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Human resources management

Activities of the Ethics Office

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution [60/254](#), entitled “Review of the efficiency of the administrative and financial functioning of the United Nations”, in which the Assembly requested the Secretary-General to report annually on the activities of the Ethics Office and the implementation of ethics policies. The report also includes information on the activities of the Ethics Panel of the United Nations, as requested by the Assembly in its resolution [63/250](#) on human resources management. It provides explanations regarding the proposals for strengthening the independence of the Office, as requested by the General Assembly in its resolution [71/263](#), and responses to the view expressed on the matter by the Advisory Committee on Administrative and Budgetary Questions in its report [A/74/539](#).

The present report covers the period from 1 January to 31 December 2019.

* [A/75/50](#).



I. Introduction

1. The present report of the Secretary-General on the activities of the Ethics Office is submitted in accordance with paragraph 16 (i) of General Assembly resolution [60/254](#).

2. In the report, the Secretary-General presents the activities of the Ethics Office in 2019 and concludes by addressing the view expressed by the Advisory Committee on Administrative and Budgetary Questions in its report on human resources management ([A/74/539](#)) regarding the need for “a comprehensive analysis of all related and interconnected aspects of the proposal [concerning the independence of the Office], as well as other applicable experiences”.

II. Background

3. The objective of the Ethics Office is to assist the Secretary-General in ensuring that staff members observe and perform their functions consistent with the highest standards of integrity required by the Charter of the United Nations through fostering a culture of ethics, transparency and accountability. The Office was established by the Secretary-General as an independent unit of the Secretariat, pursuant to paragraph 161 (d) of General Assembly resolution [60/1](#).

4. Pursuant to Secretary-General’s bulletins [ST/SGB/2005/22](#), [ST/SGB/2007/11](#) and [ST/SGB/2007/11/Amend.1](#), the functions of the Ethics Office include:

(a) Providing confidential advice and guidance to staff on ethical issues, including administering an ethics helpline;

(b) Administering the Organization’s financial disclosure programme;

(c) Administering the Organization’s policy on protection against retaliation for the responsibilities assigned to the Ethics Office;

(d) Developing standards, training and education on ethics issues, in coordination with the Office of Human Resources and other offices, and conducting ethics-related outreach;

(e) Supporting ethics standard-setting and promoting policy coherence within the Secretariat and among the Organization’s separately administered organs and programmes.

III. General information

5. With regular budget resources of \$3.67 million¹ for the biennium 2018–2019, and 12 posts financed through various accounts,² the Ethics Office covered 37,505 staff³ of the global Secretariat (a decrease from 38,105 as at 31 December 2017). The Office also covered United Nations entities that did not yet have their own ethics officers, such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). From 1 January to 31 December 2019, the Office received

¹ Information from the programme budget for 2018–2019 ([A/72/6/Add.1](#)). The amount excludes resources from the support account for peacekeeping operations and cost recovery for the financial disclosure programme from other United Nations agencies.

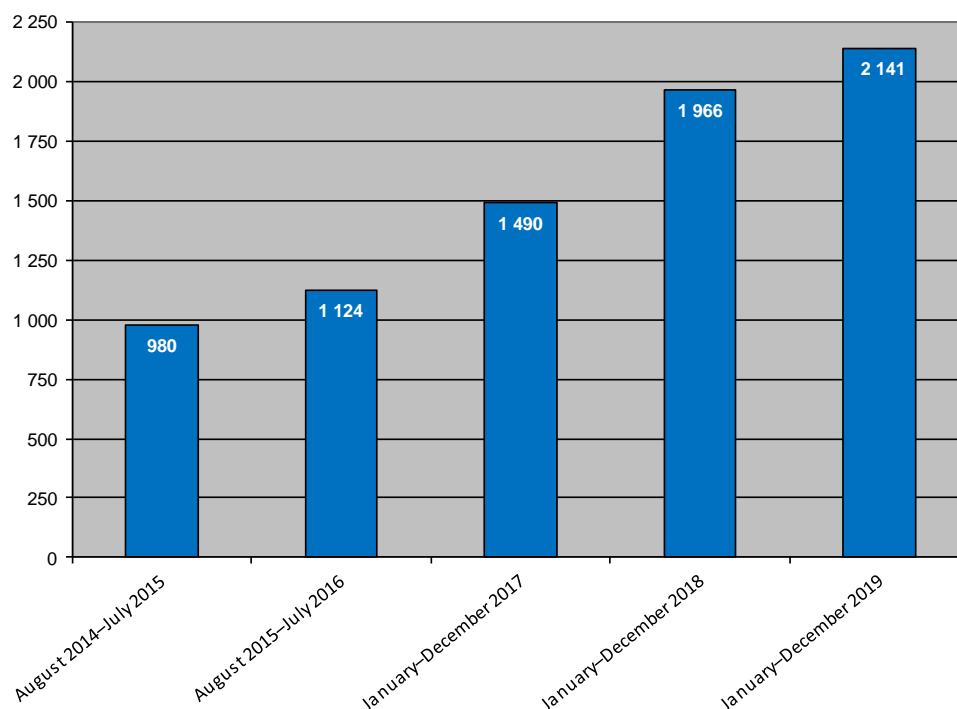
² Financed by the 2019 portion of \$3.8 million from all sources in the proposed programme budget for the biennium 2018–2019, as outlined in table 1.42 ([A/72/6 \(Sect. 1\)](#)).

³ As at 31 December 2018. See the report of the Secretary-General entitled “Composition of the Secretariat: staff demographics” ([A/74/82](#)).

2,141 requests for services. As shown in figure I, this number is the highest to date. Of the total, 945 requests were from women, 1,062 were from men, 96 were from groups and 38 were from undisclosed sources. More women than men (470 to 448) sought ethics advice, while more men than women (103 to 90) sought advice on or made claims of protection against retaliation for reporting misconduct and cooperating with an audit or investigation. The breakdowns are in the context of 36.8 per cent of female staff within the staff population as at 31 December 2018.⁴

Figure I

Overall requests for Ethics Office services over the past five reporting periods

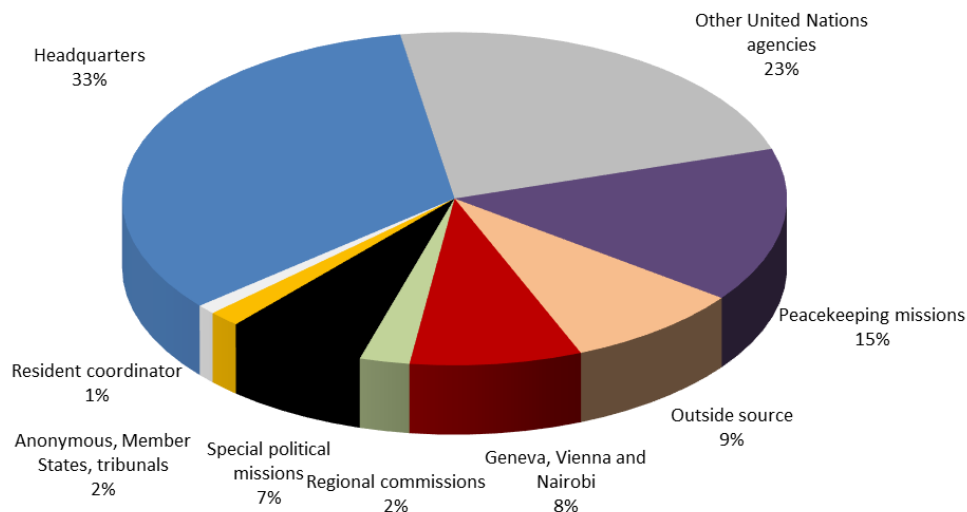


6. However, 2019 was characterized by budget austerity measures, which affected some services. As a result of reduced resources approved for the financial disclosure programme, the Office encouraged heads of entities to designate filers for participation in the programme, based on a strict application of the criteria for participation and an assessment of the risk levels associated with the functions performed by the staff member. With respect to outreach, the Office combined nearby mission locations, which not only lengthened time on the road for the mission teams but also reduced the number of days spent in hardship duty stations. Such a reduction in on-site presence reduces the impact of the outreach mission and of getting to know the operational realities of those hardship duty stations.

7. Although it is based in New York, the Ethics Office continued to receive many requests from other locations (see figure II). A third of the service requests were from New York and the rest were away from Headquarters.

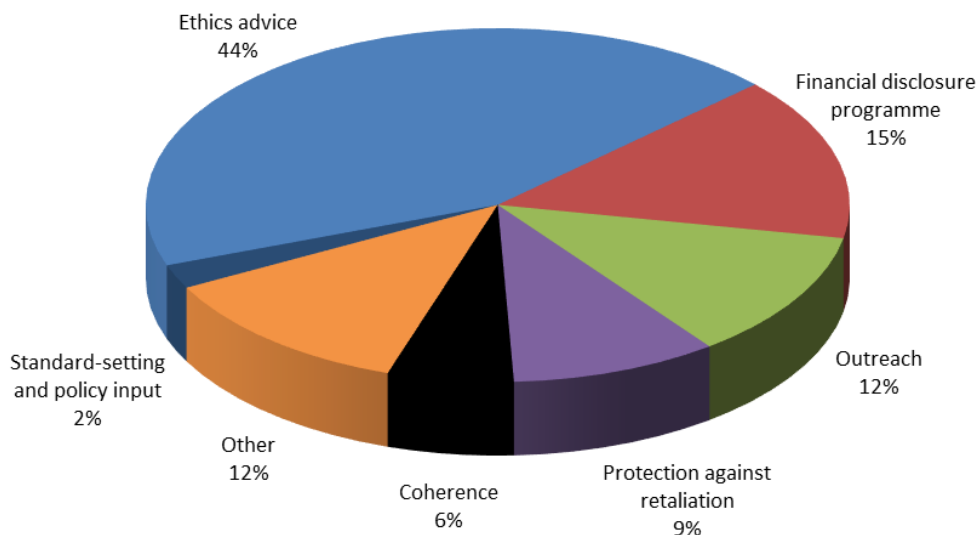
⁴ Ibid.

Figure II
Service requests in 2019, by source



8. Figure III shows that of the total of 2,141 requests, the largest portion (934) in 2019 was for ethics advice, a number that increased from 862 in 2018. Of the 934 requests, 470 were made by women, 448 were made by men, 8 were made by groups and 8 were undisclosed. Requests related to protection against retaliation also increased from 136 in 2018 to 204 in 2019. There were 320 requests related to the financial disclosure programme, 124 related to coherence, 47 related to standard-setting, 261 categorized as “other” and 251 outreach sessions.

Figure III
Service requests in 2019, by category



IV. Activities of the Ethics Office

A. Advice and guidance

9. Confidential, independent and impartial advice to staff and management on ethical standards constitutes an important pillar of the preventive work of the Ethics Office. The Office assists them in making better decisions consistent with the values and interests of the United Nations. Figure III illustrates that ethics advice was the area in greatest demand. Over the years, the requests for confidential ethics advice has continued to increase while requests for other services fluctuate.

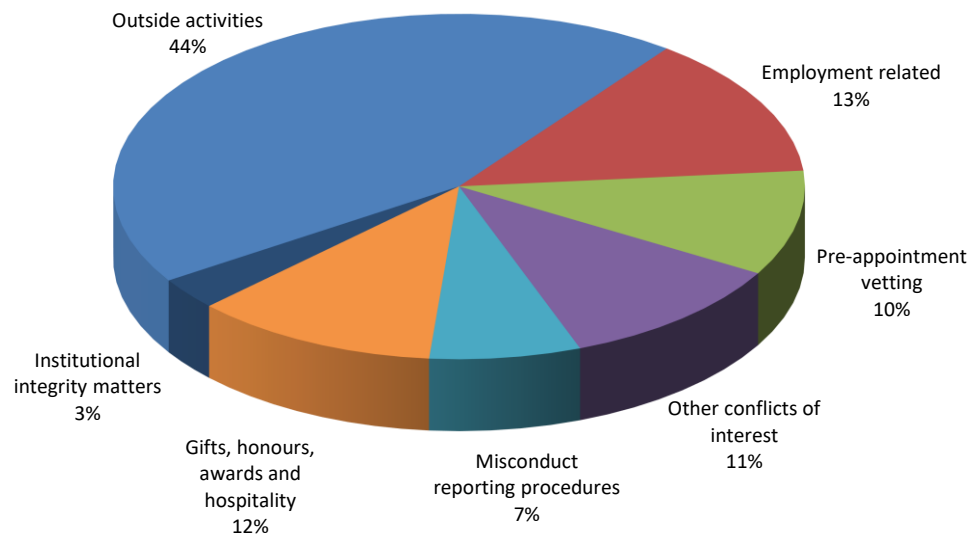
10. Staff can seek confidential advice through the email address (ethicsoffice@un.org), the ethics helpline (+1-917-367-9858) and by appointment.

11. Risks of a conflict of interest can generally be found at two levels: organizational and personal. An organizational conflict of interest arises where an organization is unable to render impartial services because of its other activities or relationships or has an unfair competitive advantage. A personal conflict of interest arises when the private interests of individuals interfere or may be perceived to interfere with their performance of official duties. Both types of conflicts of interest may affect the reputation and credibility of the United Nations if not detected and managed in a timely manner.

12. In 2019, the leadership dialogue entitled “Conflicts of interest: why do they matter?” may have led to a better understanding of conflict-of-interest risks by staff. Staff referred to their participation in the dialogue when making proactive queries.

13. As illustrated in figure IV, the Ethics Office responded to 934 requests for advice. They concerned outside activities (415); employment-related matters (124); pre-appointment vetting (92); other conflicts of interest, including personal investments and assets, and post-employment restrictions (102); misconduct reporting procedures (66); gifts and honours (107); and institutional integrity matters (28). They also included the 40 “one-on-one” advisory sessions during the Office’s field missions. The Ethics Office directed staff to the Office of the United Nations Ombudsman and Mediation Services, the Office of Internal Oversight Services (OIOS) and the Office of Human Resources, among others, as appropriate, for those requests that fell outside its mandate.

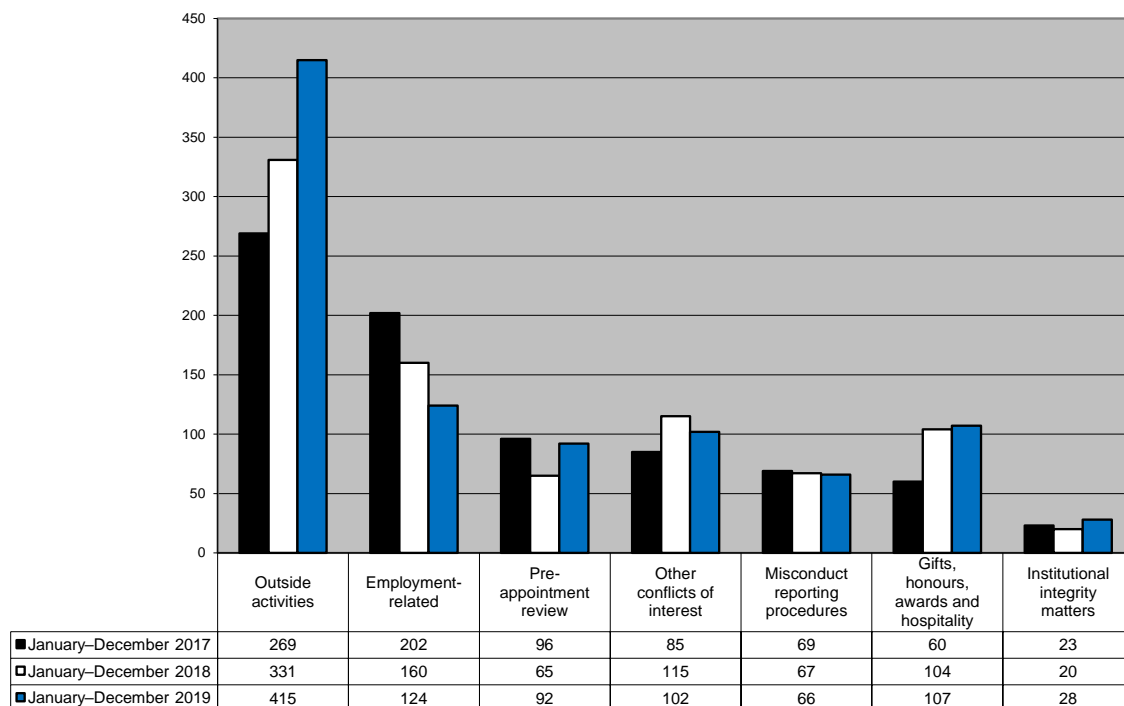
Figure IV
Requests for ethics advice in 2019, by subcategory



14. Figure V provides a three-year comparison from 2017 to 2019 by subcategories of advice. Some of them are discussed below. During that period, requests about outside activities increased by 55 per cent and requests about gifts and honours increased by 78 per cent, while requests about employment decreased by 39 per cent.

Figure V

Requests for ethics advice during past three years, by subcategory



1. Outside activities

15. Advice on outside activities is related to outside employment, outside activities related to the United Nations, such as political activities, public speaking, interviews, social media, publishing books and articles, fundraising and sitting on boards, panels and committees. In 2019, 44 per cent (415 out of 934) of requests for advice were for outside activities. It is the largest proportion of requests, which is consistent with the outcome of the United Nations financial disclosure programme, with more than half of the number of detected potential conflicts of interest related to outside activities.

16. One of the risks to the Organization is associated with staff's external engagement and affiliations. Effective measures to manage the risk is needed, given the diversity and mobility of the staff population as well as the complexity of United Nations operations. The 26 per cent increase in queries on outside activities from 2018 to 2019 can be attributed to the increased awareness of staff members following the 2019 leadership dialogue and the new responsibilities for approving outside employment and occupation delegated to heads of entities. The Ethics Office has helped both staff and management identify and manage conflicts arising from outside activities.

2. Gifts and honours

17. In 2019, the Ethics Office responded to 107 requests for advice concerning honours, decorations, favours, gifts or remuneration. While the Office advises on the appropriateness of receiving or giving gifts, the coordination of gift processing and

administration is handled by the Department of Management Strategy, Policy and Compliance. Drawing from lessons learned and technological developments since its launch, the Department noted that, as the pilot gift registry application was based on Lotus Notes technology, which had been phased out, a compatible technology platform was being identified, after which a revised registry platform was expected to be released. The management of gifts is currently decentralized to individual entities as prescribed in administrative instruction [ST/AI/2010/1](#). The administering official of each entity establishes and maintains a registry to record summary information on all honours, decorations, favours, gifts or remuneration accepted by staff members. Under the new delegation of authority, heads of entities may approve the acceptance of honours and awards. The Office continues to be consulted by management on the permissible receipt of such honours or awards.

3. Employment-related

18. Employment-related queries include those of staff seeking guidance on the Organization's standards of conduct about an ethical dilemma related to interpersonal and supervisory relations, the use of the Organization's resources, career-related concerns or performance appraisal issues. The 23 per cent decrease in enquiries from 2018 (160) to 2019 (124) may be attributed to better awareness among staff about the availability of more suitable resources, such as human resources partners or the Office of the United Nations Ombudsman and Mediation Services.

4. Institutional Integrity and pre-appointment reviews

19. In 2019, the Ethics Office responded to 27 requests on matters relating to institutional integrity, including potential conflicts of interest involving the Organization's engagement in various business operations with stakeholders. The category also includes 10 requests from the secretariat of the Vendor Review Committee. Such advice covers conflicts of interest and reputational risks at the organizational level, as well as due diligence reviews for reputational risks involving external entities.

20. The Ethics Office also reviewed 92 pre-appointment disclosure-of-interest forms for individuals under consideration for senior positions or newly appointed senior personnel (at the level of Assistant Secretary-General and above and for mission leadership, including force commanders and police commanders), prior to their assumption of duties. The Office examines the disclosed information against the duties and responsibilities of the position, identifies possible conflicts of interest and recommends measures to remove or mitigate them. The pre-appointment reviews constitute the first step in a continuum of ethics advice services, comprising conflict-of-interest risk management, followed by ethics briefings, financial disclosure and ongoing advice and guidance.

B. Financial disclosure programme

21. The financial disclosure programme, established pursuant to staff regulations 1.2 (m) and (n) and Secretary-General's bulletin [ST/SGB/2006/6](#), is used to assist designated staff in identifying, mitigating and managing conflict-of-interest risks arising from their financial holdings, private affiliations or non-United Nations activities or those of their immediate family members. Designated staff contribute to the credibility of the United Nations and foster public trust by showing transparently that their personal interests do not interfere with their duties. Staff at the D-1 level and above, whose principal duties involve procurement and investment, and staff members who work in the Ethics Office are required to file confidential annual statements. A third-party service provider reviews submitted statements.

22. During the 2019 filing cycle, 6,157 filers participated, representing an increase of 220 filers from the 2018 cycle. Of the total, 6,148 filers (99.9 per cent) submitted their required disclosures, the same level as for 2018. Nine non-compliant filers, six from non-Secretariat entities and three from the Secretariat, were referred for appropriate accountability measures. The annex to the present report contains filing compliance data for 2019, broken down by entity, pursuant to General Assembly resolution 63/250. A total of 1,716 filers or (27.9 per cent) from the Secretariat and other United Nations system entities were first-time filers, an increase of 9.7 per cent from 2018.

23. Some filers did not fully complete all procedures required for the closure of a review, including responding to requests for clarification or additional information, providing third-party documentation for verification or fully implementing all the recommendations to manage a possible conflict of interest. Follow-up with such filers continued to be a priority.

24. As in the past, verification of a random sample of approximately 5 per cent of the filers was conducted to ensure the accuracy and completeness of disclosed information. Those filers selected for verification were asked to provide third-party documentation for all of the items that they had already disclosed.

25. Some 211 filers (3.4 per cent) were identified as requiring review for the management of potential conflicts of interest or for having a conflict-of-interest situation, a slight increase from 2018. A total of 243 conflict-of-interest items were identified, of which 47 were about financial activities, 142 were about outside activities, 51 were about family relationships and 3 were in other categories.⁵ As shown in table 1, there was an increase for all three of the aforementioned categories compared with 2018. Where action was required, filers were advised to divest of certain investments, execute proactive recusals regarding interactions with a family member or affiliated entity, resign from an external position or cease to engage in an outside activity.

Table 1
Conflict of interest items by type, 2018–2019

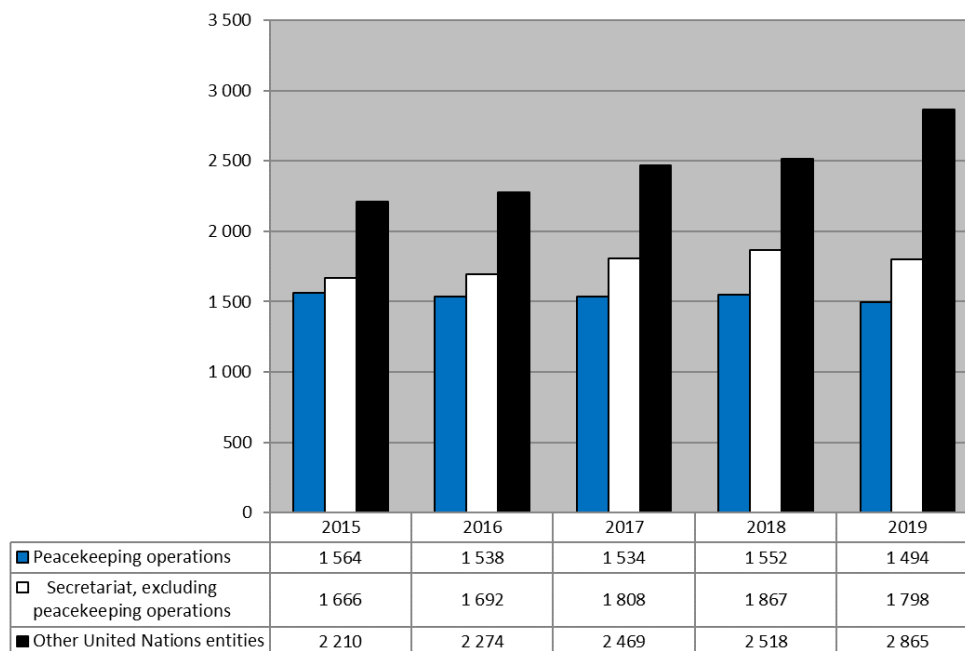
<i>Type of conflict</i>	<i>2018</i>		<i>2019</i>	
	<i>Number</i>	<i>Percentage</i>	<i>Number</i>	<i>Percentage</i>
Financial activities	25	12.7	47	19.3
Outside activities	130	66.0	142	58.5
Personal or family relationships	40	20.3	51	21.0
Other	2	1.0	3	1.2
Total	197	100.0	243	100.0

26. Some non-Secretariat entities of the United Nations system opt to participate in the United Nations financial disclosure programme on a cost-sharing basis. The financial disclosure programme of the Secretariat also covers the staff of the ethics offices of the funds and programmes. For the participating entities, there is a resulting common approach to the identification, mitigation and management of conflict-of-interest risks and a reduction of overall unit costs. The approach is in line with the guidance provided by past relevant reviews by the Joint Inspection Unit. As shown in figure V1, of the 6,157 filers in 2019, the number from the Secretariat, including peacekeeping operations, was 3,095 (50.27 per cent). The number from other United

⁵ Some filers had more than one item.

Nations system entities was 3,062 (49.73 per cent). Compared to 2018, the percentage of filers from the Secretariat decreased by 7.3 per cent.

Figure VI
Financial disclosure participation by entity and filing year, 2015–2019



27. In its resolution [70/305](#), the General Assembly decided that the Presidents of the General Assembly would provide financial disclosures in line with the United Nations financial disclosure programme, upon the assumption and completion of their duties. The Ethics Office facilitated the submission of the financial disclosure statements of the Presidents of the General Assembly for the seventy-third and seventy-fourth sessions upon the respective completion and assumption of duties in 2019.

28. To provide assurance to the public and Member States that the performance of their official functions is not influenced by personal interests, staff at the Assistant Secretary-General level and above publish the summaries of their confidential disclosures under the annual voluntary public disclosure initiative of the Secretary-General. While public disclosure is voluntary, the General Assembly, in its resolutions [67/255](#) and [71/263](#), urged the Secretary-General to encourage greater participation.

29. Only those whose reviews of their submissions were closed by the end of the cycle and who continued to be employed by the United Nations after February 2019 could participate in the 2018 initiative. Of the 152 eligible officials, 115 (75.6 per cent) participated; 24 (15.8 per cent) opted not to participate on grounds of security and privacy concerns; 9 (5.9 per cent) did not respond to invitations to participate; and 4 (2.6 per cent) opted to participate but did not submit their signed public disclosure forms by the deadline. The participation rate increased by 8.7 per cent compared with the 2017 initiative.

30. In addition, as in the past, the Ethics Office conducted reviews of key management personnel disclosures regarding their related-party transactions, under the International Public Sector Accounting Standards (IPSAS). The purpose of the reviews is to determine whether any conflicts of interest exist in relation to the United Nations duties of key management personnel and their related-party transactions, and to recommend appropriate action, where needed. The outcome of the reviews by the

Office is included in the Secretariat's IPSAS-compliant financial statements. The purpose of such disclosures is to ensure that the financial statements disclose the existence of relationships and transactions between the United Nations and defined related parties. The summary review report was provided to the United Nations Controller and was examined to the satisfaction of the Board of Auditors.

C. Protection against retaliation

31. The policy of the Secretary-General on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations, as set out in Secretary-General's bulletin [ST/SGB/2017/2/Rev.1](#), assists the Organization in functioning in an open, transparent and fair manner. The policy encourages the reporting of potential misconduct without the fear of retaliation. It enhances protection for those who report misconduct (any violation of the Organization's rules and regulations by staff members) or wrongdoing (that would be harmful to the interests, operations or governance of the United Nations), or those who cooperate with duly authorized audits or investigations.

32. In 2019, the Ethics Office received 204 enquiries under the policy (from 90 women, 103 men, 9 groups and 2 whose gender was not disclosed), representing a 407 per cent increase compared with five years ago and a 49 per cent increase from 2018. From August 2014 to December 2019, the Office cumulatively completed 138 preliminary determinations and referred 36 cases for investigation, upon making a prima facie determination of retaliation. After investigation, the Office made 18 final determinations of retaliation (see table 2 below).

Table 2
Protection against retaliation statistics, August 2014–December 2019

	August 2014– July 2015	August 2015– July 2016	August 2016– December 2016 ^a	January 2017– December 2017	January 2018– December 2018	January 2019– December 2019
OIOS referral for preventive measures	Not applicable	Not applicable	Not applicable	7	7	12
Completed preliminary review	14	17	10	22	39	36 ^b
Prima facie determination	–	6	2 ^c	10 ^d	6 ^d	12 ^d
Determination of retaliation after investigation	–	4 ^e	2 ^f	5 ^g	4 ^h	3 ⁱ

^a The previous report ([A/73/89](#)) covered the period from 1 August 2016 to 31 December 2017, as proposed by the Secretary-General in his previous report ([A/71/334](#)).

^b Includes one preliminary review that was initiated in 2018 and completed in early 2019.

^c Does not include one claim initiated during the period that was referred to OIOS for investigation in 2017.

^d Includes one claim where the Ethics Office did not find a prima facie case of retaliation and was subsequently reversed by the Alternate Chair of the Ethics Panel of the United Nations.

^e Includes two claims that were initiated and referred to OIOS for investigation in 2015, for which retaliation was established in 2017, and two claims that were initiated and referred to OIOS for investigation in 2016, for which retaliation was established in 2017.

^f Includes two claims that were initiated during 2017, for which retaliation was established in late 2017 and early 2018.

^g Retaliation was established in all five claims in 2017 for cases initiated in previous years.

^h Retaliation was established in all four claims in 2018 for cases initiated in 2017.

ⁱ Includes two claims that were initiated in 2017 and one claim that was initiated in 2018, for which retaliation was established in 2019.

33. In 2019, 142 of the 204 requests were for advice rather than for protection. Of the remaining requests, 44 resulted in the initiation of preliminary reviews, 12 were referrals from OIOS for possible preventive action and 6 were requests for second-

level reviews sought by the staff of other funds and programmes of the Ethics Panel of the United Nations, to be carried out by the Director of the Ethics Office in her capacity as Chair of the Panel. Staff raising concerns not covered by the policy were referred, as appropriate, to the Office of the United Nations Ombudsman and Mediation Services, the Management Evaluation Unit, the Office of Staff Legal Assistance and the Office of Human Resources. Misconduct reports were directed to the appropriate channels and, with the consent of the staff members who had raised concerns, individuals received informal support to prevent retaliation, where feasible.

34. The Ethics Office initiates preliminary reviews of alleged retaliation, under the policy, to determine whether the complainant has engaged in a protected activity and, if so, whether the protected activity was a contributing factor in causing the alleged retaliation. Of the 44 preliminary reviews initiated in 2019, 35 were completed and 6 claims were abandoned; of the 3 remaining claims, 2 were completed in early 2020, and the final claim was put on hold at the staff member's request. Since 1 preliminary review was initiated in 2018 and completed in early 2019, a total of 36 preliminary reviews were completed. Of those, 24 did not present a prima facie case of retaliation, and 1 case was reversed by the Alternate Chair of the Ethics Panel of the United Nations. As in the past, the majority of the cases were about workplace disputes.

35. If the Ethics Office determines that a prima facie case has been established, it refers the matter for investigation. In 2019, the Office referred 12 cases: 11 to OIOS and 1 to an alternative investigating mechanism, following the Alternate Chair's reversal of the determination of the Office.

36. For the duration of the investigation, the Ethics Office may recommend to the Secretary-General interim protection measures to safeguard the complainant's interests. In four cases, the Office recommended interim protection measures, including restoring the complainant's functions and changes to the complainant's reporting lines. Following consultation, three complainants did not request interim protection measures. The remaining five cases were referred to OIOS at the end of 2019, and recommendations for interim protection measures were made in early 2020. All recommendations were accepted by management.

37. Following referral for investigation, the burden of proof then rests with the Administration to demonstrate by clear and convincing evidence that it would have taken the alleged retaliatory action absent the complainant's protected activity or that the alleged retaliatory action was not taken for the purpose of punishing, intimidating or injuring the complainant. In 2019, after the investigations and an independent review of the findings and supporting documents by the Ethics Office, the Office determined that retaliation was established in three cases,⁶ but not in five.⁷ In two cases, the Office, after consultation with the complainant, made its recommendations to management to correct the negative consequences suffered and to protect the complainant from further retaliation. In the remaining case, the Office did not recommend any remedial measures, as the action to correct the negative consequences had already been taken and the identified retaliator was no longer in the complainant's reporting line. The Office also recommended referral for possible disciplinary procedures or other appropriate action.

38. In 2019, the Ethics Office's average number of days to conduct preliminary reviews, upon receipt of all information requested for a complaint, was 14.2 days,

⁶ In two cases, the matters were referred to OIOS for investigation in 2017. The remaining case was referred to OIOS for investigation in 2018.

⁷ One case was referred to OIOS for investigation in 2017, three cases were referred to OIOS for investigation in 2018. The remaining case was referred to an alternative investigating mechanism in 2018.

which is a slight increase from the 13-day average in 2018. The average was well within the policy's 30-day timeline.

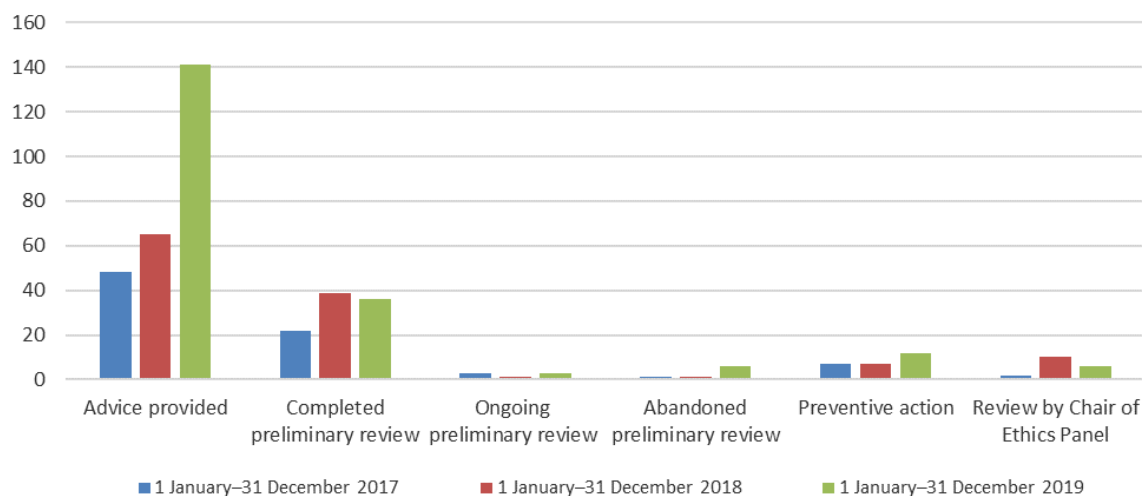
39. As required by the policy, OIOS will inform the Ethics Office of any report of wrongdoing received that it identifies as posing a retaliation risk, with the consent of the individual concerned. In such cases, after consultation with the individual, the Office may recommend appropriate preventive action to the entity concerned. In 2019, OIOS made 12 such referrals. In five of them, the underlying report of wrongdoing concerned sexual harassment. The Ethics Office recommended preventive action in eight cases, which included: the placement of the complainant on special leave with full pay; monitoring of the complainant's workplace situation; recusal of staff from exercising any role with respect to the complainant's employment or post conditions during a restructuring; changes to reporting lines; contacting new senior management to ensure that previous prohibited conduct did not continue; and appropriate action by the Department of Safety and Security to ensure the complainant's safety.

40. During 2019, 14 complainants sought review by the Alternate Chair of the Ethics Panel of the determinations where the Ethics Office did not find a prima facie case of retaliation.⁸ In seven cases, the Office's determination was affirmed. In one case, the Alternate Chair reversed the Office's determination, which the Office referred for investigation. Three cases were sent back to the Office for review, as the complainants had presented new evidence to the Alternate Chair. The Office conducted a new preliminary review of them, found prima facie cases of retaliation and referred them to OIOS for investigation. In the remaining three cases, the Alternate Chair's review was still pending as of 31 December 2019.

41. The Director of the Ethics Office, in her capacity as Chair of the Ethics Panel of the United Nations, received six requests for review, pursuant to the Secretary-General's bulletin entitled "United Nations system-wide application of ethics: separately administered organs and programmes" ([ST/SGB/2007/11](#) and [ST/SGB/2007/11/Amend.1](#)). In two cases, the Chair concurred with the Panel member's determination. In early 2020, the Chair concurred with the Panel members' determination in the remaining four cases. Figure VII presents all actions taken on enquiries relating to protection against retaliation from 2017 to 2019.

⁸ In two cases, the Ethics Office issued its preliminary determination in 2018 and the complainant requested a review in 2019.

Figure VII
Actions taken on enquiries relating to protection against retaliation, 2017–2019



	<i>Advice provided</i>	<i>Completed preliminary review</i>	<i>Ongoing preliminary review</i>	<i>Abandoned preliminary review</i>	<i>Preventive action</i>	<i>Review by Chair of Ethics Panel</i>
2017	48 ^a	22	3 ^b	1	7	2
2018	65 ^c	39	1 ^d	1	7	10
2019	142	36	3 ^e	6	12	6

^a Does not include nine matters that were not within the Office’s jurisdiction.

^b The three remaining preliminary reviews were completed in early 2018; the Office found a prima facie case of retaliation in two cases and referred the matters to OIOS for investigation.

^c Does not include 16 matters that were not within the Office’s jurisdiction.

^d The remaining preliminary review was completed in early 2019; the Office did not find a prima facie case of retaliation.

^e Two of the three remaining preliminary reviews were completed in early 2020; the Office did not find a prima facie case of retaliation in either case. The remaining claim was put on hold at the staff member’s request.

42. As required, the Ethics Office met with relevant stakeholders to assist with the annual review and assessment of the policy. The Staff-Management Committee established a working group on whistle-blower protection, which agreed to defer its review of the policy since it had only recently been promulgated. Consultations with relevant stakeholders will continue.

D. Outreach, training and education

43. To contribute to the strengthening of the organizational culture of ethics, the Ethics Office continued to conduct outreach, training and education activities. While maintaining its independence, it collaborated with other offices in fulfilling its mandate of identifying and addressing ethics-related concerns. It held or participated in 13 town halls and other large meetings in 2019 and shared annual broadcasts and iSeek articles on political activities, the financial disclosure programme and gifts during the holiday period.

44. In 2019, the Ethics Office conducted 224 tailored ethics briefings, including 22 briefings for newly appointed Under-Secretaries-General and Assistant Secretaries-General and senior mission staff, as endorsed by the General Assembly in its resolution 65/247. These and other customized briefings for various functional groups stressed “leading by example”.

45. Given the budget austerity measures in 2019, the Ethics Office prioritized field duty stations and conducted outreach missions to the United Nations Mission for the Referendum in Western Sahara, the United Nations Office for West Africa and the Sahel, the United Nations Integrated Peacebuilding Office in Guinea-Bissau, the United Nations Multidimensional Integrated Stabilization Mission in Mali, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, the United Nations Disengagement Observer Force, the United Nations Truce Supervision Organization, the United Nations Support Office in Somalia, the United Nations Assistance Mission in Somalia, the United Nations Support Mission in Libya and the United Nations Peacekeeping Force in Cyprus.

46. Upon request, the Ethics Office also conducted outreach missions to the International Civil Aviation Organization, the International Tribunal for the Law of the Sea and the United Nations Framework Convention on Climate Change.

47. The 2019 leadership dialogue on the theme “Conflicts of interest: why do they matter?”, launched by the Secretary-General, provided an opportunity for staff and managers to discuss the importance of maintaining public trust by mitigating risks arising from personal interests. Such conflicts can interfere, or appear to interfere, with the performance of official duties and responsibilities or with the integrity, independence and impartiality required of international civil servants. About 32,800 United Nations personnel participated (16,800 from Headquarters and 16,000 from field missions). The Ethics Office assisted the United Nations Joint Staff Pension Fund and UN-Women with the launching of their respective dialogues.

48. In 2019, OIOS conducted an audit on the effectiveness and efficiency of the leadership dialogue. In its audit report, OIOS listed the positive results of the annual exercises since 2012/13, including a high rate of participation and increased reporting to OIOS of fraud, corruption and other misconduct after the dialogues tackled those topics. However, given the growing influence of the leadership dialogue on the organizational culture, OIOS recommended that the Ethics Office explore the possibility of expanding the ownership of the initiative to other relevant offices; establish, in coordination with relevant offices, a performance measurement system; and enhance operational aspects. In line with the audit recommendations, in October 2019, the Ethics Office held a meeting with the Office of the United Nations Ombudsman and Mediation Services, the Office of Human Resources, and the Office of Legal Affairs to discuss the possibility of sharing ownership of the leadership dialogue. While no long-term agreement was reached, the Office of the United Nations Ombudsman and Mediation Services undertook to carry out the background work for the 2020 leadership dialogue on acknowledging dignity through civility.

49. The mandatory online course on ethics and integrity at the United Nations was completed by 3,104 participants in 2019, bringing the cumulative total to 23,463. The course is being updated, in cooperation with the United Nations Children’s Fund (UNICEF). It is expected to be released on a new platform in 2020. The mandatory e-learning course on preventing fraud and corruption at the United Nations had been completed by a cumulative total of 21,070 participants by the end of 2019.

50. In 2019, the Ethics Office upgraded its website to enhance the accessibility of essential information on ethical values and standards to both United Nations personnel and the general public. In 2019, the website received 176,254 page views. It is available in all six official languages of the United Nations.

E. Standard-setting and policy support

51. Responding to 47 policy-related requests from within the Secretariat and from other United Nations entities, the Ethics Office continued to provide independent

policy support. Some of the matters included how to handle gifts and honours accepted pursuant to relevant Staff Regulations and Rules, the rental of properties, political activities (about national and local elections and participation in rallies and marches) and best practices in managing conflicts of interest. The Office also provided substantive inputs to various surveys.

52. As in the past, the Ethics Office provided inputs to enhance the consistency of ethics-related provisions in relevant Staff Regulations and Rules, Secretary-General's bulletins and administrative issuances. They included issues related to the management of conflicts of interest for non-staff personnel; the personal use of social media; unsatisfactory conduct, including investigations and the disciplinary process; and prohibited conduct.

V. Ethics Panel of the United Nations and Ethics Network of Multilateral Organizations

53. Mandated in 2007 to create a unified set of ethical standards and policies for the Secretariat and separately administered organs and programmes, the Ethics Panel of the United Nations held 11 sessions in 2019. The composition and functions of the Panel are set out in Secretary-General's bulletin [ST/SGB/2007/11](#) and [ST/SGB/2007/11/Amend.1](#). The eight heads of the ethics offices of the Secretariat and separately administered organs and programmes make up the Panel. The Director of the Ethics Office of the United Nations chaired the Panel, as its members consulted on complex ethics matters that had system-wide implications. The Chief of the Ethics Office of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East was the Alternate Chair from November 2018 to April 2019 and from September to November 2019. The Director of the Ethics Office of the World Food Programme (WFP) served as Alternate Chair ad interim from May to August 2019 (when the Alternate Chair was on an extended leave) and took over as the Alternate Chair from December 2019 onwards.

54. The membership of the Panel experienced turnover, as new ethics officers were appointed in the United Nations Populations Fund (UNFPA) and the United Nations Office for Project Services (UNOPS) in 2019. Pending the appointment of the new ethics officer in UNFPA, an agreement between UNFPA and the United Nations Development Programme (UNDP) was concluded so that the Director of the UNDP Ethics Office could provide ethics services to the staff of UNFPA. The arrangement demonstrated the good collaboration that exists among the Panel members to assist with maintaining the independence of the ethics function and to ensure the continuity of ethics services.

55. The Panel reviewed the annual ethics reports of its members. It continued to explore ways to enhance coherence and consistency in presenting data and reporting on activities of the ethics offices. It consulted on how best to communicate guidance to staff on gifts and honours, including the existence of agency-specific reporting and disposal procedures. To facilitate collaboration, the Panel accessed a collaboration site on an information technology platform hosted by UNICEF.

56. The Panel supported ongoing United Nations reforms through its consideration of ways to continue to deliver consistent ethics services to resident coordinators and country teams. The members also considered the Organization's zero tolerance of sexual harassment and sexual exploitation and abuse. They emphasized the need for ethics advice and guidance on expected staff behaviour and ways to prevent prohibited conduct, following the approach coordinated by the United Nations System Chief Executives Board for Coordination.

57. On preventing and managing conflicts of interest, the Panel exchanged information on good practices on pre-appointment vetting, financial disclosure and declaration of interest programmes. Members supported their respective organizations in implementing the recommendations of the Joint Inspection Unit's report on the review of mechanisms and policies addressing conflict of interest in the United Nations system (JIU/REP/2017/9), where applicable. They discussed conflict of interest mapping and improvements to a conflict-of-interest management framework, including ways to deal with non-compliance with disclosure obligations.

58. As mentioned in paragraph 41, the Chair consulted the Panel on her review of six retaliation cases and carried out one initial review. Pursuant to ST/SGB/2017/2/Rev.1, the Alternate Chair, Alternate Chair ad interim and other Panel members on a pro tempore basis received requests for review of 14 retaliation cases. The ethics offices in question were recused from the reviews of their determinations to preserve the independence of the process. There was an increase in the number of reviews by the Chair from 2015 to 2019 and those by the Alternate Chair from 2017 to 2019 (see table 3). The Panel members also took into account the recommendations of the Joint Inspection Unit's report entitled "Review of Whistle-blower policies and practices in United Nations system organizations" (JIU/REP/2018/4), in the context of the ongoing review and updating of the protection against retaliation policies of their organizations.

Table 3
Ethics Panel reviews of determinations of retaliation cases, 2015–2019

<i>12-month reporting periods</i>	<i>Chair reviews</i>	<i>Affirmed</i>	<i>Reversed</i>	<i>Alternate Chair reviews^a</i>	<i>Affirmed</i>	<i>Reversed</i>
2014–2015	–	–	–	Not applicable	–	–
2015–2016	2	2	–	Not applicable	–	–
August–December 2016 ^b	1	–	1	Not applicable	–	–
2017	3	2	1	3	2	1
2018	9	7	2	5	4	1
2019	7 ^c	6	–	14 ^d	7	1

^a Available only from 2017, with the introduction of this provision in the strengthened policy on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits and investigations (see ST/SGB/2017/2 and ST/SGB/2017/2/Rev.1).

^b This five-month reporting period was added to the 2017 report to reflect the transitioning process to calendar-year reporting.

^c One was an initial preliminary review with the conclusion that there was no prima facie case of retaliation. That determination was appealed and upheld.

^d Three cases from the same office were referred back to the United Nations Ethics Office, as new evidence had been presented. The United Nations Ethics Office conducted new preliminary reviews, found prima facie cases and referred them for investigation. Three reviews are pending.

59. In support of the Secretary-General's efforts to promote system-wide collaboration on ethics-related issues within the United Nations system, the Ethics Network of Multilateral Organizations was established in 2010. Today, entities of the United Nations system, affiliated international organizations and international financial institutions exchange information and good practices for professional development and benchmarking. The Network's membership continued to grow among intergovernmental organizations that had consultative and collaborative arrangements with the United Nations system. Its annual meetings bring together the senior-most professionals responsible for ethics functions among its membership. The Ethics Office participated in the eleventh meeting of the Network, held in Munich,

Germany, hosted by the European Patent Office and chaired by the International Monetary Fund.

VI. Recommendations for measures to strengthen the independence of the Ethics Office

60. In its resolution [71/263](#), the General Assembly requested the Secretary-General to develop “a proposal concerning the independence of the Ethics Office for the consideration of the General Assembly”. In his report on the activities of the Ethics Office ([A/73/89](#)), the Secretary-General proposed three measures for approval by the General Assembly and three additional measures, to be noted by the General Assembly. To facilitate review, the proposed measures requiring approval by the General Assembly are reiterated in paragraphs 61 to 68 below, together with information on their rationale and relevant best practices. The remaining measures regarding term limits, grounds for termination and post-employment restrictions, which had been presented to the General Assembly for information, may be found in paragraph 94 (d), (e) and (f) of document [A/73/89](#).

A. Direct presentation of the annual report by the Ethics Office to the General Assembly

61. At present, the Ethics Office prepares an annual report on its activities, which is then submitted to the General Assembly as a report of the Secretary-General. While it has been the practice of the Executive Office of the Secretary-General to defer to the Ethics Office on the content of its reports, a process that requires the reports of the Ethics Office to be reviewed and approved by the Secretary-General creates, at the very least, the appearance that the Ethics Office does not operate independently when reporting to the Assembly.

62. The Secretary-General has proposed that the Ethics Office submit its annual report on its activities directly to the General Assembly. The proposed reporting arrangement is consistent with best practices and the recommendations of the Joint Inspection Unit. Five out of eight ethics offices of the Ethics Panel of the United Nations – UNDP, UNFPA, UNOPS, UNICEF and WFP – present an annual report directly to their governing bodies. In its report on ethics in the United Nations system ([JIU/REP/2010/3](#)), the Joint Inspection Unit recommended that the “head of the ethics office must also have both formal and informal access to the legislative bodies ... to ensure that the independence of the function is not circumscribed by the executive head. Formal access would be through the annual report of the ethics office, or a summary thereof, which must be submitted to the legislative body without any changes therein by the executive head, whose comments, if any, should be submitted separately.” The Unit reaffirmed its support for direct annual reporting by the Ethics Office to the General Assembly in numerous reports, most recently in 2019 (see [JIU/REP/2019/6](#), para. 80).

63. The proposed reporting arrangement for the Ethics Office would be similar to the process approved for OIOS, which submits annual reports “to the Secretary-General for transmittal as received to the General Assembly” (see General Assembly resolution [48/218 B](#), para. 5 (e) (ii)).

B. Enhanced role of the Independent Audit Advisory Committee to strengthen the accountability framework

64. The Independent Audit Advisory Committee was established pursuant to General Assembly resolution [60/248](#) as a subsidiary body of the General Assembly to serve in an expert advisory capacity and assist the Assembly in discharging its oversight responsibilities. It is proposed that the role of the Committee be enhanced to support the strengthening of the accountability framework in two ways.

65. Currently, the performance of the Head of the Ethics Office is assessed through a compact with the Secretary-General. The Secretary-General has proposed adding a reporting line from the Ethics Office to the Committee, which would be responsible for evaluating the workplan of the Office and the performance of its Head. The measure would not only enhance the independence of the Office but also its accountability, by giving the Committee a mandate to oversee the work of the Office. In its reports to the General Assembly, the Committee has confirmed its support for the proposed measure, noting that it had “looked at the best practices prevailing in United Nations system oversight entities and found that the majority of oversight committees had the review of the ethics function under their purview” (see [A/73/304](#), para. 110; see also [A/74/280](#), para. 9 (k)). For example, the terms of reference of the Audit and Evaluation Advisory Committee of UNDP include advising the UNDP Administrator on the appointment, performance evaluation, extension and dismissal of the Director of the Ethics Office.⁹ The Joint Inspection Unit has also confirmed its support for the proposal (see [JIU/REP/2018/4](#) and [JIU/REP/2019/6](#)). The implementation of the proposal, if approved, would require an amendment by the General Assembly of the terms of reference of the Independent Audit Advisory Committee.

66. In addition, the Secretary-General has proposed that the Ethics Office be authorized to consult with the Independent Audit Advisory Committee when the Office is requested to advise on matters involving the Secretary-General, including allegations of conflict of interest or retaliation for whistle-blowing. The proposal addresses the concerns raised by the Joint Inspection Unit in its report entitled “Review of whistle-blower policies and practices in United Nations system organizations”, which emphasized the need for legislative bodies to “specify appropriate channels and modalities, such as independent oversight committees, for reporting and investigating allegations against the executive head of the organization” (see [JIU/REP/2018/4](#), Recommendation 1).

C. Raising the rank of the Head of the Ethics Office to the level of Assistant Secretary-General

67. The Secretary-General has proposed raising the rank of the Head of the Ethics Office, currently appointed at the D-2 level, to the level of Assistant Secretary-General. If approved, this rank would be applicable to the next Head of the Office. Based on the 2019 standard salary costs for New York, the difference in the annual costs of a post at the D-2 level and the level of Assistant Secretary-General is \$47,100.

68. Based on experience, increasing the rank of the Head of the Ethics Office would promote greater acceptance by senior leadership of ethics advice if such advice were provided by a peer at a comparable level. The increased rank would reinforce the importance of the ethics function in the Organization. If approved, the Head of the Office would be at the same level as the United Nations Ombudsman, but below the

⁹ See www.undp.org/content/dam/undp/library/corporate/Transparency/AEAC_TOR.pdf.

Head of the Office of Internal Oversight Services who is appointed at the level of Under-Secretary-General.

VII. Conclusion

69. The General Assembly is requested to take note of the present report. The Assembly is also requested to approve recommendations for strengthening the independence of the Ethics Office, as outlined in paragraphs 61 to 68 above.

Annex

Financial disclosure programme compliance level, 2019

<i>United Nations entity</i>	<i>Required filers</i>	<i>Completed filings</i>	<i>Non-compliant(s)</i>
United Nations Secretariat			
Advisory Committee on Administrative and Budgetary Questions	2	2	–
Counter-Terrorism Committee Executive Directorate	4	4	–
Department for General Assembly and Conference Management	21	21	–
Department of Economic and Social Affairs	50	50	–
Department of Global Communications	81	81	–
Department of Management Strategy, Policy and Compliance	61	61	–
Department of Peace Operations	30	30	–
Department of Political and Peacebuilding Affairs, including special political missions	385	384	1
Department of Safety and Security	23	23	–
Development Coordination Office	83	81	2
Economic and Social Commission for Asia and the Pacific	53	53	–
Economic and Social Commission for Western Asia	41	41	–
Economic Commission for Africa	136	136	–
Economic Commission for Europe	7	7	–
Economic Commission for Latin America and the Caribbean	131	131	–
Ethics Office	13	13	–
Executive Office of the Secretary-General	21	21	–
International Residual Mechanism for Criminal Tribunals	68	68	–
Office for Disarmament Affairs	6	6	–
Office for the Coordination of Humanitarian Affairs	69	69	–
Office of Administration of Justice	2	2	–
Office of Counter-Terrorism	9	9	–
Office of Information and Communications Technology	13	13	–
Office of Internal Oversight Services	10	10	–
Office of Legal Affairs	26	26	–
Office of the High Commissioner for Human Rights	25	25	–
Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States	3	3	–
Office of the President of the General Assembly	5	5	–
Office of the Special Adviser on Africa	4	4	–
Office of the Special Envoy of the Secretary-General for Syria	7	7	–
Office of the Special Representative of the Secretary-General for Children and Armed Conflict	2	2	–
Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict	3	3	–
Office of the Special Representative of the Secretary-General on Violence against Children	3	3	–
Office of the United Nations Ombudsman and Mediation Services	3	3	–
Office of the Victims' Rights Advocate	1	1	–

<i>United Nations entity</i>	<i>Required filers</i>	<i>Completed filings</i>	<i>Non-compliant(s)</i>
Peacebuilding Support Office	2	2	–
Regional Commissions New York Office	1	1	–
Residual Special Court for Sierra Leone	1	1	–
Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse	1	1	–
Special Tribunal for Lebanon	41	41	–
United Nations Conference on Trade and Development	23	23	–
United Nations Joint Staff Pension Fund	12	12	–
United Nations Joint Staff Pension Fund/Office of Investment Management	83	83	–
United Nations Office at Geneva	69	69	–
United Nations Office at Nairobi	38	38	–
United Nations Office at Vienna	16	16	–
United Nations Office for Disaster Risk Reduction	8	8	–
United Nations Office on Drugs and Crime	95	95	–
United Nations Office to the African Union	4	4	–
United Nations System Chief Executives Board for Coordination secretariat	3	3	–
Subtotal (excluding peacekeeping operations)	1 798	1 795	3
Peacekeeping operations	1 494	1 494	0
United Nations bodies/agencies and others	2 865	2 859	6
Total	6 157	6 148	9