

United States Senate

WASHINGTON, DC 20510

December 14, 2007

The Honorable Ban Ki-Moon
Secretary-General
United Nations
New York, NY 10017

Dear Secretary-General Ban Ki-Moon:

On December 1, 2007, the U.N. Secretariat announced it would extend the same ethics-related protections to employees of United Nations Funds and Programs as those already afforded to Secretariat staff. While adding accountability to the Funds and Programs would be a necessary first step to common sense reforms, sadly, the method used to implement this plan falls short of real accountability.

The plan replaces a single and partially independent U.N. Ethics Office with multiple, ad hoc, ethics offices with no independence. The ad hoc offices would report to the heads of U.N. Funds and Programs that may themselves be the subjects of retaliation complaints—hardly a recipe for an independent and credible operation.

It is critical that any office offering protection to whistleblowers is independent of manipulation by the Secretariat or the heads of Funds and Programs. Failure to do this is the opposite of real accountability and a significant step backwards from cleaning up the corruption and mismanagement that plague the United Nations.

According to the estimates of the Government Accountability Project (GAP), this plan would cost up to \$4.5 million annually while allowing the Funds and Programs to operate contrary to the U.N.'s own rules and fundamentally undermining serious efforts at reform. The GAP assessment of the plan says it would “complicate and confuse the issue, creating an entirely new level of bureaucratic dispute, delay, cost and inefficiency for those who report corruption in U.N. operations and suffer retaliation as a result.” We couldn't agree more.

In an August 21st, 2007 letter from the U.S. Mission to the U.N. to the Director of the U.N. Ethics Office, Robert Benson, U.S. representatives pointed out to you and your staff that the U.N. Ethics Office is the direct product of the 2005 World Summit Outcome Document A/RES./60/1 which states in paragraph 161(d) the following:

We urge the Secretary-General to scrupulously apply the existing standards of conduct and **develop a system-wide code of ethics for all United Nations personnel**. In this regard, we request the Secretary-General to submit details on an **ethics office with independent status**, which he intends to create, to the General Assembly at its sixtieth session.

It is clear that the General Assembly desires true accountability for all U.N. personnel through the U.N. Ethics Office created in 2005. Sadly, as whistleblowers from the Funds and Programs came forward trusting in the protections offered by the Ethics Office, you allowed agencies to opt-out despite the seriousness of the evidence of corruption, fraud, and retaliation.

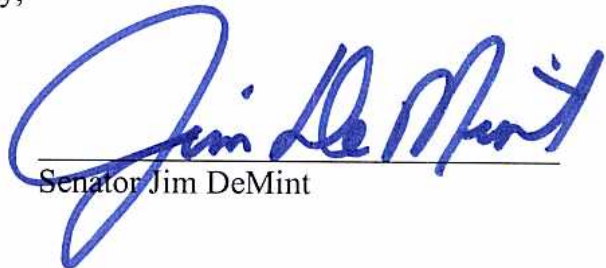
The recent announcement from your office claims the Secretariat will negotiate with the Funds and Programs on the definition and application of an ethical standard to be applied system-wide. As GAP pointed out, "such a dubious process could take years and does not bring justice to whistleblowers. Nor does it protect them from retaliation or address the issue of corruption."

The United Nations is in need of moral clarity to repair its credibility lost to scandal and corruption. It is not too late for you to exhibit bold and committed leadership in order to overcome this challenge. We urge you to establish an ethical standard that is not undermined by those who wish to continue in the old ways of mismanagement, secrecy, waste, and corruption. The American taxpayers contribute over \$5.3 billion a year to the U.N. We are a compassionate and fair-minded people, but our indulgence of this erosion of accountability will not last much longer.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Coburn", written over a horizontal line.

Senator Tom Coburn

A handwritten signature in blue ink, appearing to read "Jim DeMint", written over a horizontal line.

Senator Jim DeMint