



REPORT OF THE ETHICS OFFICER

2017

Introduction

1. The Ethics Officer function was established in 2006 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 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. Since 1 February 2016, the function of ILO Ethics Officer has been carried out by Martin Oelz, Senior Specialist on Equality and Non-discrimination in the Gender, Equality and Diversity and HIV and AIDS in the world of work Branch.
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 eleventh report submitted by the Ethics Officer, covering the period from 1 January to 31 December 2017.
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 on the revised terms of reference of the Independent Oversight Advisory Committee (IOAC) and regarding the Ethics Officer's collaboration with the Ethics Network of Multilateral Organizations (ENMO).

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

Summary of activities

Promotion

5. Throughout 2017, the Ethics Officer delivered several 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.
6. On 2 February 2017 the Ethics Officer facilitated a session on ethics in the context of the course “Managing employment disputes effectively in international organizations” organized by the International Training Centre of the ILO in Turin in collaboration with the ILO Office of the Legal Adviser.
7. On 24 February, upon invitation by the Regional Director for Asia and the Pacific, the Ethics Officer delivered an ethics induction session to the ILO Asia and Pacific Extended Regional Management Team Meeting in Bangkok. The briefing offered a broad overview, while stressing specific issues such as the duty to disclose interests and the duty to report in the context of the anti-fraud policy and the underlying financial rules and regulations, as well as the right of staff to protection from retaliation. In response to questions from participants, issues such as gifts, outside business activities, and relations with governments of one’s own country were discussed.
8. On 27 February, upon invitation by the ILO DWT for East and South-East Asia and the Pacific and Country Office for Thailand, Cambodia and Lao People’s Democratic Republic (DWT/CO-Bangkok), the Ethics Officer conducted a one-day Ethics Workshop for ILO staff in Cambodia. Taking place in Phnom Penh, the workshop provided an opportunity for staff to explore ethics-related questions in an interactive and participatory manner, including through group work and case studies. These questions included the following: What is ethics and what does it mean for an organization such as the ILO? How to identify, approach and resolve situations or dilemmas involving ethical issues? What are the barriers to upholding the highest standards of conduct and what is our individual responsibility? The workshop also introduced available resources and materials on ethics-related issues in the ILO.
9. On 2 March, the Ethics Officer held a briefing for staff of the ILO Regional Office for Asia and the Pacific and the DWT/CO-Bangkok, including development cooperation and general service staff.
10. On 6 June, upon invitation by the Director-General, the Ethics Officer briefed the Global Management Team.
11. On 21 June, 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.
12. In November and December, preparatory work for fielding an ILO Ethics Survey in early 2018 was undertaken.
13. On 6 December 2017, the Ethics Officer held a face-to face introductory briefing on the ILO’s ethics function and policies for staff of the ILO Decent Work Technical Support

Team and Country Office for the South Cone of Latin America (DWT/CO-Santiago) in Santiago, Chile.

Consultation

14. 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.
15. In the course of 2017, the Ethics Officer was consulted by 34 officials, 13 women and 21 men.² Among them, 16 officials were from external offices. The majority of consultations related to questions regarding gifts, outside activities and conflicts of interests. The Ethics Officer provided personalized advice and, as appropriate, drew attention to the relevant rules and procedures.
16. In two cases, issues related to harassment were raised. The Ethics provided information on the relevant ILO policies and procedures.

Whistleblower protection

17. 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.³ 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.⁴
18. 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.⁵
19. The role of the Ethics Officer consists in conducting, where there are reasonable grounds for doing so, 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.
20. In 2017, the Ethics Officer received two complaints from staff alleging retaliation. With regard to the first complaint, received on 15 February 2017, the Ethics Officer initiated a preliminary review and concluded that the facts at hand did not suggest, prima facie, that retaliation had occurred. In respect of the second complaint, which was received on 7 November 2017, the Ethics Officer concluded that there were no reasonable grounds to initiate a preliminary review.

² By comparison, the Ethics Officer was consulted by 22 staff members in 2016.

³ Office Directive, *Anti-fraud and anti-corruption policy*, IGDS No. 69 (version 3) of 19 October 2017

⁴ Staff regulations, Chapter XIII.

⁵ Office Procedure, *Ethics in the Office: Whistleblower protection*, IGDS No. 186 (Version 1) of 8 September 2010.

The Independent Oversight Advisory Committee

21. On 25 January 2017, the Ethics Officer met with the IOAC to provide a briefing on the ILO Ethics function.
22. Under its terms of reference, as revised most recently by the Governing Body at its 331th Session (November 2017),⁶ the IOAC provides advice to the Governing Body and the Director-General on “the interaction and communication between the Governing Body, the External Auditor, the Chief Internal Auditor, the Ethics Officer, and ILO management” (para. 2(d)) and on “[c]ompliance and probity: the systems established by the ILO to maintain and promote compliance with laws, regulations, policies and high standards of integrity and ethical conduct to prevent conflicts of interest” (para. 3(g)). The terms of reference further provide that “The IOAC will have unrestricted and confidential access to the Chief Internal Auditor and the External Auditor, the Ethics Officer, and vice versa” (para. 5).

The Ethics Network of Multilateral Organizations

23. The ILO Ethics Officer is a member of the 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 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.
24. The 2017 annual meeting of the ENMO was held in Rome, Italy, from 12-15 July, hosted by the World Food Programme. Discussions at the meeting focused on the latest developments in the UN system with regard to reforms concerning whistle-blower protection, benchmarking and best practices of ethics offices. Furthermore, the ENMO members revised the terms of reference of the Network.

Martin Oelz, Ethics Officer

Geneva, 18 June 2018

⁶ http://www.ilo.org/public/english/edmas/ioac/downloads/tors_en.pdf