



REPORT OF THE ETHICS OFFICER

2016

Introduction

1. In April 2006, the Director-General decided to establish an Ethics Officer function to ensure support for and promote compliance with ethical standards, and to reinforce the possibility for all officials to report cases of disregard for these standards without fear of retaliation. The Ethics Officer function includes the following responsibilities:¹
 - (a) To provide guidance to the Human Resources Development Department (HRD) in ensuring that ILO policies, procedures and practices, reinforce and promote the ethical standards called for under the Staff Regulations and the Standards of Conduct for the International Civil Service, and to ensure that ILO officials clearly understand the ethical standards that apply to them.
 - (b) On request, to counsel managers and all staff members on questions of ethics, including ethical standards that govern outside activities.
 - (c) To assist, in collaboration with HRD, in designing and promoting programmes to inform, educate and raise awareness of ethical issues for all ILO staff members.
 - (d) To receive complaints regarding retaliation or threats of retaliation from individual officials who believe that action has been taken against them because they have reported misconduct or cooperated with an audit or investigation. In this context, the Ethics Officer is required:
 - to keep a confidential record of all complaints received;
 - to conduct a preliminary review of the complaint to determine: (i) if the complainant engaged in a protected activity; and (ii) if there is a prima facie case that the protected activity was a contributing factor in causing the alleged retaliation or threat of retaliation;
 - to refer the matter to HRD, where appropriate, including for consideration of possible disciplinary action.
2. Effective 1 February 2016, the Director-General appointed Martin Oelz, Senior Specialist on Equality and Non-discrimination in the Gender, Equality and Diversity Branch, to serve as the ILO Ethics Officer. He succeeded Monique Zarka-Martres, Head of the Labour Administration and Inspection, and Occupational Safety and Health Unit in the International Labour Standards Department, who had been exercising this function since 1 June 2010.
3. In line with the Ethics function's terms of reference, the Ethics Officer reports directly to the Director-General, to whom he/she presents a periodic report. This is the tenth report submitted by the Ethics Officer, covering the period from 1 January to 31 December 2016.
4. The report provides information with regard to the main aspects of the Ethics Officer's work, namely promotion, consultation and whistleblower protection. It also provides information concerning the development of ethics-related ILO policies, and an update

¹ See Office Directive, Ethics in the Office, IGDS No. 76 (Version 1) of 17 June 2009.

regarding the Ethics Officer's collaboration with the Ethics Network of Multilateral Organizations (ENMO).

Summary of activities

Promotion

1. Throughout 2016, the Ethics Officer delivered a series briefings, induction and training sessions to raise awareness and understanding of ethical standards of conduct, implications for managers and staff, and the role and responsibilities of the ethics function.
2. In March, upon invitation by the ILO Mediator, the Ethics Officer participated in a series of four video conferences with members of the global facilitator's network. The network is comprised of ILO officials who serve as facilitators trained in early conflict resolution, available to help colleagues with a work-related problem to explore options for informal resolution of the problem.² The objective of the video conferences was to allow the facilitators to meet and exchange views with the Ethics Officer, to familiarize themselves with the mandate and work of the Ethics Office, and to explore complementarity between the ethics and mediator functions.
3. In May, an interview with the Ethics Officer was published in *Inside*, the ILO internal electronic newsletter.³
4. In June, the Ethics Officer served as a resource person for a course entitled "Maximizing Field Office Performance – a capacity building programme for ILO Office Directors" at the ILO International Training Centre in Turin. The course addressed ethics as an integral part of governance and accountability, including through resolving ethical issues in the context of a simulation exercise and a session on the key role of office directors in promoting gender equality and diversity in their offices.
5. In the same month, the Ethics Officer delivered an ethics training session for a group of international monitors deployed by the ILO/World Bank project on monitoring child and forced labour in cotton harvesting.
6. In August, upon invitation by the Director-General, the Ethics Officer briefed the Global Management Team.
7. In September, the Ethics Officer delivered an induction session on ethics in the context of a regional capacity building working for human resources and finance staff in Latin America, through video conference.

² For more information on the network see <http://ilo.org/public/english/mediate/informal/facilitation.htm>

³ <https://www.ilo.org/intranet/english/internalcomms/inside/ethics-en.pdf>

Consultation

8. Upon request, the Ethics Officer provides ethics advice to ILO managers and officials, including as regards outside activities and conflicts of interest. This is a 360-degree advisory function, since it embraces both the administration and officials whose interests are not necessarily the same.
9. In the course of 2016, the Ethics Officer was consulted by 22 officials, 11 women and 11 men, including both staff and managers. Among them, 15 officials were from ILO headquarters in Geneva. The majority of consultations related to questions regarding outside activities and conflicts of interests.
10. Requests for advice regarding outside activities related to professional, political as well as academic activities. Colleagues enquiring about the permissibility of outside activities received advice as to the suitability of the envisaged activity, and guidance on the appropriate procedure to be followed.
11. In two cases, issues related to harassment were raised. While the Ethics Officer is not responsible for taking up harassment complaints, information on the relevant ILO's policies and procedures was provided.

Whistleblower protection

12. All staff members are required to report any case of fraud, presumption of fraud or attempted fraud to the Director-General through the Treasurer and Financial Comptroller and the Chief Internal Auditor.⁴ The Chief Internal Auditor also receives reports concerning waste, abuse of authority and other misconduct contrary to ILO rules and regulations. Grievances regarding harassment can be lodged with HRD in accordance with the related provisions of the Staff Regulations.⁵
13. Staff members reporting cases through the appropriate channels in good faith are entitled to protection from retaliation. To this end, the Ethics Officer is responsible for administering the procedure for the protection of officials who believe that action has been taken against them because they have reported misconduct or cooperated with an audit or investigation.⁶
14. The role of the Ethics Officer consists of making a preliminary review of complaints of staff who allege retaliation. If appropriate, such a review can lead to a "qualified referral" of the matter to HRD for consideration of possible disciplinary action.
15. In 2016, the Ethics Officer received one complaint from a staff member alleging retaliation. Following review of the complaint, the Ethics Officer concluded that the complainant was not engaged in a protected activity – in other words, had not reported misconduct or collaborated with an audit – and that accordingly no further investigation was warranted.

⁴ Office Directive, *Anti-fraud policy*, IGDS No. 69 (version 2) of 12 January 2015

⁵ Staff regulations, Chapter XIII.

⁶ Office Procedure, *Ethics in the Office: Whistleblower protection*, IGDS No. 186 (Version 1) of 8 September 2010.

Policy development

16. The Ethics Officer contributed to the development of an Office Directive on employment of domestic workers of ILO staff which was issued by the Director-General on 27 June 2016.⁷ The Directive seeks to clarify the obligations incumbent on all ILO officials pursuant to Articles 1.2 and 1.7 of the Staff Regulations and the 2013 Standards of Conduct for the International Civil Service as regards the employment of domestic workers. The Directive provides that any information regarding allegations of the inappropriate treatment of domestic workers of ILO officials should be forwarded to the ILO Ethics Officer (ETHICS@ilo.org) who may refer them to HRD for appropriate action. Any case of improper treatment or abuse of domestic workers employed by ILO officials may be subject to internal disciplinary review in accordance with the provisions of Chapter XII of the Staff Regulations.
17. Furthermore, the Ethics Officer, in collaboration with the Office of the Legal Adviser, initiated a review of the existing whistleblower protection procedure with a view to updating it in the light of recommendations made by an internal audit of the ethics function, which were reported to the Governing Body in March 2016.⁸

The Ethics Network of Multilateral Organizations

18. The ILO Ethics Officer is a member of the ENMO which seeks to promote a system-wide collaboration on ethics-related issues, with a specific focus on the coherent application of ethical standards and policies across the United Nations system. ENMO represents an important forum for ethics officers of international organizations to share their first hand experiences and learn from each other, which is vital for maintaining and fostering a culture of ethics within the UN family.
19. The 2016 annual meeting of ENMO was held in Madrid, Spain, from 12-15 July, hosted by the United Nations World Tourism Organization. Discussions at the meeting focused on preventing conflicts of interest through interest disclosure and pre-employment vetting, post-employment restrictions, innovative outreach and incentivizing ethical behaviour, issues related to social media, complementarity between ethics and mediation functions, as well as evaluation of ethics office performance.

Martin Oelz, Ethics Officer

Geneva, 26 January 2017

⁷ Office Directive, *Employment of domestic workers by ILO officials*, IGDS No. 479 (Version 1) of 27 July 2016.

⁸ Report of the Chief Internal Auditor for the year ended 31 December 2015, GB.326/PFA/9(Rev.), 2 March 2016, para. 29.