

La Tampête de'UNRWA 2/3

Retour sur l'UNRWA, une agence à la dérive en l'absence de son patron

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The UNRWA Storm 2/3

A look at UNRWA, an agency adrift in the absence of its boss

Luis Lema

While Commissioner General Pierre Krähenbühl travels to collect the missing funds for the UN agency in charge of Palestinian refugees, a few senior officials take over and endanger the organisation. They were investigated by the UN, but the results were never made public.

In the absence of Pierre Krähenbühl, who was busy with his numerous trips from the moment he took office in 2014, the role of the American Deputy Commissioner-General, Sandra Mitchell (who took office in January 2015), as well as Hakam Shahwan, who was promoted to "Chief of Staff", will grow. Both know each other well. They have been posted together in Baghdad. They will soon be practically the only masters on board, the first in Amman, the second in Jerusalem. "Above Mitchell and Shahwan, there is no one else. There is no one else but the sky": the phrase becomes the rallying code for those who feel sidelined in the configuration that has been set up.

Hakam Shahwan is Palestinian. He owns a restaurant in Jerusalem, operates in Amman, and knows how to make his business work by using his contacts. "The conflicts of interest were obvious," says a senior UNRWA official.

Shahwan makes incomprehensible promotions, expands his field of action far beyond his job description, and intervenes in all matters. Often, the Chief of Staff insists on paying suppliers in cash, in violation of all the rules - "It's for Taled", he might say mysteriously - including for security-related matters, such as the installation of surveillance cameras. For those in the accounting department who were surprised by these practices, retaliation was a concern. "When work contracts or visas had to be renewed, things were allowed to drag on," says a source. Shahwan would say, 'Your file is on Pierre's desk. But he is travelling. He hasn't had time to look at it.'

Another executive in the organisation says: "Everything had become a transaction within the agency. A prospect of promotion or a bonus in exchange for a service rendered; a procedure that one agrees to violate today in exchange for a return of the favour tomorrow..."

An alarming report in April 2018

At least since April 2018, Pierre Krähenbühl has been warned of a whole series of elements that weigh on his "Chief of Staff", and threaten the functioning of the organisation, according to a document from the agency's oversight department that *Le Temps* has in its possession. These facts (19 in all) range from the out-of-pocket purchase of a state-of-the-art iPhone to reprisals against members of the oversight department, from irregular appointments to unjustified dismissals. At the same time, however, the Commissioner-General's inner circle continues to affectionately refer to Shahwan as 'our emir'.

As a Palestinian, Shahwan was not allowed to cross the Jordanian border without his car being searched by the Israelis. He puts UNRWA's international drivers, who enjoy diplomatic immunity, under his direct authority. On several occasions, Erdinch Lutfiev, one of these drivers, has seen in the trunk of the car on the way to or from Amman, cargo that, according to him, had no connection with UNRWA activities. *Le Temps* learned this from other sources. When it contacted the driver - who has meanwhile been dismissed but is still in court to challenge his dismissal - he was reluctant to talk directly about his case for fear that the outcome of his trial would be compromised. He admits, however, that he "saw with his own eyes things that looked suspicious. That's why Shahwan wanted me to leave the agency," he believes.

A former senior official of the Amman headquarters notes: "In the context of the Middle East, these ways of doing things were becoming extremely dangerous, and jeopardising the very future of the agency. The Israelis would have been delighted to get their hands on this kind of information. In fact, they might have had it.

Contacted, Hakam Shahwan assures us that he was not involved in the driver's dismissal. "These are fabricated lies that damage my reputation," he said.

Regarding the alleged actions of his Chief of Staff, Pierre Krähenbühl says: "None of this has been indicated to me. Moreover, the UN investigation report on me does not address these points. The former Commissioner-General adds: "As I have not seen the conclusions concerning them, I cannot comment on the investigations of other colleagues.

"The candidate who scored 38 points must pass"

It is 5 March 2018. The name of Hakam Shahwan, UNRWA's de facto number three, comes up on the phone of a senior agency official. With 16 candidates vying for an important position at Jordan HQ, Shahwan explains that a "special friend" of Sandra Mitchell, the Deputy Commissioner-General (i.e. the number 2), must be put through to the second round. This "special friend" is in fact the husband of the Deputy.

The man who receives the call is so stunned by the order that he takes a screenshot of his phone to keep track of the call. It was 10:12 a.m. and the conversation had lasted 15 minutes. Fearing reprisals from the highest level, he hesitates to talk about it. But he ends up confiding in his immediate boss.

This call from Hakam Shahwan was not the result of a thoughtless impulse. At first, he had tried to convince [HR] to change the rules of the game and waive any test for the job. Faced with the reluctance of the senior managers, he had to find another way to favour the special friend. This is not easy: within the UN agency, the rules of procedure are very strict and the candidates' files are anonymised. In order to carry out his aims, he needs to have access to the database. Shahwan did this, with the help of a human resources person whose appointment he himself had helped to secure. "The candidate who has scored 38 points must pass," the head of personnel said over the phone. Only one of them has achieved this result, and that is the husband of "number 2".

Pierre Krähenbühl informed

Pierre Krähenbühl was informed of this particular case on 21 March 2018, as shown by a series of documents obtained by *Le Temps*. This serious breach of the rules requires, according to the agency's oversight department, "immediate action". "The very heart of our accountability system is at stake," the report says. But the Commissioner-General will not act.

The [Deputy's] husband, Robert Langridge, who eventually made it to the second round, ultimately failed due to a lack of skills. However, six months later, he was given an equivalent position as Deputy Field Director, also in Jordan. For this second attempt, as for the first, Hakam Shahwan insisted on being part of the selection panel of candidates. In the three-member panel, he will be accompanied by the same HR person whose appointment he had supported, according to the oversight department.

On Langridge's appointment, Hakam Shahwan says: "The process was followed and the OIOS investigation found no influence from my side. He added: "The Commissioner-General approved the selection (of the panel) and did not discuss with me any concerns about the recruitment process.

For her part, Sandra Mitchell did not respond to requests from *Le Temps*. Hakam Shahwan, Sandra Mitchell and her husband were among those who left UNRWA when the UN investigators began to take a closer look at them.

"I was becoming an enemy"

The evocation of this episode still makes Nick Kaldas' voice tremble with anger, when contacted at his home in Australia. At the time of the events, he was the Director of UNRWA's Internal Oversight Department, the very person who alerted Pierre Krähenbühl. The man is no neophyte. He was once the deputy head of the 22,000-strong Sydney Regional Police. He was also one of

the lead investigators in the murder of former Lebanese Prime Minister Rafik Hariri. On the phone, he describes unanswered emails, increasingly infrequent meetings with the Commissioner-General - "I dreamed of having one per month, but he was away." He became the object of pressure. Then rumours and complaints, orchestrated, he says, by the Commissioner-General's inner circle. "The more I demanded transparency, the more I became an enemy," he says. The affair with the Deputy's husband, his reports that went unheeded, and the lack of interest shown by the Commissioner-General, all served to undermine him. He resigned a few weeks later, in May 2018.

About this appointment [of the spouse of the Deputy Commissioner-General], Pierre Krähenbühl said in the December 2020 TV documentary of *Temps Présent*: "I have made inquiries... yes, it is allowed. But even with these parameters in mind, I think I should have said to him at the time, "Let's not take this risk, it will inevitably lead to bad interpretations." Clearly, it was a mistake and we could have avoided it."

Nick Kaldas, now semi-retired, is of Egyptian origin. "As I approached the end of my career, I was attracted to the idea of giving practical help to the Palestinians. That's why I applied to UNRWA. For him, as for many of his colleagues, the disillusionment was great. "The directors, at that time, lost faith in the organisation," he summarises. But reprisals for "whistleblowers" are commonplace, as other documents consulted by *Le Temps* show.

An internal judgment

This operation of the management team around the former Commissioner-General was brought to light by [the ruling of] an internal UNRWA Tribunal of 10 November 2020, following an internal complaint made for facts dating back to the summer of 2019, but whose origins, described by the judge, partly overlap with the episodes described above.

The verdict did not make any noise in Switzerland. Pierre Krähenbühl was found guilty of "flagrant violation of the fundamental values of the UN" for having tried to conceal the real reasons for a dismissal and disguise them as a voluntary resignation, accompanied by positive assessments of the employee. The 43-page verdict handed down by French Judge Jean-François Cousin deals, among other things, with disguised CVs and retaliation against a whistleblower.

The judge puts this verdict in a more general context: "It is clear that a number of irregularities were committed at least over a period of two or three years by certain senior managers of the agency. The context is such, the judge continued, that it "obliges the court to have serious doubts about the veracity of the testimony and statements."

More specifically, with regard to Pierre Krähenbühl, he called for his successor at the head of UNRWA to take possible action against him, "to enforce accountability." This is a bizarre situation: if the Swiss were to return to the UN system today, his successor, Philippe Lazzarini, also Swiss, would be obliged to consider sanctioning him.

Pierre Krähenbühl gave a written answer to *Le Temps* on this subject: "This case is not related to the OIOS (UN Office of Internal Oversight Services) investigation, nor to my resignation. It is a procedure that was concluded almost a year after my departure from UNRWA, without my having been asked to testify about the facts, and which is now the subject of a formal appeal by UNRWA, which is contesting its conclusions."

UNRWA confirms the existence of this appeal, on behalf of the current Commissioner-General. The case is in the hands of the UN Appeals Tribunal and is therefore outside the internal framework of UNRWA.

In an interview with *Le Temps*, Pierre Krähenbühl also made this general comment: "In 2018, UNRWA was subjected to an unprecedented financial and political attack [the Trump administration reduced and then cut its contributions to UNRWA]. I took a leadership role in the campaign to save the organisation by raising nearly half a billion dollars in additional funding. As always, such an outcome is a collective success, with essential contributions from many colleagues and external actors. During this very demanding year, we had to make some difficult internal decisions, such as budget cuts and redundancies. Not everyone was happy about these decisions. This has earned us criticism."

In March 2021, RTS revealed that Pierre Krähenbühl had been appointed by the International Committee of the Red Cross (ICRC) as special envoy of the organisation's president and head of delegation in Beijing.

Five "interrelated" investigation reports, says UN

Already last year, donor states were informed that the five investigation reports would have to "be circulated together."

One can imagine a certain nervousness at the UN Glass Palace in New York on 19 May 2020. At issue is the revealing to [UN Member] States the consequences of the investigations that targeted Pierre Krähenbühl and other UNRWA officials. The suspense is over: "disciplinary action" has been taken against four of them. As for the Commissioner-General, "measures were taken" in November 2019, notes enigmatically Maria Luiza Ribeiro Viotti, the Chief of Staff of UN Secretary-General Antonio Guterres. As a reminder, the Swiss had announced his resignation on 6 November 2019, a few hours after receiving indications that the conclusions of the report on him only identified "some management failings" on his part.

The minutes of this meeting, intended to remain confidential, but of which *Le Temps* has obtained a copy, are worth looking at in detail. No "fraud" was identified, but it remains to be explained what caused the agency to lose its key managers, including its Commissioner-General. The case of the Deputy Commissioner-General, the American Sandra Mitchell, is particularly revealing. She

went on holiday with her husband in Australia and never returned to her office in Amman, Jordan, while the investigation progressed. Her departure is effective 25 July 2019. "She was informed of the decision that would have been taken against her, in terms of human resources, if she had not left the agency," says another UN official. An elegant way of suggesting that by not seeking to renew her contract, she avoided the affront of not being reappointed.

At the time, the investigation was not yet complete regarding Hakam Shahwan, the "emir", who finally "separated" himself from UNRWA after he sent an anonymous email to the Al Jazeera channel in order to discredit the head of the UNRWA Ethics Office, Lex Takkenberg, who was collecting complaints about him. The investigation into Sandra Mitchell's husband, who had been appointed to the post of Deputy Director in a procedure that did not respect the rules, and which had been approved by Pierre Krähenbühl, was still ongoing at the time.

Another "separation" was that of the Special Adviser, Maria Mohammedi. But not before UNRWA had "recovered an amount of money due to it", the minutes of the meeting state. In fact, *Le Temps* has learned that the investigators discovered that she had asked a rich donor for tens of thousands of dollars to finance her son's studies, on the sidelines of her official meetings with Pierre Krähenbühl. However, the same sum had also been granted to her by UNRWA, and she therefore received the sum twice. Maria Mohammedi did not respond to our requests [for comment].

Pierre Krähenbühl also denies any wrongdoing on his part in this matter. In a written reply, he emphasised: 'It was not my responsibility to follow up this type of issue. There is no mention of this matter in the conclusions of the OIOS report concerning me.

The Swiss man is sticking to the version that the investigations "are independent of each other". Only the content of his own report, which has not yet been made public, is "authentic", he argues.

However, this reading is contradicted by the UN itself. "These cases are interrelated," said Catherine Pollard, UN Under-Secretary-General, during the same meeting. "The reports will therefore have to be circulated together," she added, assuring that the UN was "working on a global communication strategy" in this regard. The outgoing team, as the content of this discussion establishes, is indeed considered collectively responsible.

Need for transparency

But beyond these cases, it is above all a question of trying to limit the damage caused to the agency. Everyone here knows that this is a crucial issue. UNRWA has long been subject to countless attacks, culminating in Donald Trump's decision to cut off US funding and a campaign led by the Israeli right, and it must be seen to be above reproach in terms of management. But it has been seriously vulnerable to its critics, according to a list drawn up at the same meeting by Philippe Lazzarini, the successor to Pierre Krähenbühl, also a Swiss. Most of the management problems were linked to the organisational culture, to over-centralised decision-making, and to

the lack of matching of responsibilities and competences," he explained to the main donors. This led some of the staff to share a sense of powerlessness.

A year later, the reports have been completed, but the "global communications strategy" promised by the UN has not made much progress. For example, the UN has not responded to any of our questions about the reports, their content or their "interrelatedness".

For its part, the Federal Department of Foreign Affairs (FDFA) confirms Ignazio Cassis' statement that the Confederation requested and received these five reports, which concern "senior UNRWA managers". As for the possible release of these reports, the FDFA stresses that they are "classified as highly confidential by the United Nations" and merely states: "Switzerland considers it important that transparency be achieved and has taken steps to make the conclusions of the reports public.