

▶ Annual report of the Ethics Officer (2019)

▶ Introduction

1. The mission of the ILO Ethics Officer is to promote a culture of integrity and respect across the International Labour Office, in line with ILO values and principles. The annual report of the Ethics Officer includes updates on the activities undertaken in fulfilment of this mission.
2. At the heart of the Ethics Officer's work is the commitment to promote awareness and understanding of the standards of ethical conduct that all ILO staff members are expected to know and uphold. These standards are set out in the [Standards of Conduct for the International Civil Service](#), the [Principles of Conduct for Staff of the International Labour Office](#), the Staff Regulations and the relevant internal governance documents.¹
3. The Director-General has entrusted the ethics function, which is an integral part of the ILO's accountability framework,² and the specific roles and responsibilities associated with that function, to the Ethics Officer.³ In exercising this function, the Ethics Officer is independent of any other official, department or organizational entity of the ILO and reports directly to the Director-General. The responsibilities of the Ethics Officer include those set out below.

Responsibilities of the Ethics Officer

- ▶ *Ethics advice*: Providing advice for managers and staff members on questions of ethics, such as conflicts of interest, outside activities and occupations, and gifts.
- ▶ *Awareness-raising and training*: Contributing to the design, promotion and implementation of programmes to inform and educate staff with a view to increasing awareness of ethical issues.
- ▶ *Policy development*: Providing guidance to ensure that ILO internal policies and practices reinforce and promote the ILO's ethical standards.
- ▶ *Protection from retaliation*: Receiving requests for protection from retaliation from staff members who believe that action has been taken against them because they have reported misconduct or cooperated with an audit or investigation.
- ▶ *Domestic workers employed by ILO staff*: Receiving information regarding allegations of the inappropriate treatment by staff members of domestic workers employed by them.

▶ Ethics advice

4. Upon request, the Ethics Officer provides confidential ethics advice to staff members. This is a 360-degree advisory function, since it embraces both the administration and individual staff members. Ethics advice is intended to support and guide staff in making decisions in accordance with the ILO's ethical standards of conduct.

¹ The relevant internal governance documents are available at the ILO Ethics webpage, www.ilo.org/ethics.

² Office Guideline, *The ILO accountability framework: key standards and mechanisms*, IGDS No. 195.

³ See Office Directive, *Ethics in the Office*, IGDS No. 76.

5. In the year under review, there was a slight decrease in the number of requests for ethics advice received, from 40 in 2018 to 36 in 2019. Of these 36 requests, 14 were from external offices and 1 was from the International Training Centre of the ILO (Turin Centre). The majority of requests (25) came from P staff, while

5 requests were made by D staff,⁴ by G staff and 2 by national officers. In 22 cases, advice was sought by male staff, compared to 14 requests by female staff. As in previous years, the majority of requests concerned outside activities and occupations, conflicts of interest and gifts.

► Awareness-raising and training

6. The Ethics Officer delivers ethics briefings and training sessions, both at headquarters and for external offices, to raise awareness and understanding of ethical standards of conduct, the implications for managers and staff, and the role and responsibilities of the Ethics Officer. In this regard, the Ethics Officer closely collaborates with the Human Resources Development Department (HRD), the Mediator, the Office of Internal Audit and Oversight (IAO), the Office of the Legal Adviser and the Turin Centre.

7. A number of briefings and training sessions were delivered in 2019, including: a one-day workshop on

respect and integrity, delivered in collaboration with HRD for staff of the ILO Regional Office for the Arab States in Beirut; briefings for staff of the ILO Project Office in Guatemala and the Decent Work Team and Country Office for Central America in San José; and a session on ethics as part of a course on employment disputes, organized by the Turin Centre and the Office of the Legal Adviser. The Ethics Officer also provided input for a workshop for Turin Centre staff and engaged in a dialogue with the Mediator's network of facilitators.

► Policy development

8. In 2019, the Ethics Officer led the revision of the ILO's policy on protection from retaliation, which is now set out in Office Directive, Reporting misconduct and protection from retaliation, IGDS No. 551, issued by the Director-General on 11 November 2019. The policy's revision was guided by experiences at the ILO since a policy had first been put in place in 2010 and by developments and practices in the United Nations system, including recommendations by the Joint Inspection Unit. The policy's implementation will be reviewed regularly with a view to making improvements as and when may be needed.

9. Many requests for ethics advice reaching the Ethics Officer relate to questions concerning gifts or

hospitality offered to ILO staff by external parties. To recall and clarify the relevant rules, the Ethics Officer facilitated the development of a new Guideline on this topic.⁴ The text provides guidance on the conduct expected of officials when governments, constituents, commercial entities or other external sources offer gifts or hospitality to them, and stresses the obligation of staff to decline gifts. It explains the notion of gifts of nominal value, which may be accepted without prior authorization. It also clarifies the course of action to be taken in cases where a gift has been accepted on behalf of the ILO as its rejection could have caused embarrassment to the Organization. Such cases have to be reported and the gifts registered for safekeeping.

⁴ Office Guideline, *Gifts and hospitality offered to officials by external sources*, IGDS No. 552, which was issued by the Deputy Director-General for Management and Reform on 11 November 2019.

► Protection from retaliation

10. Ensuring a culture of integrity requires the involvement of all staff members. This includes not only knowing and complying with the ILO's internal rules and regulations, but also bringing misconduct and wrongdoing to the attention of the IAO, which is the ILO authority competent for receiving such reports.⁵ Instances of harassment, including sexual harassment, are reported to HRD. Where managers receive reports of misconduct, they must take appropriate action, which includes reporting the matter to the competent authority.
11. To enable staff to report misconduct and to cooperate with investigations or audits without any fear of retaliation, the ILO has put in place a specific policy for the prevention of and protection from retaliation. This policy was strengthened with the adoption in November 2019 of IGDS No. 551, which sets out the channels for reporting misconduct and the available protection against retaliation for having done so.
12. IGDS No. 551 entrusts the Ethics Officer with the responsibility of receiving from staff members requests for protection. In such cases, the Ethics Officer undertakes a preliminary review of the situation. Where the Ethics Officer concludes that there is a prima facie case of retaliation, the case is referred to the IAO for investigation. If it is concluded, on the basis of the investigation report, that retaliation has occurred, the Office is required to take measures aimed at correcting negative consequences suffered as a result of the retaliatory action. The case will also be referred to HRD for consideration of disciplinary action against the official who engaged in retaliation.
13. Under the new policy, the IAO and HRD shall inform the Ethics Officer of any report of alleged misconduct received by them which they consider posing a retaliation risk, subject to the consent of the staff member who made the report. With the staff member's consent, the Ethics Officer can engage with the staff member's senior management or with HRD to take steps with a view to preventing any retaliatory action from taking place.
14. In 2019, the Ethics Officer received two complaints of retaliation.⁶ The Ethics Officer concluded that the complainants had not been engaged in a protected activity and a preliminary review was therefore not initiated in either case.

► Relations with the Independent Oversight Advisory Committee

15. The Ethics Officer holds regular exchanges with the Independent Oversight Advisory Committee (IOAC). In June 2019, the Ethics Officer provided the IOAC with an oral update on the activities carried out under the ethics function, presented the workplan for the function and presented the results of the ILO Ethics Survey that was conducted in 2018. Under its terms of reference, the IOAC enjoys "unrestricted and confidential access to the Chief Internal Auditor and the External Auditor, the Ethics Officer, and vice versa."⁷
16. The ILO's whistleblower policy was reformed in 2019 to clarify the course of action to be followed in case of allegations of retaliation concerning the Director-General. Such allegations are to be reported to the Chairperson of the Governing Body either directly or via the Chairperson of the IOAC.⁸

⁵ Any case of fraud, presumption of fraud or attempted fraud must be reported to the IAO and the Treasurer; see Financial Rule 13.10.

⁶ Both cases were received before the issuance of IGDS No. 551, and hence were addressed under the previous procedure.

⁷ *Terms of reference for the Independent Oversight Advisory Committee of the International Labour Office*, paragraph 5.

⁸ IGDS No. 551, para. 24.

▶ The Ethics Network of Multilateral Organizations

17. The ILO Ethics Officer is a member of the Ethics Network of Multilateral Organizations (ENMO), which seeks to promote 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 is an important forum at which ethics officers of international organizations share their first-hand experiences and learn from each other, which is vital for maintaining and fostering a culture of ethics within the United Nations family.

18. The Ethics Officer attended the 2019 annual meeting of ENMO, hosted by the European Patent Office in Munich from 9 to 12 July 2019. The discussions at the meeting focused on: due diligence during the recruitment of staff in respect of conflicts of interest; communication for promoting ethical conduct and organizational culture; sexual harassment and sexual exploitation and abuse; and developments with regard to whistleblower protection.

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