



FICSA WORKSHOP ON ENSURING THE PROTECTION OF WHISTLEBLOWERS

Hosted by the ITU Staff Union (Geneva, 28 and 29 June 2018)

Provisional Programme

Working hours: 09h00 to 17h00

Day 1: Thursday, 28 June 2018

Session 1.

Who is a whistleblower? (By Miranda Brown and Bea Edwards)

1. Why do we need to protect whistleblowers, including in the UN common system? (note the findings of the JIU report on fraud)
2. Historical perspective
3. Relevant international framework/human rights law (ILO Conventions, International Human Rights Law)
4. National whistleblower protection systems
5. European Union
6. Best practice standards – briefly explain why these are required
7. International unions and their initiatives (PSI)
8. US law for the protection of UN whistleblowers (Section 7048 of the Consolidated Appropriations Act)

Session 2.

Whistleblower protection in the UN common system (Bea Edwards/GAP)

1. UN's policy on protection from retaliation (two requirements)
 - a. What constitutes a protected disclosure?
 - b. What is a prima facie case of retaliation?
 - c. Ethics Office determinations
2. Tribunals (ILOAT and UNDT)
 - a. No reverse burden of proof
 - b. No interim measures at ILOAT
 - c. Cost of legal fees
 - d. UNDT rulings vacated at UNAT
3. Facts and figures – number of successful cases/protection awards

Day 2: Friday, 29 June 2018

Session 3.

Panel case studies/question and answers

- Emma Reilly (OHCHR)
- Caroline Hunt-Mathes (UNHCR)
- Wei Lei (WIPO)
- Others

Session 4.

What is retaliation? Participants to identify the different forms of retaliation experienced by whistleblowers across the UN common system and in their organizations and agencies. Participants divided into groups and present their findings, with a view to drawing up a common list.

Session 5.

What advice and practical steps can staff representatives offer to whistleblowers? Participants divided into groups and present their findings, with a view to drawing up a common list.

Session 6.

Defending UN whistleblowers: The Legal Counsel's perspective (Ed Flaherty)

Session 7.

What changes are required to create an effective UN whistleblower protection system? Participants divided into groups and present their findings, with a view to drawing up common proposals.

Session 8.

How can we secure changes to the UN whistleblower protection system (working across the UN common system, with Member States, through governing bodies, etc.)?

Session 8.

Working with the media (Sophie Edwards)

Session 9.

Resolution on the Protection of Whistleblowers