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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 contextualizes the measures recommended for strengthening the independence of the Ethics Office as requested by the General Assembly in its resolution [71/263](#) and substantiates them as recommended by the Advisory Committee on Administrative and Budgetary Questions in its report ([A/73/183](#)).

The present report covers the period from 1 January to 31 December 2018, as the Secretary-General proposed in his report in 2016 ([A/71/334](#)).

* [A/74/50](#).



I. Introduction

1. The present report of Secretary-General on the activities of the Ethics Office is submitted in accordance with paragraph 16 (i) of General Assembly resolution [60/254](#). It is the first report that covers a calendar year.¹
2. In addition to covering the activities of the Ethics Office in 2018, the Secretary-General, in the present report, addresses the view expressed by the Advisory Committee on Administrative and Budgetary Questions in its report on human resources management ([A/73/183](#)) regarding the need for a detailed report from the Secretary-General on his proposals to strengthen the independence of the Ethics Office (see [A/71/334](#)). The Secretary-General had made his proposals pursuant to General Assembly resolution [71/263](#).
3. In making his proposals to strengthen the independence of the Ethics Office, the Secretary-General referred to related reviews by the Joint Inspection Unit, in particular on ethics in the United Nations system ([JIU/REP/2010/3](#)), the review of mechanisms and policies addressing conflict of interest in the United Nations system ([JIU/REP/2017/9](#)) and the review of whistle-blower-policies and practices in United Nations system organizations ([JIU/REP/2018/4](#)). He also looked at other good practices within the Ethics Panel of the United Nations, for strengthening independence.

II. Background

4. The Ethics 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](#). 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.
5. To indicate the independence of the Ethics Office, the Secretary-General's bulletin, entitled "Ethics Office – establishment and terms of reference" ([ST/SGB/2005/22](#)), provides that the Head of the Office be appointed by and be accountable to the Secretary-General. The amended Secretary-General's bulletin, entitled "United Nations system-wide application of ethics: separately administered organs and programmes" ([ST/SGB/2007/11](#)), further provides that independence, impartiality and confidentiality are vital prerequisites for the functioning and operation of an Ethics Office and should be fully respected.
6. 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 with regard to the responsibilities assigned to the Ethics Office;

¹ In previous years, the reports covered 12 months, from August to July. The Advisory Committee on Administrative and Budgetary Questions, in its report on human resources management ([A/71/557](#)), saw merit in harmonizing the reporting cycle of all reports of the Secretary-General on those matters relating to human resources management.

(d) Developing standards, training and education on ethics issues, in coordination with the Office of Human Resources Management 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 funds and programmes.

7. For the effectiveness of these functions, the Joint Inspection Unit has highlighted the critical element of operational independence. In the 2010 report of the Joint Inspection Unit on the ethics in the United Nations System (JIU/REP/2010/3), the Inspectors observed that to ensure the independence of the ethics function, rigorous conditions governing the appointment of heads of ethics offices must be in place, including term limits and that term limits supported the independence of the function by protecting the incumbent from undue influence while avoiding the risks inherent in long-term tenure. The Inspectors further found that the Head of the Ethics Office must report directly to the executive head and must also have both formal and informal access to the legislative bodies to ensure that the independence of the functions was not circumscribed by the executive head.

8. In the Joint Inspection Unit's report on the review of whistle-blower-policies and practices in United Nations system organizations (JIU/REP/2018/4), the Inspectors observed that heads of ethics offices, heads of oversight offices and ombudsmen/mediators were all functions that played a key role in supporting the whistle-blower policies. Their independence assured staff that allegations would be reviewed without undue political and hierarchical pressure, influence or interference.

9. Both reports contained specific recommendations to the legislative organs and the executive heads about strengthening the independence of the ethics function. In his 2017 report on the activities of the Ethics Office (A/71/334), submitted in response to the request of the General Assembly for proposals (see resolution 60/254), the Secretary-General also addressed the recommendations of the Inspectors. In the two reports, the Joint Inspection Unit also took into account harmonization with the independence measures already in place within various Ethics Panel entities, including term limits for the heads of the ethics office, direct annual reports to the legislative bodies, and adding a reporting line to the internal audit or oversight advisory committee.

10. Moreover, strengthening the independence of the Ethics Office will contribute to its effective functioning in the context of more authority having been delegated to the heads of entities. There may be more avenues for direct pressure on the Office as it carries out its mandates. In addition, raising the rank of Head of the Ethics Office to the level of Assistant Secretary-General,² as proposed by the Secretary-General in his previous report (A/73/89), may enhance the effectiveness and acceptance of the ethics advice and guidance by senior leadership if given by a peer rather than a subordinate in rank.

III. General information

11. With regular budget resources of US\$3.67 million³ for the biennium 2018–2019, and 12 posts financed through various accounts,⁴ the Ethics Office served

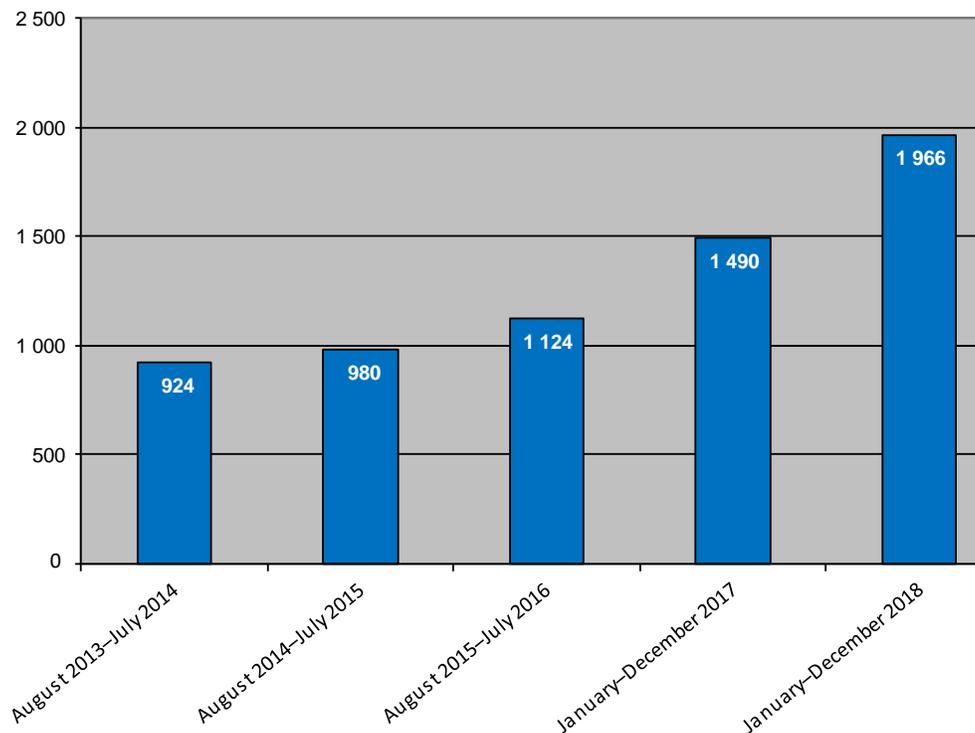
² Not applicable to the incumbent Head of the Ethics Office.

³ Information from the programme budget for the biennium 2018–2019 (A/72/6/Add. 1). The amount excludes resources from the support account for peacekeeping operations and extrabudgetary funds for the financial disclosure programme from other United Nations agencies.

⁴ Financed by the 2018 portion of US\$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)).

approximately 38,000 staff⁵ of the global Secretariat. From 1 January to 31 December 2018, the Office received 1,966 requests for services. As shown in figure I below, this increase is more than double those received five reporting periods ago.

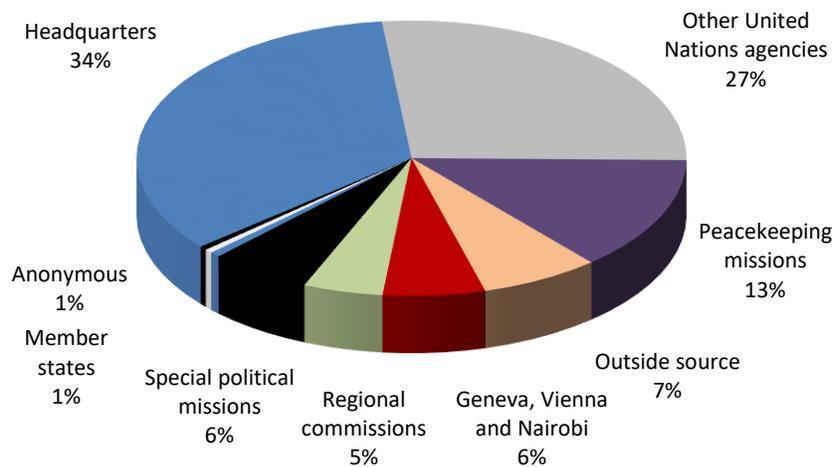
Figure I
Overall requests for Ethics Office services over the past five reporting periods



12. Although it is based in New York, the Ethics Office continues 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.

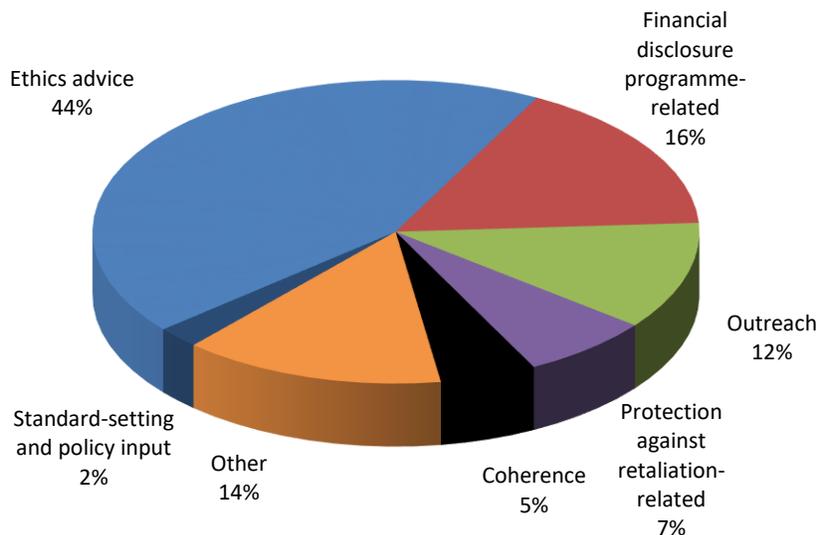
⁵ As at 31 December 2017. See report of the Secretary-General on the composition of the Secretariat: gratis personnel, retired staff and consultants and individual contractors (A/73/79/Add.1).

Figure II
Service requests in 2018, by source



13. Figure III shows that the majority (862) of the requests in 2018 were for ethics advice, a number that had increased from 804 in 2017. Requests related to financial disclosure programme assistance increased from 4 per cent in 2017 to 16 per cent in 2018. The increase may be attributable to the introduction of a new online filing platform in 2018.

Figure III
Service requests in 2018, by category



IV. Activities of the Ethics Office

A. Advice and guidance

14. The Ethics Office provides confidential advice and guidance through its dedicated email address (ethicsoffice@un.org), its helpline (+1-917-367-9858) and by appointments. The Office provides support with regard to ethical dilemmas; the identification and management of actual, potential and perceived conflicts of interest; and the clarification of expected behaviours in accordance with the standards of conduct of the United Nations.

15. The extent to which the Ethics Office is independent from management, and is seen to be so, builds trust and confidence among staff, particularly with regard to the advice and guidance function. The advisory function is one of the most important roles the Office plays in preventing and managing conflict-of-interest risks and protecting the reputation and image of the Organization.

16. As illustrated in figure IV, the Ethics Office responded to 862 requests for advice and guidance in 2018. These concerned outside activities (331); employment-related matters (160); pre-appointment vetting (65); other conflicts of interest, including personal investments/assets and post-employment restrictions (115); misconduct reporting procedures (67); gifts and honours (104); and institutional integrity matters (20). In total, the Office conducted 67 “one-on-one” advisory sessions during field missions. Figure V provides a comparison with preceding reporting periods by subcategories of advice. Some of these main areas are discussed below.

Figure IV
Requests for ethics advice in 2018, by subcategory

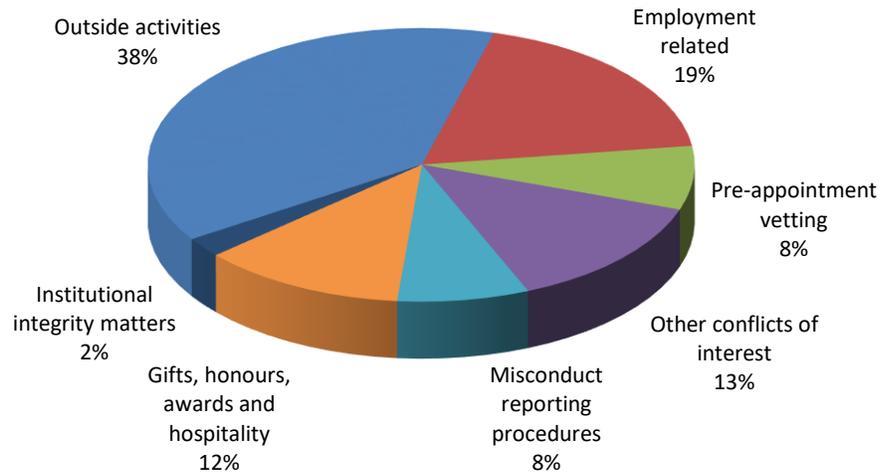
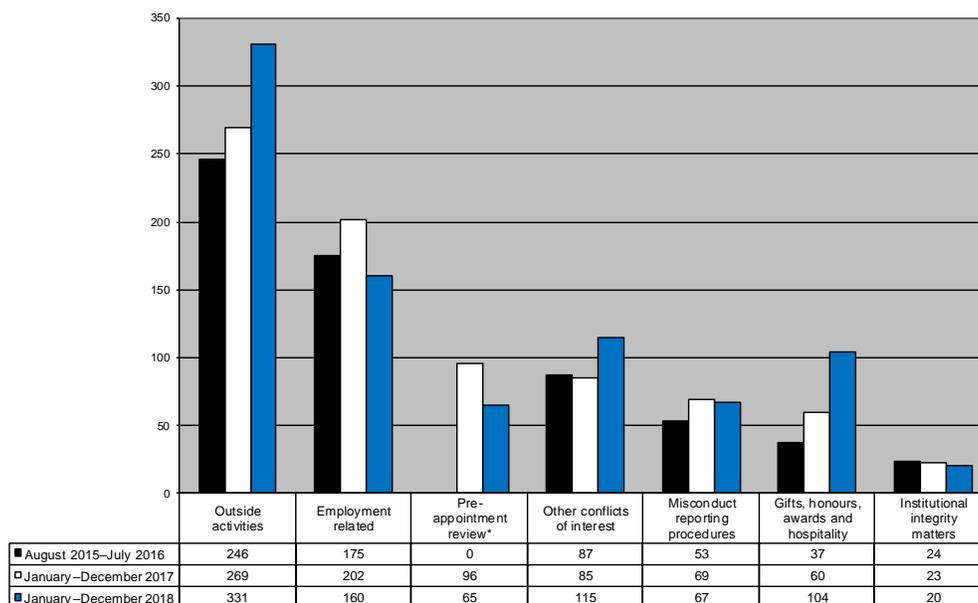


Figure V
Requests for ethics advice over three 12-month reporting cycles, by subcategory



^a Pre-appointment vetting was introduced only in July 2016.

1. Institutional integrity

17. The Ethics Office responded to 20 requests in the institutional integrity category, including those for assistance with regard to due diligence. The process includes the identification of institutional risks and potential conflicts of interest, the provision of advice and recommendations to offices on risk management and referrals to other offices where necessary. The Office promotes adherence to policies and procedures related to ethics standards and aims to ensure that any activity of the United Nations is consistent with its core values and adheres to the highest standards of ethical conduct; that there is no involvement in any form of corrupt or fraudulent practices; and that partnerships serve the best interests and do not negatively impact the reputation, integrity or credibility of the Organization.

2. Political activities

18. Under the general category of “outside activities”, the Ethics Office responded to a number of enquiries (46) concerning political activities and public pronouncements. Since certain types of political activities are prohibited while others are permissible, the Office guides staff on protecting their independence and impartiality as well as on the appropriateness of an outside activity. Since January 2017, the Office has issued an annual advisory on political activities, which serves as a reminder to staff about their obligations and their status as international civil servants. Staff are advised to carefully consider the implications of their actions and refrain from engaging in certain activities, including public pronouncements or actions that may adversely reflect on the integrity and impartiality of the Organization. Staff are also advised to exercise discretion and good judgment in making public pronouncements, including posts in personal social media accounts.

3. Gifts and honours

19. During the reporting period, the Ethics Office responded to 104 requests for advice concerning honours, decorations, favours, gifts or remuneration, representing a 73 per cent increase from 2017. While the Ethics Office provides advice on the

appropriateness of gift receiving or giving, the overall coordination of gift processing and administration is handled by the Department of Management Strategy, Policy and Compliance of the Secretariat. The management of gifts in the global Secretariat is currently decentralized to departments, offices or missions as prescribed in section 4.1 of administrative instruction [ST/AI/2010/1](#). In accordance with the provisions of that section, the administering official establishes and maintains a registry to record summary information on all honours, decorations, favours, gifts or remuneration accepted by staff members. Within this framework, in September 2016, an online global gift registry was launched on a pilot basis in New York. Drawing from lessons learned and technological developments, the technical features of the online registry are currently being revised for application to a new technology platform.

4. Pre-appointment reviews

20. The Ethics Office reviewed 65 pre-appointment disclosure-of-interest forms for candidates 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. In a number of cases, the Office was requested to conduct a review following the announcement of a senior appointment but prior to the assumption of duties. The measures recommended by the Office to prevent and/or manage conflicts of interest were conveyed to the appointed officials for implementation prior to joining the Organization. The vetting process has allowed the Secretary-General to ensure that his senior officials enter the service of the United Nations, responsible only to the Organization.

21. The decrease in reviews in 2018 compared with 2017 can be attributed to a decrease in senior appointments. The pre-appointment reviews constitute the first step in a continuum comprising conflict-of-interest risk management followed by ethics briefings, financial disclosure and ongoing advice and guidance. These conflict-of-interest risks management processes have proved effective in protecting the Organization's reputation.

5. Procurement ethics

22. The Ethics Office continued to provide independent advice to the Procurement Division of the Department of Management, particularly on corporate compliance programmes for the reinstatement of vendors. Such advice addressed the technical suitability of external ethics and compliance experts retained by vendors to independently verify whether the vendor's integrity initiatives provided sufficient assurance that the vendor met United Nations requirements. During 2018, the Office responded to multiple queries about 10 vendors. It also provided advice to requesting offices regarding engagement with private sector entities.

B. Financial disclosure programme

23. The primary purpose of the financial disclosure programme is to identify, mitigate and manage conflict-of-interest risks arising from the financial holdings, private affiliations or non-United Nations activities disclosed by staff members or members of their immediate family. In making such disclosures, designated staff show transparently that their personal interests do not interfere with their duties, thereby enhancing the credibility of the United Nations and fostering public trust. Designated staff members – those at the D-1 level and above, whose principal duties

involve procurement and investment, and Ethics Office staff – are required to file confidential annual statements pursuant to Secretary-General's bulletin [ST/SGB/2006/6](#). The review of submitted statements is conducted by a third-party service provider.

24. Given the confidential, personal and sensitive nature of the disclosures, the independence of the Ethics Office from the Organization's management, coupled with the expertise of the independent external reviewers, builds trust among staff and encourages them to be fully transparent with their disclosures.

25. During the 2018 filing cycle (covering the reporting period from 1 January to 31 December 2017), 5,937 filers participated. Of this total, 5,931 filers or 99.9 per cent submitted their required disclosures. Six non-compliant filers, from non-Secretariat participating entities, were referred to their respective organizations for appropriate accountability measures. The Secretariat itself achieved a full submission rate. Of the total filer population, 1,079 filers or 18.2 per cent were first-time filers. This number includes staff from the Secretariat and other United Nations system entities that opted to outsource their financial disclosure services to the Secretariat.

26. While submission rates continued to be high, some filers did not fully complete all procedures required for the closure of a review. These included responding to requests made by the external reviewers for clarification or additional information, providing third-party documentation for verification or fully implementing all the recommendations to manage a possible conflict of interest by the closure of the filing cycle. Such filers continued to be followed up as a priority.

27. As an integral part of the financial disclosure programme, the verification of information submitted by filers, through random sampling, ensures the accuracy and completeness of disclosed information. Approximately 5 per cent of the total filer population was selected at the beginning of the 2018 cycle.

28. A total of 149 filers (2.5 per cent) were identified as requiring review for the management of potential conflicts of interest or for having a conflict-of-interest situation. Of the total of 197 conflict-of-interest items identified, 25 (12.7 per cent) were related to financial activities, 130 (66 per cent) to outside activities, 40 (20.3 per cent) to family relationships and 2 (1 per cent) to other categories.⁶

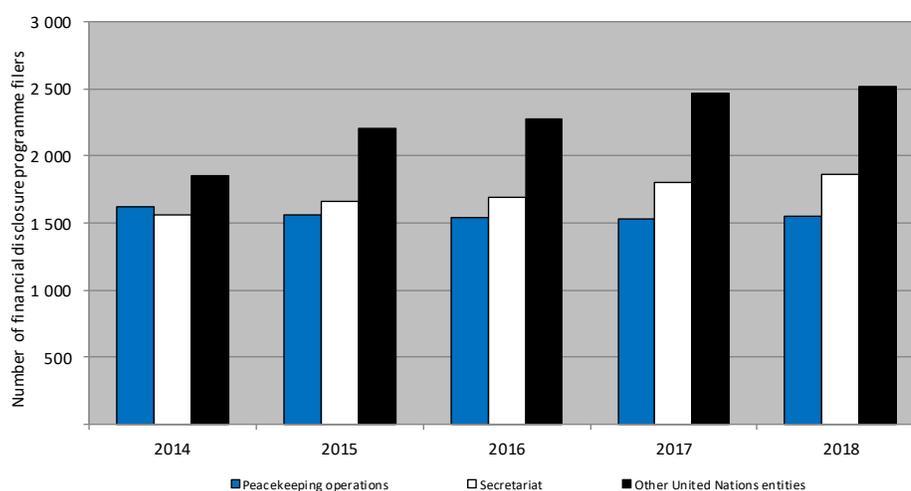
29. The Ethics Office also administers the financial disclosure programme for those entities of the United Nations system that opt to outsource their financial disclosure service to the Secretariat and the Ethics Office staff of the funds and programmes. These entities participate on a cost-sharing basis. Such sharing facilitates a common approach and the harmonization of conflict-of-interest management standards across the United Nations family and helps to bring down the unit cost. The approach was supported by the Joint Inspection Unit in its report on the review of the ethics function in the United Nations system ([JIU/REP/2010/3](#)), which was issued in 2010, as well as its report on the review of mechanisms and policies addressing conflict of interest in the United Nations system, which was issued in 2017 ([JIU/REP/2017/9](#)). The total number of financial disclosure programme filers in 2018 was 5,937, while the combined number of filers from the Secretariat and the peacekeeping operations amounted to 3,419 (see table 1), or 57.6 per cent of the total. The number of filers from other United Nations system entities in 2018 was 2,518 (see figure VI), or 42.4 per cent.

⁶ Some filers had more than one item.

Table 1
Financial disclosure participation by entity and filing year, 2014–2018

	<i>Peacekeeping operations</i>	<i>Secretariat</i>	<i>Other United Nations entities</i>	<i>Total</i>
2014	1 622	1 566	1 855	5 043
2015	1 564	1 666	2 210	5 440
2016	1 538	1 692	2 274	5 504
2017	1 534	1 808	2 469	5 811
2018	1 552	1 867	2 518	5 937

Figure VI
Financial disclosure participation by entity and filing year, 2014–2018



30. Pursuant to General Assembly resolution [63/250](#), filing data for 2018 broken down by department or office, including the number of individuals who have submitted their disclosure statements and those who have failed to comply with their filing obligations, are presented in the annex to the present report.

31. There was a roll-out in March 2018 of a new online platform supporting the financial disclosure programme. The new financial disclosure system was developed inhouse by the Office of Information and Communications Technology (OICT) to replace the old platform that was in use from 2007 to 2017. The new system uses the Unite Identity credentials to allow filers to access their disclosure statements. Having envisaged a surge in technical queries commonly found with any new information technology platform, the Ethics Office, with the support of OICT, promptly responded to queries and provided technical assistance. Despite the change of system, the Secretariat achieved full submission.

32. In the first half of 2018, a new external reviewer for the financial disclosure programme was contracted. The Ethics Office, while preparing for the launch of the 2018 cycle and the launch of a new information technology platform, also actively engaged in orientation to ensure a smooth transition.

33. Pursuant to General Assembly resolution [70/305](#), the Ethics Office facilitated the submission of the financial disclosure statements of the President of the General Assembly at its seventy-third session upon the assumption of her duties, and the

submission of those of the President of the Assembly at its seventy-second session upon the competition of his duties in 2018.

34. Under the Secretary-General's annual voluntary public disclosure initiative for senior officials at the level of Assistant Secretary-General and above, public summaries of the disclosures of those officials provide assurance to the public and Member States that the performance of their official functions is not influenced by personal interests. Only senior officials whose submission was reviewed and closed by the end of the cycle and who continued to be employed by the United Nations after 9 February 2018 were eligible to participate in the 2017 initiative. While public disclosure is voluntary, the General Assembly, in its resolutions [67/255](#) and [71/263](#), urged the Secretary-General to encourage senior officials to participate in the initiative.

35. During the 2017 filing cycle, a number of senior officials separated from United Nations service, retired or had a change in contractual status. Of the 142 eligible officials, 95 (66.9 per cent) opted to participate in the voluntary public disclosure initiative and completed all required procedures; 29 (20.4 per cent) opted not to participate in the initiative, citing security and privacy concerns; 8 (5.6 per cent) did not respond to invitations to participate by the posting deadline; and 10 (7.1 per cent) opted to participate in the initiative but did not submit their signed public forms by the deadline. Overall participation rates remained largely in line with those in previous years.

36. In addition to participating in the financial disclosure programme and the voluntary public disclosure initiative, key management personnel make additional disclosures regarding their related-party transactions, under the International Public Sector Accounting Standards (IPSAS). The aggregated outcome of the reviews by the Ethics 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 Office conducts a review 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 recommends appropriate action. 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

37. The purpose of the Secretary-General's bulletin on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations, [ST/SGB/2017/2/Rev.1](#), is to ensure that the Organization functions in an open, transparent and fair manner. It is designed to encourage the reporting of potential wrongdoing without the fear of retaliation. The policy 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.

38. As noted by the Joint Inspection Unit's 2018 report on the review of whistle-blower policies and practices in United Nations system organizations ([JIU/REP/2018/4](#)), ensuring the independence of the ethics function is a key element in protection against retaliation policies as it assures staff that the function will review reports free from undue political and hierarchical pressure, influence or interference.

39. Under the policy, the Ethics Office receives complaints of alleged retaliation and conducts preliminary reviews to determine whether the complainant was engaged

in a protected activity and, if so, whether the protected activity was a contributing factor in causing the alleged retaliation. If the Ethics Office determines that a prima facie case has been established, it refers the matter to the Office of Internal Oversight Services (OIOS) 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. If a prima facie case of retaliation is not established, the Ethics Office may make recommendations to address any identified management shortcomings or may refer the parties to informal resolution mechanisms in cases of interpersonal conflicts. In either case, the complainant is informed in writing of the Ethics Office's determination.

40. If a prima facie case is found, the Ethics Office may recommend to the Secretary-General interim protection measures to safeguard the complainant's interests during the investigation. Once the investigation has been completed, the Ethics Office conducts an independent review of the findings of the report and the supporting materials to determine whether retaliation has been established. If retaliation is established, the Ethics Office will, after consultation with the complainant, make its recommendations to management for appropriate measures to correct the negative consequences suffered and to protect the complainant from further retaliation. The Ethics Office may also recommend that the matter be referred for possible disciplinary procedures or other appropriate action.

41. Pursuant to 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 who made the report. Following receipt of such information and consultation with the complainant, the Office may recommend appropriate preventive action to the entity concerned.

42. One of the performance indicators of a "whistle-blower" protection policy is the increase in reports of wrongdoing. In this regard, there has been an increase in matters reported to the Investigations Division of OIOS. As indicated in the OIOS report on its activities for the period from 1 July 2017 to 30 June 2018 ([A/73/324 \(Part I\)](#)), 341 matters pertaining to non-peacekeeping operations were reported to the Investigations Division, representing an increase of 46 per cent over the previous year.

43. During 2018, the Ethics Office received 136 enquiries under the policy, representing a 147 per cent increase compared with five reporting periods ago (2013–2014) and a 48 per cent increase from 2017. From August 2014 to December 2018, the Office completed 102 preliminary determinations and referred 24 cases for investigation. During the same period, the Office made 15 final determinations of retaliation (62.5 per cent of the cases that were referred for investigation or 14.7 per cent of the completed preliminary determinations) (see table 2 below).

Table 2
Protection against retaliation statistics, August 2014–December 2018

	<i>August 2014– July 2015</i>	<i>August 2015– July 2016</i>	<i>August 2016– December 2016^a</i>	<i>January 2017– December 2017</i>	<i>January 2018– December 2018</i>
OIOS referral for preventive measures	Not applicable	Not applicable	Not applicable	7	7
Completed preliminary review	14	17	10	22	39
Prima facie determination	0	6	2 ^b	10 ^c	6 ^c
Determination of retaliation after investigation	0	4 ^d	2 ^e	5 ^f	4 ^g

(Footnotes on following page)

(Footnotes to Table 2)

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

^c 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.

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

^e Includes two claims that were initiated during 2017, with respect to which retaliation was established in late 2017 and early 2018.

^f Retaliation was established in all five claims in 2017 with respect to cases initiated in previous years.

^g Retaliation was established in all four claims in 2018 with respect to cases initiated in 2017.

44. Of the 136 requests received by the Ethics Office in 2018, 65 were requests for advice, rather than requests for protection, and 16 were outside the Office's jurisdiction, (see figure VII). Staff members raising workplace concerns not covered by the policy were referred to the appropriate offices, including 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 Management. Individuals reporting misconduct were directed to the appropriate reporting channels and supported through informal engagement to prevent retaliation where feasible, with their consent.

45. 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), the Director of the Ethics Office, in her capacity as Chair of the Ethics Panel of the United Nations, received 10 requests for review (9 for reviews of determinations made by a member of the Panel and 1 for an initial preliminary review as a determination had not been made in a timely manner). In one case, the complainant abandoned the review. In seven cases, the Chair concurred with the Panel member's determination.⁷ In one case, the Chair reversed the determination and requested that the Panel member concerned refer the matter for investigation. In the case where there had not been a timely review, the Chair conducted a preliminary review, found a prima facie case of retaliation and requested that the Panel member concerned refer the matter for investigation. In both cases, the matters were referred for investigation.

46. The Ethics Office initiated 38 preliminary reviews in 2018, of which 36 were completed, 1 claim was abandoned⁸ and the other claim completed in early 2019. Three preliminary reviews that had been initiated in 2017 were completed in early 2018. Of these three, the Office found a prima facie case of retaliation in two cases⁹ and referred the matters for investigation. In total, 39 preliminary reviews were completed in 2018. Thirty-two of the requests for protection did not present a prima facie case of retaliation. As in all previous reporting periods, the majority of the cases were about workplace disputes.

47. In 2018, the Ethics Office decreased the average number of days to conduct preliminary reviews, upon receipt of all information requested for a complaint, from 26 days in 2017 to 13 days in 2018. This average was well within the policy's 30-day timeline.

⁷ The Chair issued six determinations in 2018 and one determination in early 2019.

⁸ Upon the request of the staff member, the case was reopened in early 2019.

⁹ In one case, the matter was settled through mediation and the investigation ceased at the complainant's request.

48. During 2018, 4 complainants out of 32 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.¹⁰ In one case, the Alternate Chair reversed the Ethics Office's determination, which was referred by the Ethics Office to OIOS for investigation. In two cases, the Ethics Office's determination that there was no prima facie case of retaliation was affirmed. In the remaining case, the Alternate Chair's review was still pending as of 31 December 2018.

49. In 2018, OIOS made seven referrals for preventive action pursuant to section 5 of the policy contained in Secretary-General's bulletin [ST/SGB/2007/11](#). Upon consultation with the complainants, the Ethics Office recommended preventive action in six cases. In four of these, multiple recommendations were made including: the placement of the staff member on special leave with full pay; transfer to a suitable post or return to his or her post; changes to reporting lines; preventing an individual from providing input into the complainant's performance evaluation; tasking the complainant with appropriate activities through a new manager; preventing an individual from accessing the complainant's personnel file or handling any matters related to the complainant's contract; preventing the complainant and an individual from working together through the end of the complainant's contract; allowing the complainant to work in a different office building; allowing the complainant to telecommute pending the completion of the investigation; and requesting the senior manager to remind individuals of the confidential nature of OIOS investigations.

50. In 2018, the Ethics Office referred six cases for investigation. In five of those cases,¹¹ the Ethics Office determined that there was a prima facie case and referred four of those cases to OIOS; the fifth case was referred to an alternate investigating mechanism due to an identified conflict of interest in OIOS conducting the investigation. The sixth case was referred to OIOS following the Alternate Chair's reversal of the determination of the Ethics Office. In four of the six cases, the Ethics Office recommended interim measures to the Secretary-General. They included monitoring and oversight; reconvening an interview panel to conduct interviews in a selection exercise; restoring the complainant's functions; providing the complainant with adequate work; appropriately revising the complainant's workplan; allowing the complainant to perform duties without undue interference; changing the complainant's first and second reporting officers and preventing an individual from providing input into the complainant's performance evaluation.

51. In 2018, following the conclusion of OIOS investigations, the Ethics Office determined that retaliation was established in four cases¹² but not established in four other cases.¹³ As of 31 December 2018, six cases referred to OIOS were pending, with three referred in 2017 and three in 2018.

52. As required by the policy, the Ethics Office met with relevant stakeholders in 2018 to assist the Secretary-General with his review and assessment of the policy. It is currently envisaged that a revision to the policy will be issued in 2019. In this context, the Office recommended that the forthcoming revisions to Secretary-General's bulletin [ST/SGB/2008/5](#) on prohibited conduct explicitly address monitoring of the workplace by heads of entities to ensure that no prohibited conduct or other adverse action is directed against staff who are availing themselves of a

¹⁰ In one case, the Ethics Office issued its preliminary determination in 2017 and the complainant requested review in 2018.

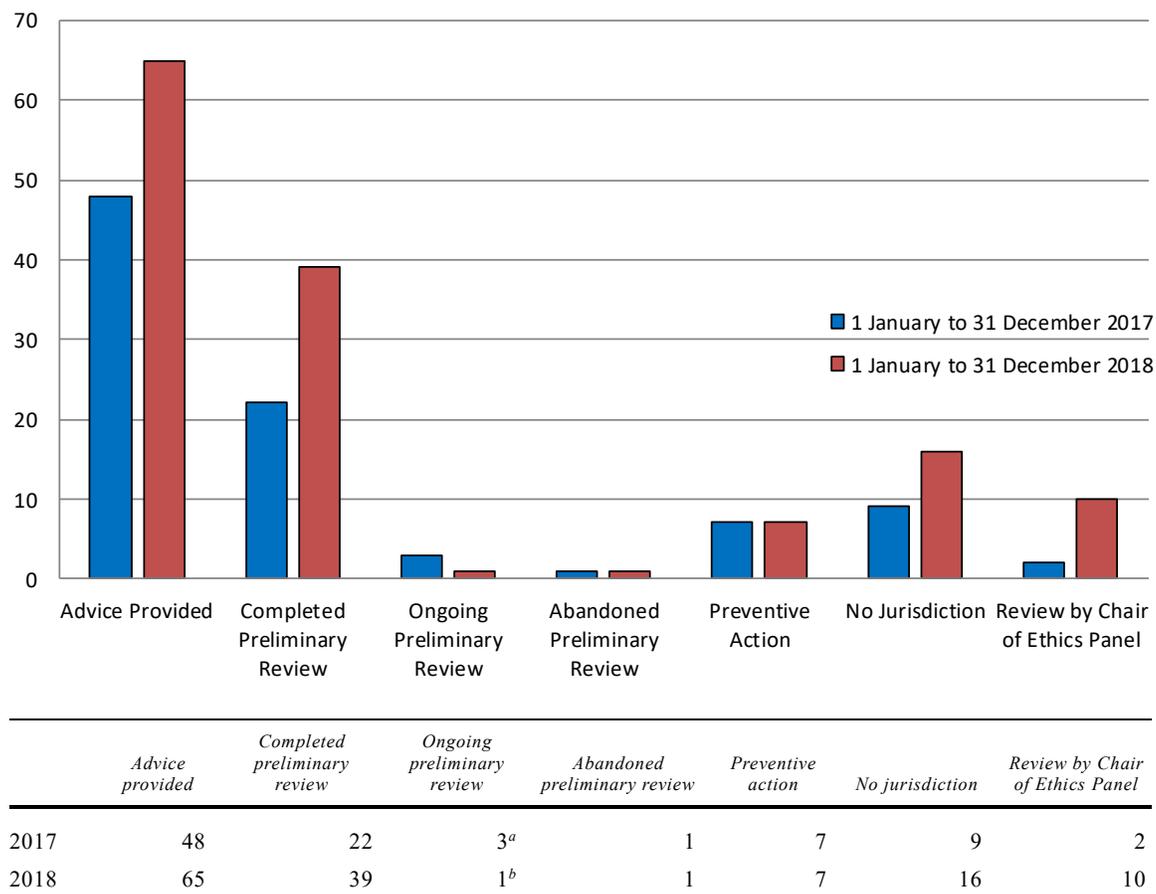
¹¹ Two cases were initiated in 2017 and referred for investigation in 2018.

¹² In all four cases, the matters were referred to OIOS for investigation in 2017.

¹³ In two cases, the matters were referred to OIOS for investigation in 2017. In one case referred in 2018, the Ethics Office received the investigation report in late 2018 and determined that retaliation was not established in early 2019.

formal or informal process to address their rights as a staff member, including acting as a staff representative, through a request for management evaluation, challenging a decision and/or appearing as a witness before the United Nations Dispute Tribunal and the United Nations Appeals Tribunal.

Figure VII
Actions taken on enquiries relating to protection against retaliation, 2017–2018



^a 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.

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

D. Outreach, training and education

53. In collaboration with other offices, the Ethics Office continued to conduct outreach, training and education to fulfil its mandate of identifying and addressing ethics-related concerns, thereby strengthening a shared ethical culture. As part of its outreach efforts, the Office emphasizes its independence from management to encourage staff to proactively seek advice.

54. In 2018, the Ethics Office conducted 226 tailored ethics briefings for groups and individuals at Headquarters and in the field, including 38 briefings for newly appointed senior officials at the level of Assistant Secretary General and above and senior mission staff. As endorsed by the General Assembly in its resolution 65/247, the Office provided these individual ethics induction briefings for senior leaders to

set the right “tone at the top”. Customized briefings were also provided to various functional groups, offices and experts on mission upon request.

55. The Ethics Office conducted outreach missions to the Economic Commission for Latin America and the Caribbean, the United Nations Verification Mission in Colombia, the United Nations Mission for Justice Support in Haiti, the United Nations Global Service Centre for Human Resources Services, the Economic Commission for Africa, the Regional Service Centre in Entebbe (including Entebbe-based staff of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo), the United Nations Interim Security Force for Abyei via videoconference and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) (for staff based in Kampala), the United Nations Office at Nairobi (including Nairobi-based staff of the United Nations Assistance Mission in Somalia, the United Nations Environment Programme and the United Nations Human Settlement Programme (UN-Habitat)), the Office of the Special Envoy of the Secretary-General to Yemen, the United Nations Assistance Mission for Iraq, and the Kuwait Joint Support Office.

56. The Ethics Office held or participated in seven town halls in 2018, both at Headquarters and in the field.

57. The Executive Office of the Secretary-General and the Ethics Office launched the 2018 leadership dialogue on the theme “Speaking up: when does it become whistleblowing?” The dialogue provided an opportunity for staff and managers to discuss ethics and integrity issues. Around 31,700 United Nations personnel participated (17,300 from Headquarters and 14,400 from field missions), the largest numbers since the launch of the dialogue in 2013.

58. The mandatory online ethics course entitled “Ethics and integrity at the United Nations” was completed by 3,064 staff members in 2018, bringing the cumulative total to 20,725. The e-learning course entitled “Preventing fraud and corruption at the United Nations” was made available to staff at the end of 2017. The mandatory course had been completed by a cumulative total of 11,304 staff members by the end of 2018.

59. The Ethics Office website continues to provide essential information on ethical values and standards to both United Nations personnel and the general public. In 2018, the website received 175,045 page views and 126,811 unique page views. It is available in English via iSeek and www.un.org/en/ethics, as well as on the sites of the five other official languages of the United Nations.

60. The Ethics Office shared broadcasts and iSeek articles on political activities, the financial disclosure programme prior to the annual filing month of March, and gifts during the holiday period. From June to December 2018, staff members received a pop-up message: “Integrity begins with me!” when logging on to their computers.

E. Standard-setting and policy support

61. In 2018, the Ethics Office continued to provide policy advice and support, and responded to 46 policy-related requests from within the Secretariat and from other United Nations entities. Several internal offices approached the Office to canvass its independent views in developing conflict-of-interest management standards and mechanisms, including ways for early identification and mitigation. The Office provided substantive inputs to and helped disseminate results from various surveys by management and staff representatives.

62. In support of the Secretary-General’s initiative on streamlining and simplifying administrative issuances, the Ethics Office took the opportunity to provide inputs to enhance the consistency of ethics-related provisions. It commented on the relevant

Staff Regulations and Rules and issuances on outside activities, post-employment restrictions, prohibited conduct, and staff selection system, among others.

63. The Ethics Office provided substantive comments in relation to the follow-up to 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](#)), on the basis of its experience of dealing with various aspects of conflict-of-interest management and the implementation of its two mandates: providing ethics advice and administering the financial disclosure programme. The Office also contributed to feedback on the Joint Inspection Unit's report on the review of whistle-blower-policies and practices in United Nations system organizations ([JIU/REP/2018/4](#)).

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

64. The Ethics Panel of the United Nations is mandated to create a unified set of ethical standards and policies for the Secretariat and separately administered organs and programmes pursuant to Secretary-General's bulletin [ST/SGB/2007/11](#) and [ST/SGB/2007/11/Amend.1](#). It consults on important and complex ethics matters having system-wide implications. The Panel is chaired by the Director of the Ethics Office. The Principal Ethics Adviser of the United Nations Children's Fund served as Alternate Chair from October 2017 to October 2018. From November 2018, the Chief of the Ethics Office of United Nations Relief and Works Agency for Palestinian Refugees in the Near East assumed this role for a one-year term.

65. The Panel is composed of the heads of the ethics offices of the funds and programmes and the Secretariat. As noted in paragraph 5 above, given the importance of the independence of the ethics function, the Panel's ethics offices demonstrate good practices in this regard. The majority of the eight heads are appointed by and report directly to the executive heads; half present an annual report directly to their governing bodies and have a reporting line to their internal oversight advisory committee and half have term limits with re-employment restrictions for the heads.

66. In 2018, the Panel held 10 sessions, including a facilitated segment on increasing the effectiveness of Panel's functioning and interactions. It reviewed the annual reports of member ethics offices and selected relevant rules and issuances pertaining to their mandated areas. In addition, the Panel reviewed its own rules of procedures and developed the terms of reference of the alternate Chair to harmonize with the latest revisions of the Secretariat's policy on protection against retaliation ([ST/SGB/2017/2/Rev.1](#)), especially those provisions concerning the role of the alternate Chair.

67. The members of the Panel held regular consultations on a wide range of issues to enhance the independence of the ethics function as well as normative and procedural coherence that have an impact on giving advice, setting standards and organizational culture, in general. The Panel worked towards developing a common approach to staff engagement in outside activities, particularly political activities and the use of social media, to ensure the independence and impartiality of their status as international civil servants. The members also considered issues relating to the Organization's zero tolerance of sexual harassment and sexual exploitation and abuse, and emphasized advice and guidance on expected staff behaviour and ways to prevent prohibited conduct.

68. The Panel looked at approaches to conflicts-of-interest management through pre-appointment vetting and financial disclosure and declaration of interest programmes. It also noted 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), issued at the end of 2017.

69. The Chair consulted the Panel on her review of nine retaliation cases, and the alternate Chair reviewed three retaliation cases. For an overview of the reviews by the Chair and alternate Chair, see paragraphs 45 and 48 above. 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 2017 to 2018 (see table 3). The Panel also noted the recommendations of the Joint Inspection Unit's "Review of Whistle-blower-Policies and Practices in United Nations System Organizations" (JIU/REP/2018/4).

Table 3
Ethics Panel reviews of determinations of retaliation cases, 2014–2018

<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>
2013–2014	1	1	–	Not applicable	–	–
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	3	2	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.

70. The Ethics Office continued to participate in the activities of the Ethics Network of Multilateral Organizations. The Network was established in June 2010 in support of the Secretary-General's efforts to promote system-wide collaboration on ethics-related issues within the United Nations family. Serving as a broad forum for United Nations-system entities, affiliated international organizations and international financial institutions, the Network provides support for professional development, benchmarking and the exchange of information with regard to ethics policies and practices. The Network's membership continued to grow with the participation of inter-governmental organizations having consultative and collaborative arrangements with the United Nations system. Its annual meetings bring together the senior-most professionals responsible for ethics functions from among the membership.

71. The tenth meeting of the Ethics Network of Multilateral Organizations was held in New York from 9 to 13 July 2018. It was hosted by the Secretariat and co-chaired by the Director of the Ethics Office and the Director of the Ethics Office of the World Food Programme. The Principal Ethics Adviser of the United Nations Children's Fund served as Vice-Chair. There was participation by representatives of 31 member organizations. The Chef de Cabinet represented the Secretary-General at the opening of the meeting. She highlighted the important role that independent ethics offices play in ensuring that international civil servants uphold the highest ethical standards. The Ethics Office responded to 29 requests in 2018 regarding financial disclosure, conflict-of-interest management, ethics training, database management, and protection against retaliation for whistle-blowers from Network members.

VI. Observations and conclusion

72. The year 2018 has been a busy one for the Ethics Office, which dealt with more than double the requests it received five years ago and almost a third more than last year. The increased substantive workload was accompanied by additional work related to other factors, such as physically moving office premises and other non-recurring activities described above.

73. Besides reporting on the activities of the Ethics Office in 2018, the present report has highlighted the rationale behind the measures proposed by the Secretary-General in his previous report (A/73/89) to increase its independence. As outlined in paragraph 94 of that report, these measures include adding direct annual reporting by the Ethics Office on its activities to the General Assembly and a reporting line to the Independent Audit Advisory Committee; raising the rank of the Head of the Ethics Office from the Director (D-2) level to the level of Assistant Secretary-General (starting with the next Head of the Office); introducing term limits with security of tenure; and restricting re-employment.

74. The Joint Inspection Unit review of “Ethics in the United Nations System” (JIU/REP/2010/3) made three recommendations on the independence of the ethics function: (a) term limits should apply to the Head of the Ethics Office; (b) the Head of the Ethics Office should submit an annual report directly to the legislative body, together with any comments of the Executive Head thereon; and (c) the Head of the Ethics Office should have informal access to the legislative body, which is enshrined in writing. All these recommendations were proposed to the General Assembly by the Secretary-General in his previous report. Regarding the first recommendation, the Secretary-General also added security of tenure and a re-employment restriction. Regarding the third recommendation, the Secretary-General proposed that the Ethics Office also have a reporting line to the Independent Audit Advisory Committee and access to the General Assembly.

75. 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 paragraph 94 (a), (b) and (c) of the twelfth report of the Secretary-General on the activities of the Ethics Office (A/73/89), as well as to take note of paragraph 94 (d), (e) and (f) therein.

Annex

Financial disclosure programme compliance level, 2018

<i>United Nations entity</i>	<i>Required filings</i>	<i>Completed filings</i>	<i>Non-compliance</i>
United Nations Secretariat			
Advisory Committee on Administrative and Budgetary Questions	2	2	0
United Nations System Chief Executives Board for Coordination secretariat	3	3	0
Counter-Terrorism Committee Executive Directorate	4	4	0
Department for General Assembly and Conference Management	21	21	0
Department of Economic and Social Affairs	51	51	0
Department of Management	184	184	0
Department of Political Affairs, including special political missions	447	447	0
Department of Public Information	60	60	0
Department of Safety and Security	19	19	0
Economic and Social Commission for Asia and the Pacific	74	74	0
Economic and Social Commission for Western Asia	56	56	0
Economic Commission for Africa	147	147	0
Economic Commission for Europe	8	8	0
Economic Commission for Latin America and the Caribbean	92	92	0
Ethics Office	14	14	0
Executive Office of the Secretary-General	20	20	0
Mechanism for International Criminal Tribunals	64	64	0
Office for Disarmament Affairs	6	6	0
Office for the Coordination of Humanitarian Affairs	65	65	0
Office of Administration of Justice	2	2	0
Office of Internal Oversight Services	11	11	0
Office of Legal Affairs	27	27	0
Office of the High Commissioner for Human Rights	24	24	0
Office of the Ombudsman	4	4	0
Office of the President of the General Assembly	2	2	0
Office of the Special Adviser on Africa	4	4	0
Office of the Special Representative of the Secretary-General for Children and Armed Conflicts	3	3	0
Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict	3	3	0
Office of the Special Representative of the Secretary-General on Violence against Children	2	2	0
Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States	3	3	0
Peacebuilding Support Office	6	6	0
Regional Commission New York	1	1	0
Residual Special Court for Sierra Leone	1	1	0
Special Tribunal for Lebanon	32	32	0
United Nations Joint Staff Pension Fund	89	89	0
United Nations Conference on Trade and Development	21	21	0

<i>United Nations entity</i>	<i>Required filings</i>	<i>Completed filings</i>	<i>Non-compliance</i>
United Nations Counter-Terrorism Office	8	8	0
United Nations Office at Geneva	101	101	0
United Nations Office at Nairobi	41	41	0
United Nations Office at Vienna	16	16	0
United Nations Office on Drugs and Crime	99	99	0
United Nations Office for Disaster Risk Reduction	29	29	0
Victims' Rights Advocate for the United Nations	1	1	0
Subtotal (excluding peacekeeping operations)	1 867	1 867	0
Peacekeeping operations	1 552	1 552	0
United Nations bodies/agencies and others	2 518	2 512	6
Total	5 937	5 931	6