International Labour Organization

Annual report of the Ethics Officer for 2023

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Introduction

1. The mission of the ILO Ethics Officer is to promote a culture of ethics, integrity and respect across the Office, in line with ILO values and principles. The annual report of the Ethics Officer provides updates on the activities carried out in 2023 to fulfil this mission, as well as related institutional developments.

2. At the heart of the Ethics Officer's work is the commitment to promote awareness and understanding of ILO values, and the standards of ethical conduct that all ILO staff members – and the Office as a whole – are expected to 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. Furthermore, ILO values are based on the principles enshrined in the ILO Constitution and underlying relevant and up-to-date international labour standards. [1]

3. The Director-General entrusted the ethics function (an integral part of the ILO's accountability framework) to the Ethics Officer, who assumed office full-time on 1 July 2022. The Ethics Officer is independent of any other official, department or organizational entity of the ILO and reports directly to the Director-General. As of December 2023, an additional responsibility was assigned to the Ethics Officer to act as the ILO focal point for the *Geneva Alliance against Racism*, which was established to follow up on the Joint Inspection Unit note entitled "Review of measures and mechanisms for addressing racism and racial discrimination in United Nations system organizations". The responsibilities of the Ethics Officer are summarized below.

▶ Responsibilities of the Ethics Officer

- *Provide ethics advice* to managers and staff members on questions of ethics, such as conflicts of interest, outside activities and occupations, the prevention of sexual exploitation and abuse, gifts and so forth
- *Monitor ethics at the ILO*, including through *staff ethics surveys*, meetings with stakeholders and so forth.
- Contribute to the design, promotion and implementation of *awareness-raising and training* programmes to inform and educate staff with regard to ethical issues.
- Provide guidance on *policy development* to ensure that ILO internal policies and practices reinforce and promote the ILO's ethical standards.
- Administer and review the ILO *financial disclosure programme* in cooperation with the Office of the Treasurer and Financial Comptroller (TR/CF).
- *Protect whistle blowers against retaliation* by receiving and handling requests for protection from staff members who believe that action has been taken against them because they have reported misconduct or cooperated with an investigation.
- Receive information regarding allegations of inappropriate treatment of *domestic workers employed by ILO staff members*.
- *Research and proactively promote ILO values* by leading and facilitating initiatives to build and foster workplace environments that uphold the ILO values and principles underlying international labour standards.
- Discharge the ethics function for the *International Training Centre of the ILO in Turin*, Italy.
- Act as the ILO focal point for the implementation of the United Nations inter-agency action plan on the *prevention of sexual exploitation and abuse*.
- Act as the ILO focal point for the *Geneva Alliance against Racism*.

[1] The applicable internal governance documents are available on the webpage of the ILO Ethics Office.

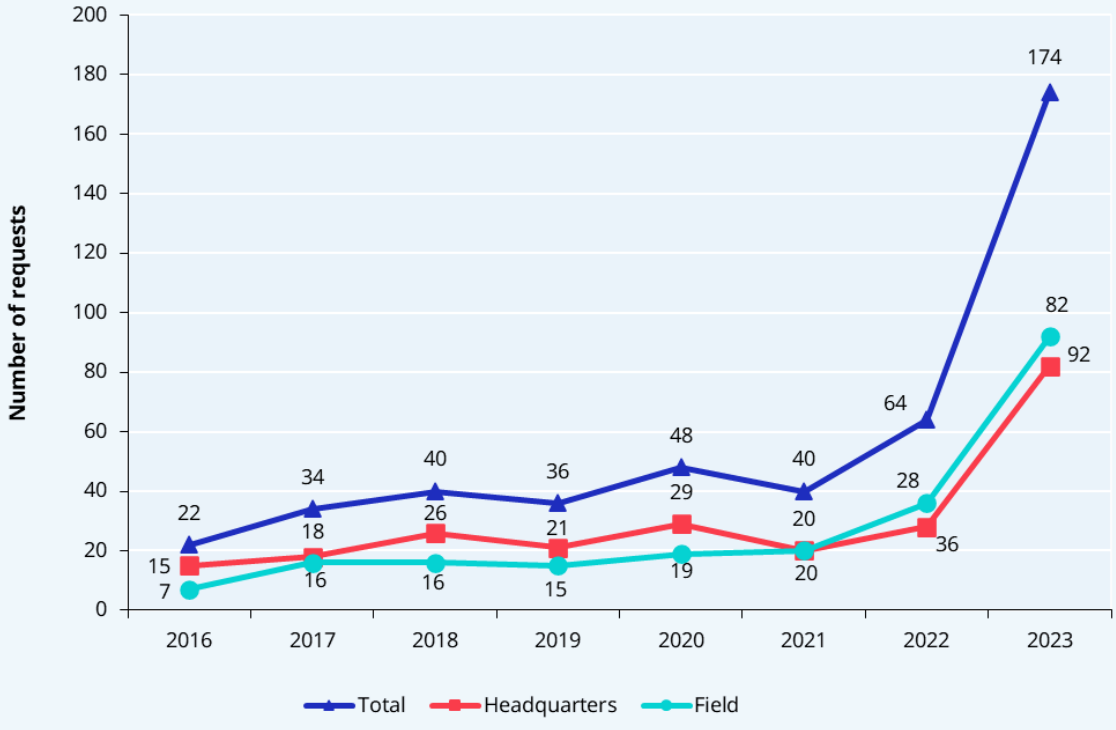
- *Represent the ILO in international ethics forums*, such as the Ethics Network of Multilateral Organizations.

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 ILO 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.

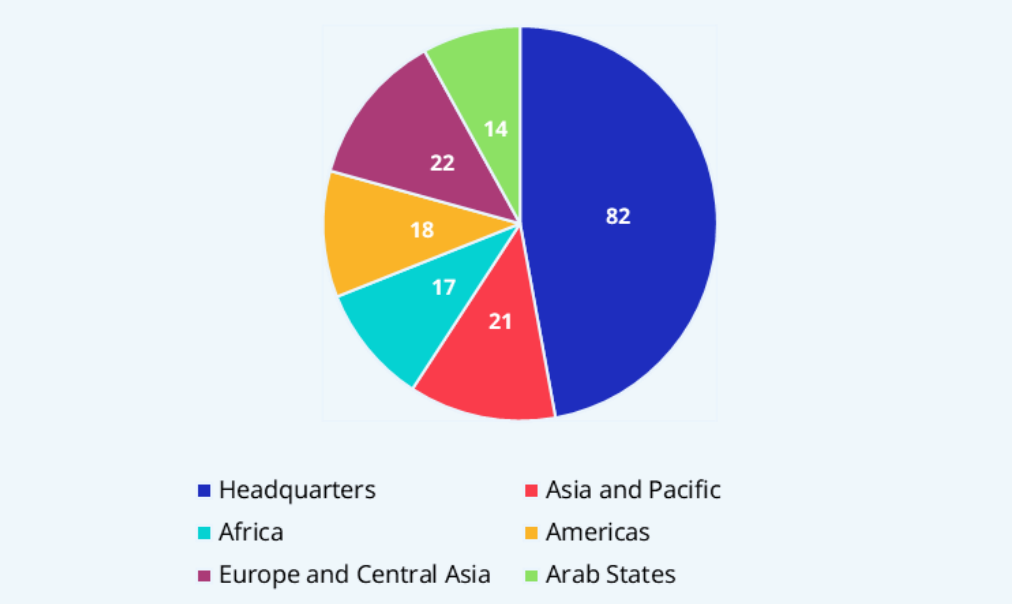
5. The number of staff members who sought and received ethics advice during 2023 was 174. The amount of requests more than quadrupled compared to the average of previous years when the Ethics Officer was a part-time post and the average number of advice requests ranged from 22 to 48 a year. This significant increase in advisory activity is a result of the assumption of the full-time Ethics Officer post from July 2022 onward and the ensuing outreach and prevention work of the Ethics Office.

▶ **Figure 1. Number of requests for ethics advice, 2016–23**

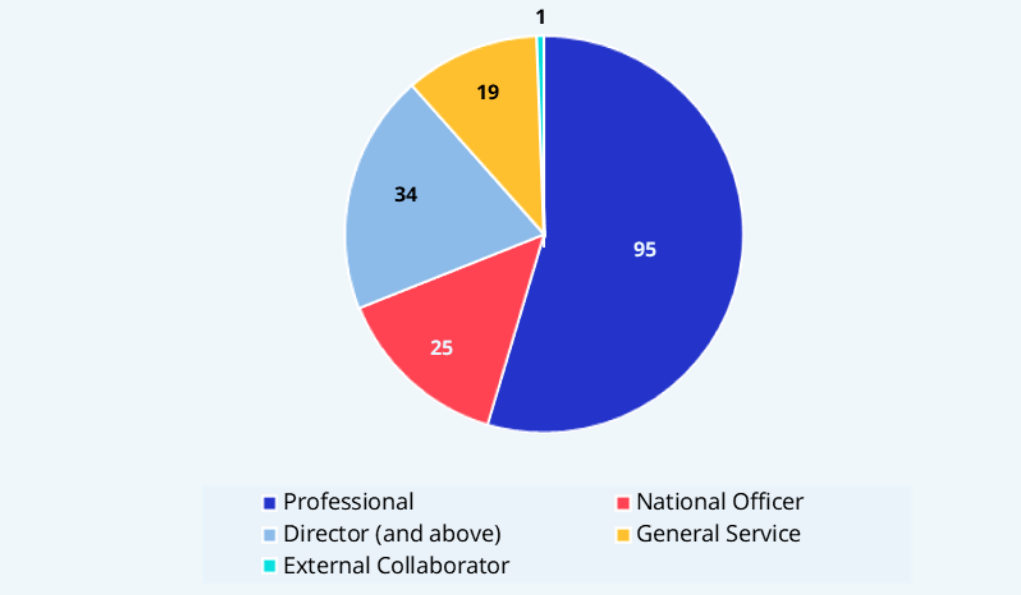


6. Of the 174 colleagues who consulted the Ethics Officer in 2023, 82 were from headquarters (where 33 per cent of ILO staff work) and 92 were from field offices (accounting for the remaining 67 per cent of ILO staff). [2] Of the 174 requests for advice or support, 34 were made by management, and 103 were made by women and 71 by men.

▶ Figure 2. Number of requests for ethics advice by region, 2023

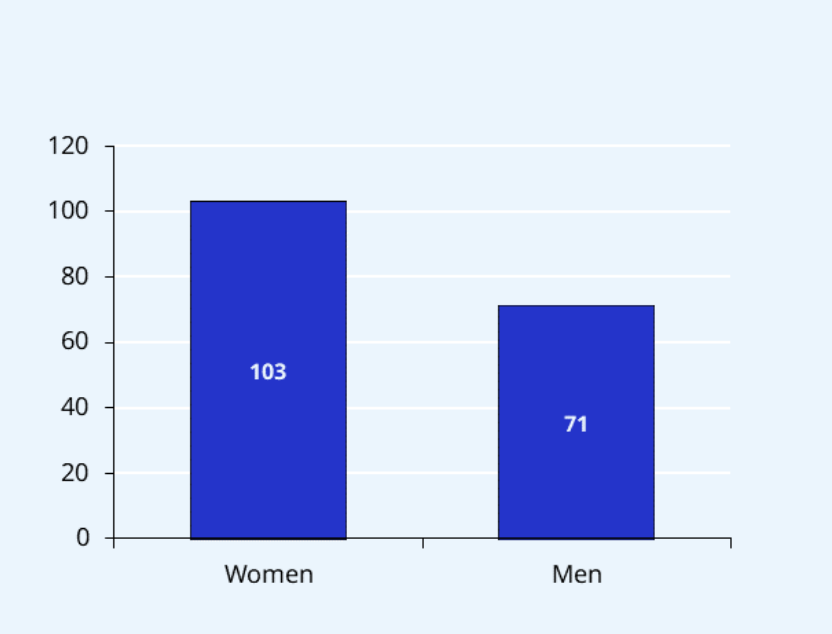


▶ Figure 3. Number of requests for ethics advice by staff category, 2023



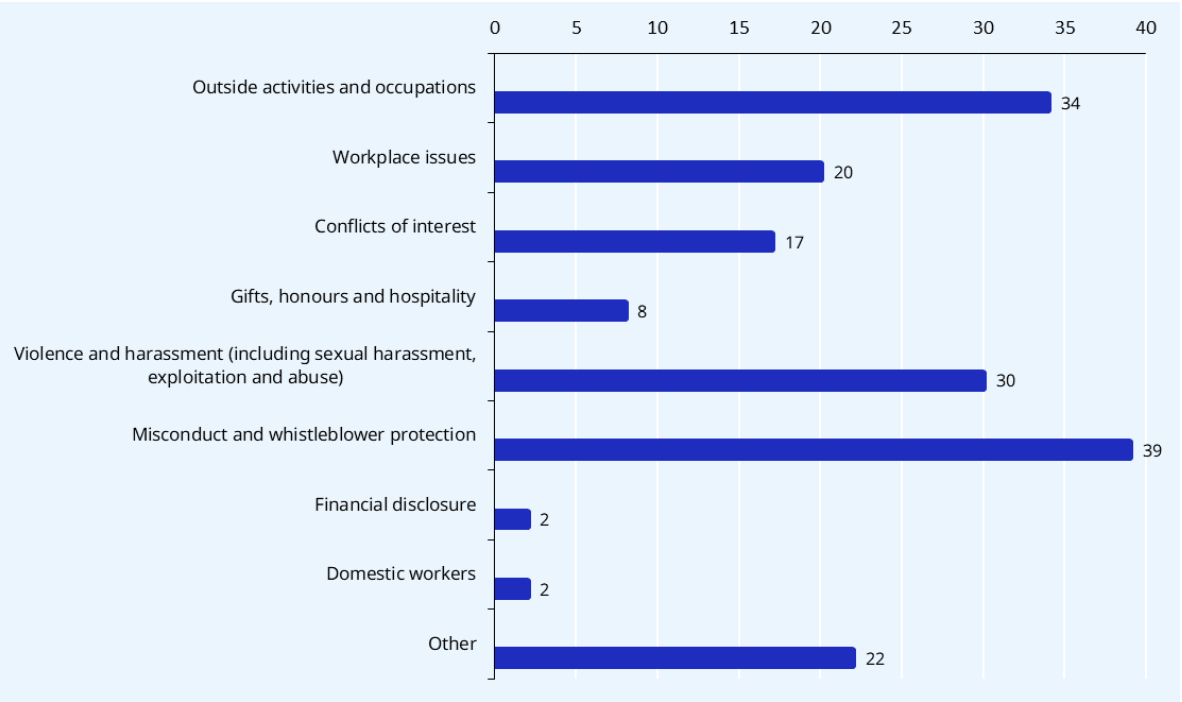
[2] Figures as of 31 December 2023, when the ILO had 3,507 staff members, of whom 1,155 were based at headquarters and 2,352 in field offices.

▶ **Figure 4. Number of requests for ethics advice by sex, 2023**



7. As to the main subject areas of ethics advice, during 2023, 39 requests for ethics advice related to reporting misconduct and whistle-blower protection; 34 to outside activities and occupations; 30 to violence and harassment, including sexual harassment and PSEA; 22 to workplace issues; 19 to conflicts of interest, and 8 queries were made regarding gifts, honours and hospitality. Fewer colleagues inquired about financial disclosure (two) and employment of domestic workers (two). The table below provides a full breakdown.

▶ **Figure 5. Number of requests for ethics advice by subject area, 2023**



8. Finally, a number of staff members sought information on channels for reporting various forms of misconduct or wished to report misconduct. As appropriate, those staff members were referred to the applicable processes for reporting misconduct, notably the Office of Internal Audit and Oversight (IAO).

Monitoring ethics: 2023 Ethics Survey

9. The Ethics Officer meets regularly with Office stakeholders to monitor ethics at the workplace and make recommendations in the context of discharging his other responsibilities, such as training, awareness-raising and policy development.

10. As indicated in the previous report of the Ethics Officer, a new "Ethics at the ILO" survey was conducted in 2023 (the last survey was conducted in 2018 and the first in 2013). A report on the survey results, which was prepared with the assistance of an independent external senior statistician, can be found on the Ethics Office website.

11. The results of the survey are to inform the work and activities of the Ethics Office moving forward, as well as the process to review the ILO Principles of Conduct and the launch of new online mandatory ethics training.

Awareness-raising, training and outreach

12. The Ethics Officer delivers ethics briefings and training sessions, both at headquarters and regional 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 continued to collaborate with the Human Resources Development Department (HRD), the IAO and the Mediator, highlighting the importance of coordinated joint efforts, with each unit and department within its own mandate, to promote a culture of ethics, integrity and respect across the Office.

13. In line with Joint Inspection Unit (JIU) recommendations and following up on recent Governing Body discussions, [3] a new e-learning course on ethics is being finalized and is scheduled to be launched in 2024. It builds on the best practices of other organizations, in particular the United Nations, as well as the lessons learned and findings from the 2023 ethics survey. At the same time, the Ethics Office proposes the development of a shorter version that could be used as an ethics training refresher course, also pursuant to JIU recommendations.

14. The Ethics Officer also increased the number of training sessions and workshops, including onboarding of new Directors and management officials (such as country or regional Directors, human resources regional coordinators, and so forth), as well as tailored ethics training, such as for the Maximizing Field Office Performance project hosted by the International Training Centre of the ILO in Turin, the TR/CF and Procurement departmental workshop, and the ethics and respectful workplace training for staff in Pakistan and Cambodia.

15. Following up on the latest report of the Chief Internal Auditor, in which recommendations were made to raise awareness of the procedures to follow with regard to engagement in outside activities to reduce further the risk of fraud, [4] the Ethics Officer launched an awareness-raising campaign that led to a significant increase in the consultations on and disclosures of outside

[3] See GB.349/PFA/6.

[4] Twenty per cent of the substantiated misconduct reports issued by the IAO in 2022 concerned ILO officials' undeclared outside activities. See GB.347/PFA/8.

activities. In light of the usefulness of the campaign, the Ethics Office has been granted direct access to organizational email broadcasts and endeavours to continue thematic awareness-raising campaigns.

Policy development: Review of the International Civil Service Commission Standards and of the Principles of Conduct for Staff of the International Labour Office

16. The Ethics Officer participates together with HRD as the ILO focal point for the review of the Standards of Conduct for the International Civil Service of the International Civil Service Commission, which was last updated in 2013. The review is scheduled to be completed in 2024, and its outcome will be reflected in the update of the ILO Principles of Conduct, subsequent to the review.

17. In 2023, the Ethics Officer continued to provide advice to ensure that ILO internal policies and practices reinforce and promote the ILO's ethical standards. For example, upon request by the Governing Body, in March 2023 the Ethics Officer submitted his views on the improvement of the rules governing the appointment of the Director-General (GB.347/LILS/3(Rev.2)). [5]

18. Moreover, internal consultations are under way to prepare the update of the ILO Principles of Conduct from 2009. The update will seek to give effect to the External Auditor's pending recommendations, improve on communication and guidance concerning ILO values and processes, and reflect the latest developments both in the ILO's Internal Governance Documents System and in the United Nations system approach to codes of ethics in general. The update will also fully take into account the results of the 2023 ethics survey.

Whistle-blower protection from retaliation

19. 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. Instances of harassment, including sexual harassment, are reported to HRD.

20. The ILO has in place a specific policy for the prevention of and protection from retaliation for any staff who report misconduct or cooperate with investigations audits. The Office Directive, *Reporting misconduct and protection from retaliation*, IGDS No. 551, which applies to all staff irrespective of service category or type of contract, specifies the appropriate channels for reporting misconduct. It establishes arrangements for prevention of and protection from retaliation to ensure that all staff can report misconduct and cooperate with audits and investigations without fear of retaliation.

21. The same Directive entrusts the Ethics Officer with responsibility for receiving complaints from staff members concerning retaliation. In such cases, the Ethics Officer undertakes a preliminary review of requests for protection from retaliation. 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 the negative consequences suffered as a result

[5] See GB.347/PV(Rev.), para. 994.

of the retaliatory action. Cases may also be referred by the Director-General to HRD for consideration of appropriate disciplinary action against the official who engaged in retaliation.

22. One complaint alleging whistle-blower retaliation was received by the Ethics Officer in 2023. After undertaking a preliminary review of the case, the Ethics Officer considered that there was a prima facie possibility of retaliation and referred the case to the IAO, which is in the process of conducting its investigation. The Ethics Officer also received five requests for preventive interventions to avoid retaliation. Pursuant to the above Directive, IGDS No. 551, the Ethics Office, with the consent of the complainants concerned, engaged senior HRD officials to ensure monitoring of the persons' workplace situation with a view to preventing any retaliatory action against them, as a consequence of their reporting of misconduct or cooperation with an audit or investigation.

Financial disclosure

23. Pursuant to JIU recommendations, the Ethics Office has undertaken a full review of the Register of financial interests and related party disclosures with the support of and in collaboration with the TR/CF. [6] The review concluded that the ILO system could be considered both effective and efficient, as well as providing good value for money (it being much less costly than the financial disclosure systems of other organizations) and ensuring a full compliance rate with the disclosure obligations set out in the Office Directive, *Register of financial interests and related party disclosures*, IGDS No. 116 and the Office Procedure, *Register of financial interests and related party disclosures*, IGDS No. 117. Furthermore, the review recommended adding a broader question aimed at disclosing involvement in any activity, whether or not such activity is subject to approval or is remunerated, that could have an impact on the objectivity or independence of staff in the performance of their duties, affect the image or reputation of the Organization, or otherwise lead to potential conflicts of interest. As a result, the Register of financial interests and related party disclosures was partly revised, and the updated system has already been implemented for the 2023 financial disclosure exercise.

Prevention of and response to sexual exploitation and abuse

24. Since July 2022, the Ethics Officer has been acting as the ILO focal point for the implementation of the United Nations inter-agency/ILO action plan on the prevention of and response to sexual exploitation and abuse (PSEA). This entails coordinating and leading the ILO PSEA Working Group, representing the ILO in inter-agency forums on PSEA (such as the United Nations inter-agency Working Group) and ensuring the Office's awareness of United Nations efforts and requests in this area.

25. With a view to contributing to meeting minimum standards on PSEA, the Ethics Officer enlisted the support of a short-term PSEA specialist from 31 July 2023 to 17 January 2024. Given the amount of work required in this area and the lack of dedicated capacity at the ILO, the Ethics Officer intends to extend the PSEA specialist's position. By using most of the resources allocated to the Ethics Office for 2024–25, he will be able to extend that position until July 2024.

[6] The latest JIU review on the ethics function (JIU/REP/2021/5) included as one of four recommendations that: "The executive heads of the United Nations system organizations who have not yet done so, supported by the ethics functions of their respective organizations, should, at the latest by 2025, evaluate the effectiveness and efficiency, including 'value for money', of their financial disclosure and declaration of interest programmes and, on the basis of the findings, propose changes to the relevant policies where appropriate."

26. Among the concrete measures undertaken by the Ethics Office thanks to the support of the PSEA specialist, it is noteworthy that:

- a full desk review was carried out, including key discussions with numerous internal and external stakeholders, with a view to identifying gaps and needs relating to PSEA and determining the Office's priorities in the short to mid-term;
- this resulted in the proposal and inclusion of a number of new activities in the ILO PSEA action plan for 2023–24, such as the formalization and training of a network of PSEA focal points currently under way;
- consultations with United Nations entities are held for benchmarking purposes and knowledge-sharing regarding PSEA best practices;
- noting the importance of continuous awareness-raising, the Ethics Office restated to all regional offices its availability to provide PSEA ad hoc sessions at regional workshops and other major events; [7]
- support is being provided to ILO staff who are asked to contribute to meetings held and documents produced by PSEA local inter-agency networks and/or United Nations country teams;
- an awareness-raising campaign is being developed with the support of the Department of Communication and Public Information to reaffirm ILO's zero-tolerance stance to sexual exploitation and abuse, to inform staff, constituents and beneficiaries of ILO's assistance of available reporting channels, and to encourage a speak-up culture;
- further to internal consultations with the ILO PSEA Working Group, its members and other stakeholders, the ILO Action Plan to prevent and respond to Sexual Exploitation and Abuse was revamped, taking into account the gaps and needs identified at ILO headquarters and regional levels; [8]
- in November 2023, the ILO joined the United Nations Implementing Partner Protocol [9] Working Group. In order to act upon donors' requests, the ILO will endeavour to participate in and contribute to the group's monthly discussions and align with the requirement to assess the PSEA capacity of implementing partners.

27. As to the reporting and investigation of sexual exploitation and abuse allegations, the ILO continues using the iReport SEA tracker to report all such allegations upon receipt. [10] In 2023, the following four allegations were received and addressed [11]:

- one alleging sexual exploitation: the case was reclassified as sexual harassment as it was determined not to be sexual exploitation or abuse. It was investigated and reported on in 2023;

[7] The short term PSEA specialist has already started delivering tailored training in this regard. For example, in November 2023 training was provided to ILO staff at the Regional Joint Finance-Programming-HR-IT workshop held in Cairo, Egypt.

[8] In line with usual practice, the ILO action plan was submitted to the United Nations Secretary-General via the Office of the Special Coordinator on Improving the United Nations response to sexual exploitation and abuse (OSCSEA).

[9] See the United Nations Protocol on allegations of sexual exploitation and abuse involving implementing partners.

[10] See the United Nations webpage on preventing sexual exploitation and abuse for United Nations system-wide data on allegations in that regard.

[11] Three of the four cases have been recorded in the iReport SEA Tracker (Nos 2616, 2695 and 3027). As UNICEF has taken the lead on the investigation into the fourth case, the responsibility lies with their investigation office to record the case.

- one of sexual assault and false imprisonment against a staff member of an implementing partner: the matter was subject to investigation by IAO and then handed over to the implementing partner as the employer of the subject. The implementing partner provided a report of their investigation, which the IAO did not consider to be technically adequate. The matter was referred back to the implementing partner, who submitted a revised report in January 2024, which the IAO is currently reviewing;
- one of sexual exploitation against an ILO staff member: a preliminary investigation has begun and is ongoing; and
- one of sexual exploitation by a member of a consortium contracted to the ILO: the matter was handed to UNICEF as the agency with the most direct contractual relationship with the entity involved. UNICEF is providing regular updates to the ILO. No ILO staff are implicated.

Relations with the Independent Oversight Advisory Committee

28. The Ethics Officer holds regular exchanges with the Independent Oversight Advisory Committee (IOAC) and expresses his appreciation for all the advice and support received.

29. At the IOAC meetings in January and September 2023, the Ethics Officer sought the guidance of that Committee on the implementation of the ethics work plan and provided it with information on various subjects, including Ethics Office activities, lessons learned and coordination with other oversight functions.

30. Unrestricted and confidential access to the IOAC by the Ethics Officer – and vice versa – is paramount to the independence of the ethics function, in line with the recommendations of the Joint Inspection Unit.

The Ethics Network of Multilateral Organizations

31. 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 consistent application of ethical standards and policies across the United Nations system. ENMO is an important forum at which international organizations' ethics officers 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.

32. The Ethics Officer attended the 2023 annual meeting of ENMO, hosted by the Asian Development Bank from 12–15 September 2023. The discussions at the meeting focused on a variety of thematic areas, including the establishment of ethics offices within overall governance structures, using human-centred science for designing effective ethics programmes, innovations in impact measurement of the ethics function or innovative technologies and ethics implications. Furthermore, ENMO holds regular online meetings to discuss trends and topics of common ethical interest and is currently considering the development of international standards of practice for the ethics function.

General observations and conclusions

33. Ethics entails promoting and advising on actions, policies and an institutional culture that respect, embody and realize the values of the United Nations system and of the International Labour Organization. The ILO Ethics Office experienced an eventful and productive year in 2023. Achievements included a significant rise in requests for ethics advice and other interventions (requests more than quadrupled compared to the period when the post was part-time); the

design, conduct and interpretation of an ethics survey for ILO staff (with an increase of over 50 per cent in the participation rate compared to the previous survey); the preparation of the content for online mandatory ethics training (scheduled to be finalized and launched in 2024); and the engagement of a short-term PSEA specialist from August to December to support the different units and departments of the Office in giving effect to the ILO PSEA action plan. Furthermore, and as requested by Governing Body members in March 2023, the present report of the Ethics Officer is the first to be submitted for information to the ILO Governing Body. [12]

34. While very much appreciating that the Office made considerable efforts to create a full-time post for the Ethics Officer in 2022, it should also be noted that under its broadened mandate the ILO Ethics Office currently has both more responsibilities and fewer resources than the ethics offices of most other organizations of a comparable size. In particular, PSEA coordination responsibilities often go beyond the core ethics mandate and mostly concern compliance and operational tasks. Such tasks are sometimes at odds with the independent and advisory role of the Ethics Officer and can hamper his capacity to deliver on other ethics responsibilities. It is suggested that in the future the PSEA focal point role could be performed by a unit with more resources and better knowledge of and proximity to PSEA risk areas. In the meantime, cognizant of the importance of preventing and eradicating sexual exploitation and abuse, the Ethics Officer has committed most of the funds available to the Ethics Office for the 2024–25 biennium to further engage the support of a PSEA specialist until July 2024.

35. Finally, the Ethics Officer trusts that the results of the 2023 ethics survey will inform not only the work and priorities of the Ethics Office but, more broadly, management action in related processes, such as human resources and other areas that may contribute to further advancing ILO values in practice. It should be noted that many of the areas of concern highlighted by the survey report were already identified in the previous 2018 ethics survey and that determined collective action to address them is essential if perceptions on these issues are to improve. The Ethics Officer looks forward to following up with management and other stakeholders, including the Staff Union, and remains at their disposal to provide support in devising measures to address priority areas of ethics concerns expressed by survey respondents, as highlighted in the survey report.

Geneva, 26 January 2024

Jordi Agustí-Panareda
Ethics Officer

[12] See GB.347/PV(Rev.), para. 1301.