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| **Council 2021 Virtual consultation of councillors, 8-18 June 2021** |  |
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| **Agenda item: ADM 30** | **Document C21/59-E** |
| **9 March 2021** |
| **Original: English** |
| Report by the Secretary-General | |
| Report from the ethics Office | |

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| Summary  At the 2017 Session, the Council requested that the Ethics Office report yearly on its activities, as is consistent with many UN organizations.  This report covers the Ethics Office’s activities for the period January to December 2020. The 2020 version of this report (C20/59) was prepared for submission to 2020 session of the Council but was not reviewed.  Action required  The Council is requested to **take note** of this report, as well as document C20/59.  \_\_\_\_\_\_\_\_\_\_\_\_  References  [C17/120(Rev. 1)](https://www.itu.int/md/S17-CL-C-0120/en); [C17/50](https://www.itu.int/md/S17-CL-C-0050/en)*;* [C18/52](https://www.itu.int/md/S18-CL-C-0052/en); [C20/59](https://www.itu.int/md/S20-CL-C-0059/en) |

1. **Report on Activities**
2. This report details the activities of the Ethics Office for 2020.
3. **A 2019 report (C20/59) was prepared for submission to the 2020 session of the Council but was not reviewed.** At Council 2019, the Ethics Office provided an oral report on the Ethics Office’s activities in 2018 and outlined its key areas of work for 2019. Prior to that, the Ethics Office published a 2017 report following Council’s request, at the 2017 Session, that the Ethics Office provide an annual report on its activities.
4. The priorities of the Ethics Office for the 2020 period were to continue to build upon prior initiatives, increase awareness-raising about the Ethics Office and ethical behaviors, and to strengthen internal controls in the legal/administrative framework. These priorities were focused on two key areas: (a) promoting an environment of ethical awareness across the organization; (b) enhancing the legal/administrative framework.
5. The specific activities aimed at each of these objectives are described below.
   1. ***Promoting an Environment of Ethical Awareness***
6. Reporting Misconduct: In order to encourage individuals to speak up to the Ethics Office, an encrypted helpline, [HelplineITU@protonmail.com](mailto:HelplineITU@protonmail.com), which is located on an external server, is available for external and individual persons to report misconduct anonymously. To raise awareness about the reporting and communication channels available, the ITU website landing page, and every ITU webpage and intranet page, contain a “Report Misconduct” link with contact details of the helpline and the Ethics Office.
7. Ethics Office External and Internal Webpages: The Ethics Office webpages are regularly updated to provide ethics-related materials and information, including key policy documents and information about the role of the Ethics Office and other resources. Providing ethics-related materials and information so that it is accessible to staff has been an ongoing priority. The webpages will be further updated in 2021 in collaboration with ITU’s Communications Team as part of the new design of the ITU website.
8. Awareness Raising Materials: Posters and promotional materials to inform staff that any misconduct can be reported confidentially and anonymously to the Ethics Office with the Ethics Office’s contact details have been disseminated in ITU headquarters. A virtual poster to commemorate International Anti-Corruption Day on 9 December was displayed online and there was an accompanying news article in the ITU newsletter.
9. Online Ethics Training: In order to promote ethical awareness, online ethics training is required for all staff. Further language offerings are planned.
10. Online Anti-Fraud Training: In June 2020, ITU launched a mandatory Anti-Fraud Online Training course for ITU staff. The training course was shared by WIPO and further tailored for ITU’s business environment by the Ethics Office and HR. The course is **mandatory** for all staff and is available in English and French. This course will enable staff to detect and prevent fraud in ITU.
11. Anti-Fraud Training: Two anti-fraud workshops were held virtually in November 2020 in order to continue to raise awareness about ITU’s policy against fraud and in order to build on the all staff anti-fraud training session held the previous year. The workshops were tailored to staff involved in financial processes in the General Secretariat and will be rolled-out to each Bureau in 2021. The purpose of the workshops was to provide a more in-depth training on ITU’s Policy Against Fraud, Corruption and Other Proscribed Practices, on how to identify fraudulent activity, to mitigate risks, and to improve governance.
12. Induction Session for Newly-Recruited Staff: Ethics Office delivered a presentation at an induction session for new staff in May 2020. The session was held during ITU’s first virtual induction session.
    1. ***Enhancing the legal/administrative framework***
13. Policy and Protection for Reporting Misconduct (Whistleblowing) (the “Policy Against Retaliation”): The Secretary-General promulgated the Policy Against Retaliation on 10 September 2020. The Policy Against Retaliation clarifies the rights and responsibilities of ITU personnel with respect to reporting suspected misconduct, so as to encourage ITU personnel to raise concerns and enable ITU to address such cases. The Policy Against Retaliation emphasizes that ITU does not tolerate misconduct, is committed to ensuring that ITU functions in an open, transparent, and fair manner, and that that staff will be protected from retaliation. Revisions to the Policy Against Retaliation respond to several oversight recommendations, including recommendations from the 2018 JIU Report, Review of Whistle-blower Policies and Practices in United Nations Systems Organizations.
14. ITU Policy on Declaration of Interests: On 10 September 2020, the Secretary-General promulgated the ITU Policy on Declaration of Interests. The Policy sets forth the procedure for making disclosures of conflicts of interest, outside activities, financial interests and for reporting gifts. The Policy informs staff that they have a responsibility to disclose all situations with the potential for a conflict of interest, or a perception thereof, and to refrain from any further involvement in these situations so that they conduct their work in a manner above reproach, with complete impartiality and with no preferential treatment. Beginning in 2021, all staff will be required to submit a disclosure form. The Ethics Office has been working together with the IS Department to introduce an electronic disclosure form that will be submitted online.
15. Enhanced Provisions on Ethical Business Conduct for ITU Telecom World 2020: New provisions on ethical business conduct have been incorporated into vendor and sponsorship contract agreements for the ITU Telecom World 2020 event. Due diligence procedures have been enhanced in the new provisions and require that contractual parties represent that they will adhere to ITU’s Policy Against Fraud, Corruption and Other Proscribed Practices.
16. Enhanced Provisions on Ethical Business Conduct for ITU Digital World: The Ethics Office contributed to provisions on ethical business conduct in ITU Digital World agreements. The provisions introduce enhanced due diligence procedures and require contractual parties to represent that they will adhere to ITU’s Policy Against Fraud, Corruption and Other Proscribed Practices.
17. Investigations Function and Process: The Ethics Office contributed to the report by the Secretary-General, presented at the Virtual Consultation of Counsellors in 2020, to strengthen the investigation function in ITU.
18. Ongoing Activities to Enhance Legal/Administrative Framework:
    * + *Revisions to the ITU Policy on Harassment and Abuse of Authority* (the “Policy on Harassment”): The Ethics Office is working with other stakeholders to review and revise the ITU Policy on Harassment. In 2019, the Policy on Harassment was amended to (a) to extend the deadline to lodge a complaint from one year to three years, and (b) to provide for an alternate investigative body, such as by using professional investigators, to investigate a case of reported harassment or abuse of power. These were the first amendments prior to a comprehensive review of the ITU’s harassment policy and procedures. The revised policy should be finalized in 2021.
      + *Guidelines on Ethical Aspects of Certain Campaign Activities* (the “Guidelines”): The Ethics Office, along with the secretariat and the Legal Affairs Unit, is reviewing and updating the 2018 Guidelines for Ethical Aspects of Certain Campaign Activities Prior to the 2018 Plenipotentiary Conference. The updated Guidelines are contained in document [C21/66](https://www.itu.int/md/S21-CL-C-0066/en).
      + *Risk Management Framework*: As part of strengthening the Risk Management Framework in ITU, the Ethics Office engaged in an organization-wide review of risks and internal controls, along with other risk management focal points, and contributed to a risk management dashboard which registers and identifies risk responses.
19. ***Other Ethics Office Activities***
20. Advice and Guidance to Staff: ITU staff are encouraged to speak up and contact the Ethics Office for guidance on ethical questions and issues, as ethical conduct is essential in all ITU activities. The Ethics Office, which was established as an independent function, provides advice on ethical questions and is committed to upholding the utmost standards of confidentiality.
21. The Ethics Office recorded 52 matters between January and December 2020 for which staff sought individual advice and guidance from the Ethics Office. This figure does not include the discussions or exchanges where ethics advice is sought in the context of broader group discussions or on a minor issue. Requests for advice and guidance concerned conflicts of interests, gifts, outside activities and ITU elections, HR-related grievances, workplace disputes or grievances, and miscellaneous matters concerning workplace conduct.
22. Financial Disclosure:[[1]](#footnote-1) ITU’s financial disclosure procedures require financial disclosures, including the reporting of gifts, conflicts of interest, and outside activities. Staff who must complete a financial disclosure form must comply with the disclosure requirements to ensure that they are in compliance with the strictest ethical standards.
23. The Ethics Office administered the 2019 Financial Disclosure process for 172 staff. The deadline of end March 2020 was extended to end July 2020 due to the COVID-19 situation. The Ethics Office reviewed each submission and is providing further consultation/guidance where appropriate.
24. Complaints of Misconduct: The Ethics Office is responsible for receiving complaints of misconduct. During 2020, the Ethics Office received 9 complaints of misconduct (Table 1). The Ethics Office advanced five of the matters for formal investigation and closed four matters.

Table 1: Complaints in 2020, by Type of Misconduct\*

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| General standard of conduct | 3 |
| Harassment and abuse of authority | 4 |
| Outside Activity | 2 |
| Breach of Confidentiality | 2 |
| Retaliation | 2 |
| Fraudulent Practice | 3 |

\* In four matters the investigation involved two or more categories of misconduct.

1. JIU System-Wide Review: The Ethics Office is the ITU focal point for the Joint Inspection Unit’s 2020 review of the current state of the ITU ethics function in the United Nations system organizations. The review is currently ongoing, and the JIU report is expected in 2021.
2. UN System Coherence/Harmonization: The Ethics Office is a member of the Ethics Network of Multilateral Organizations (ENMO), a UN system-wide network. ENMO is a platform for collaboration and exchange on ethics best practices and issues of common interest. The Ethics Office participated in the virtual ENMO Annual Meeting in July 2021 and participated in one virtual meeting of the Geneva-based ENMO members.
3. The Ethics Office’s collaboration with internal stakeholders and at the inter-agency level, through the Chief Executives’ Board (CEB) Taskforce on Addressing Sexual Harassment, aims to promote a workplace free of harassment or abuse. The Ethics Office will continue to raise awareness and to promote the CEB-endorsed Code of Conduct to Prevent Harassment, Including Sexual Harassment, at United Nations System Event, which is recognized by ITU.
4. **Observations**
5. The key observations arising from activities during this reporting period are:
   1. Promoting ethical awareness and enhancing the ethical framework in ITU continue to be organizational priorities. Awareness raisings and trainings are planned to further promote ITU’s speak up culture and commitment to zero tolerance towards misconduct, with an emphasis on ITU’s recently issued policies on declaration of interests and whistleblower protection.
   2. The Ethics Office collaborated on a number of initiatives, which included enhancing due diligence provisions in partner agreements, strengthening the investigation function in ITU, and establishing a risk management framework. As the Ethics Office has been involved in various projects and initiatives, a charter reflecting the mandate of the Ethics Office would be appropriate.
   3. The Ethics Office has been involved in several preliminary reviews of investigations over the reporting period. As was the case in 2019, this year the cases have again required substantial time and resources from the Ethics Office. The Ethics Office will collaborate to propose efficiencies to processes and procedures, from intake to disciplinary procedures.
   4. The importance of measures to support a positive and respectful working environment - in person and virtually - have been highlighted during COVID-19. The Ethics Office will continue to strengthen the ethical framework in support of a collaborative working environment.

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1. Under the Service Order No. 11/03 abrogated and replaced by Service Order 20/07, the Ethics Office administers the financial disclosure procedures and provides confidential guidance and advice to staff members on ethical standards and conflicts of interest, including potential conflicts of interest. [↑](#footnote-ref-1)