent career development opportunities as well as training and learning programmes for all personnel

## 22.

Develop and implement the second cycle of the ICC mentoring programme - *Mid-to long-term actions*;

## 23.

Enhance possibilities for ICC personnel at all levels to access training and learning programmes (see recommendation 99 of the IER Report) - *Mid- to long-term actions;* 

## 24.

Continue to pursue efforts regarding staff mobility (see recommendation 102 of the IER Report) - *Mid- to long-term actions;* 

## 25.

Develop and implement the second cycle of the ICC Leadership framework programme - *Mid- to long-term actions;* 

#### **EXAMPLES OF GOOD PRACTICES**

INTERNATIONAL MARITIME ORGANIZATION (IMO): SPECIALIZED CAREER COUNSELLING

The IMO provides a Career Development Officer to all staff. Staff are not only provided guidance and counselling on their career development and career

development opportunities available, but they are also given opportunities to engage in mock interviews.

#### UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP): EMERGING LEADERS

UNDP developed a virtual development programme for women, including for staff who aspire to become leaders and managers.



## Utilize temporary special measures, when applicable

26.

Study the applicability of temporary special measures at the ICC - *Mid- to long-term actions*;

#### **EXAMPLE OF GOOD PRACTICES**

**UNITED NATIONS: TEMPORARY SPECIAL MEASURES** 

According to ST/AI/1999/9 "Special Measures for the Achievement of Gender Equality", to achieve the most direct impact on progress towards gender parity, vacancies in the Professional category and above (where gender parity has not been met) are mandated to "be filled when there are one or more women candidates, by one of those candidates", when "her qualifications are substantially equal or superior to those of competing male candidates." Special measures have been repeatedly upheld through UN Tribunal jurisprudence in cases of both male and female complainants. In its seminal judgment on the use of special measures, "the Tribunal conclude[d] that Article 8 permits the adoption of reasonable affirmative action measures for the improvement of the status of women".

<sup>2</sup> United Nations Secretariat (1999). Administrative Instruction: Special Measures for Achievement of Gender Equality. ST/AI/1999/9, para. 1.8.

<sup>3</sup> Among a few of these examples of jurisprudence are: UN Administrative Tribunal Judgments Nos. 671 (1994), 765 (1996), 958 (2000), 1056 (2002), 1302 (2006); and UNDT/2011/098, UNDT/2011/099, UNDT/2012/125, UNDT/2014/068.

<sup>4</sup> United Nations Administrative Tribunal (1994). Judgment No. 671, Grinblat. 4 November, para. XVII.



# Strengthen accountability for selection decisions and compliance with diversity targets

## 27.

Identify attainable diversity targets in terms of gender balance, ensuring it is also reflective of diversity / geographical representation goals - *Mid- to long-term actions;* 

#### **EXAMPLE OF GOOD PRACTICES**

WORLD HEALTH ORGANIZATION (WHO): SETTING TARGETS AND INDICATORS

WHO requires supervisors with recruitment responsibilities to set targets for gender equality in staffing and to report at the end of the Performance Evaluation cycle.