

ARTJON SHKURTAJ

23 August 2007

His Excellency Mr. Ban Ki-moon
Secretary-General
Room S-3800
United Nations
New York, NY 10017

Subject: Request for administrative review

Sir,

I am writing to you in accordance with the provision of Staff Rule 111.2(a) in order to request a review of the administrative decision refusing to afford me whistleblower protection in accordance with your administrative issuance, ST/SGB/2005/21. This decision was reflected in a letter dated 17 August 2007 from Mr. Robert Benson, Director of the UN Ethics Office, advising me that UNDP has refused to pursue this matter within the parameters of the policy. (Attached)

Since then, your spokesperson has indicated you do not intend to address UNDP's refusal to abide by Mr. Benson's request that my case be allowed to proceed in accordance with your policy in the best interests of the Organization.

As Chief Administrative Officer of the United Nations, you are responsible for ensuring that policies are followed in a uniform manner. The establishment of an Ethics Office and the guarantee of whistleblower protection to concerned staff was meant to be a cornerstone of the new emphasis of the Organization on financial responsibility and accountability, as well as ensuring the fair treatment of staff members. It was never specified that UNDP or other UN agencies would be exempt from this policy. UNDP has no mechanism in place for implementing the policy and any further steps to do so by the very managers who are accused of abusing the policy would represent a conflict of interest.

c/o George G Irving, 224 Essex St., Salem, MA 01970

-2-

I am therefore requesting an administrative review of the decision rejecting my case so that I may avail myself of further legal recourse provided under the Staff Regulations and Rules applicable to the entire UN system.

In view of the fact that this issue is a matter of law and that the facts of the case are not in dispute, I would like to ask your agreement for the direct submission of this case to the UN Administrative Tribunal on a priority basis so that the Tribunal can pass judgement and render a decision at its forthcoming session.

Yours sincerely,

Artjon Shkurta