



General Assembly

Distr.: General
3 May 2022

Original: English

Seventy-seventh session

Item 144 of the preliminary list*

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 includes additional information regarding the proposals for strengthening the independence of the Office, as requested by the Assembly in its resolution [71/263](#).

The present report covers the period from 1 January to 31 December 2021.

* [A/77/50](#).



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](#). During 2021, despite the continuing coronavirus disease (COVID-19) pandemic and the resulting operational restrictions, the Ethics Office focused on continuing to provide its services responsively while also proactively engaging with staff. In carrying out its mandates, the Ethics Office was also mindful of the ongoing management reforms of the Secretary-General to allow for greater delegation of authority to points of decision-making, accompanied by increased responsibilities to account for results and the processes employed.

2. In the report, the Secretary-General presents the activities of the Ethics Office in 2021. Before providing details of the activities, the Secretary-General provides more information on the proposed measures to strengthen the independence of the Ethics Office. These measures were introduced in his previous reports ([A/73/89](#), [A/74/78](#), [A/75/82](#) and [A/76/76](#)) in response to the request of the General Assembly for such proposals in its resolution [71/263](#).

3. In the most recent report of the Joint Inspection Unit on the Ethics Office, entitled “Review of the ethics function in the United Nations system” ([JIU/REP/2021/5](#)), the Inspector, in paragraph 104 of the report, urged the General Assembly to approve the proposals of the Secretary-General in order to strengthen the independence of the Ethics Office, thus complying with the Unit’s recommendations and standards as well as established good practices.

II. Background

4. The objective of the Ethics Office is to assist the Secretary-General in ensuring that staff members observe and perform their functions in a manner consistent with the highest standards of integrity, as required in the Charter of the United Nations, by 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](#).

5. 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) Administering the Organization’s financial disclosure programme;
- (b) Undertaking the responsibilities assigned to the Ethics Office under the Organization’s policy on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations;
- (c) Providing confidential advice and guidance to staff on ethical issues (e.g. conflicts of interest), including administering an ethics helpline;
- (d) Developing standards, training and education on ethics issues, in coordination with the Office of Human Resources and other offices as appropriate, and conducting ethics-related outreach, including ensuring annual ethics training for all staff;
- (e) Supporting ethics standard-setting and promoting policy coherence within the Secretariat and among the Organization’s separately administered organs and programmes.

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

A. Importance of the independence of the ethics function

6. The independence of the Ethics Office is critical to the success of its work. Enhancing this independent status can also assist the General Assembly in its oversight of the Secretariat, by not only safeguarding the resources and reputation of the Organization but also enhancing public trust in the Organization's credibility.

7. The Ethics Office was established at the end of 2005, in the aftermath of the "oil-for-food programme" fraud scheme in 2004. At that time, the General Assembly asked the Secretary-General, in paragraph 161 (d) of its resolution [60/1](#), to submit details of an ethics office with independent status. Eleven years later, noting the ever more complex working environment of the United Nations, the Assembly asked the Secretary-General for proposals to strengthen the independence of the Office in its resolution [71/263](#).

8. In the light of the Secretary-General's current management reform, greater independence of the Ethics Office supports the greater accountability of managers, as they are provided with delegations of authority. The Ethics Office – by focusing on preventing fraud, corruption, misconduct and other wrongdoing – also assists staff with risk management and provides ex ante independent advice rather than ex post facto oversight. Investing in such preventive action is cost-effective with regard to safeguarding the Organization's funds, resources and reputation.

9. In response to the General Assembly's request for proposals to enhance the Ethics Office's independence, the Secretary-General initially made six proposals in his 2017 report ([A/73/89](#), para. 94), as set out in the following paragraph.

10. The first two proposals involve the direct presentation of the annual report by the Ethics Office to the General Assembly and the enhancement of the role of the Independent Audit Advisory Committee to oversee some of the work of the Ethics Office. These measures would strengthen the Secretariat's accountability framework and overall governance. The proposal to raise the rank of the Head of the Ethics Office to the level of Assistant Secretary-General from the Director (D-2) level (starting with the next Head, if approved), would not only enhance the effectiveness but also the independence of the Ethics Office (see para. 14 below). The final three proposals would bolster the independence of the Head of the Ethics Office through: a five-year term limit, renewable once; the provision of security of tenure for the term being served; and re-employment restrictions (i.e. no re-employment with the Secretariat). By not allowing for continuous or future employment with the Secretariat while providing security during the term being served, the Head may not succumb to management, staff or other political pressures. The above three proposals aimed at strengthening the independence of the Head of the Office relate to the terms of appointment of the Head and, therefore, fall within the authority of the Secretary-General.

11. The first three proposals (direct presentation of the annual report of the Ethics Office to the General Assembly, enhancing the role of the Independent Audit Advisory Committee and raising the rank of the Head of the Ethics Office), which require approval by the General Assembly, are further justified below.

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

12. Pursuant to section 2 of [ST/SGB/2005/22](#): “The head of the Ethics Office shall be appointed by the Secretary-General and will be accountable to the Secretary-General in the performance of his or her functions.” Pursuant to General Assembly resolution [60/254](#), the Secretary-General reports annually on the activities of the Ethics Office and the implementation of ethics policies. However, if the Ethics Office were to directly present an annual report on its activities to the Assembly, the Head of the Office would still be appointed by and be accountable to the Secretary-General. The proposed reporting would be similar to the process approved for the Office of Internal Oversight Services (OIOS), which submits annual reports to the Secretary-General for transmittal as received to the Assembly (see resolution [48/218](#) B, para. 5 (e) (ii)). The practical value for Member States would be an assurance that the Ethics Office would be reporting independently, in accordance with its status.

C. Enhanced role of the Independent Audit Advisory Committee to oversee some of the work of the Ethics Office

13. By overseeing the performance of the Head of the Ethics Office and reviewing its workplans, as proposed, the Independent Audit Advisory Committee could assure greater operational independence and enhance the accountability of the Office. The Committee could also potentially shield the independence of the Ethics Office from potential management pressure. Moreover, in situations in which the Secretary-General may not be in a position to receive advice from the Office on matters, owing to a conflict of interest, the Head of the Office may consult with the Committee, which may bring a matter to the attention of the General Assembly, as appropriate. The Committee has already shown support for this proposal in the reports on its activities in 2017/18 and 2018/19 ([A/73/304](#), para. 110, and [A/74/280](#), para. 9 (k)). The latest report of the Joint Inspection Unit added, as a new standard, a mandated responsibility of the audit and oversight committees of United Nations system organizations for the ethics function, including the “regular review of its workplan, its annual activity report, its performance, resource requirements and independence” ([JIU/REP/2021/5](#), box 4).

D. Raising the rank of the Head of the Ethics Office

14. Owing to the demands of the function – which includes supporting the protection of staff against retaliation from senior managers at times, providing unpopular advice to the latter, as well as standing up to any undue pressure on the part of senior officials – raising the rank of the Head would create more confidence in the independence of the Ethics Office. The Head would participate as an independent observer at senior-level meetings. Such participation allows for proffering on-the-spot independent advice and gives more direct and frequent access to the highest levels of decision-making. More importantly, independent advice from a peer will be better received by senior officials.

15. In its report, the Joint Inspection Unit noted that the majority of the organizations reviewed set the level of the post of the head of ethics at one grade below that of the head of the internal oversight office. Ultimately, raising the rank of the Head of the Ethics Office would be a decision by the Member States to invest in bolstering the effectiveness of the ethics function and allocating more resources to a preventive function, rather than dedicating resources to more costly, time-consuming remedial measures to address actual misconduct or malfeasance.

16. In addition, given that the Ethics Office covers a large number of personnel and has undertaken additional duties required by the Organization, raising the level of the Head of the Ethics Office appears to be reasonable. On the same grounds, the Inspector supports raising the rank of the Head of the Ethics Office ([JIU/REP/2021/5](#), para. 103).

IV. General information

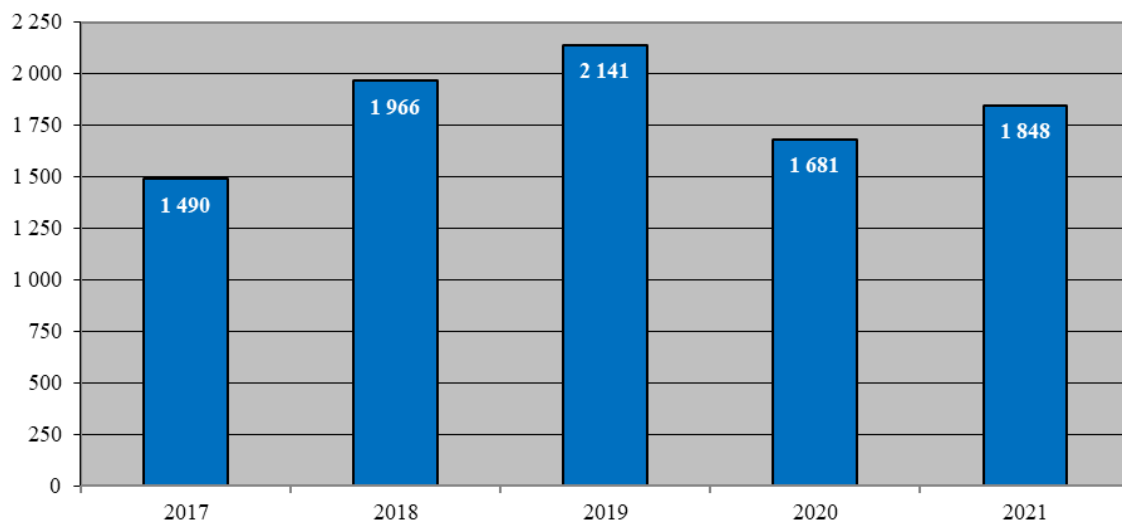
17. With regular budget resources of \$2.042 million¹ for 2021, and 12 posts financed through various accounts,² the Ethics Office covered 36,827 staff of the global Secretariat as at 31 December 2020 ([A/76/570](#), table 27), an increase from 36,574 as at 31 December 2019. The Office also covered United Nations entities that did not yet have their own ethics officers, such as the International Trade Centre, the United Nations Joint Staff Pension Fund, the United Nations Institute for Training and Research, the International Civil Service Commission, the United Nations University, the International Court of Justice and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). The total number of staff covered, therefore was 39,065 (*ibid.*, table 3). In addition, around 17,000 non-staff personnel (see [JIU/REP/2014/8](#), annex II, and recent internal estimates), excluding uniformed personnel, are covered for the purpose of implementing the policy on protection against retaliation, bringing the estimated total number of personnel covered to around 56,000.

18. The Office received 1,848 requests for services from 1 January to 31 December 2021. As shown in figure I, that number represents an increase of around 10 per cent compared with 2020. Of the total, 880 requests were from women, 764 were from men, 119 were from groups of personnel and 85 were from undisclosed sources. More women than men sought ethics advice (468 women compared with 327 men) and made claims of protection against retaliation for reporting misconduct and cooperating with an audit or investigation (62 women compared with 58 men). The statistics should be viewed in the context of the gender distribution in the Secretariat during the reporting period, given that, as at 31 December 2020, women represented 38.6 per cent of Secretariat staff ([A/76/570](#), para. 115).

¹ The amount excludes resources from the support account for peacekeeping operations and cost recovery for the financial disclosure programme from other United Nations entities.

² See the proposed programme budget for 2021 ([A/75/6 \(Sect.1\)](#)) and the budget for the support account for peacekeeping operations for the period from 1 July 2020 to 30 June 2021 ([A/74/743](#)).

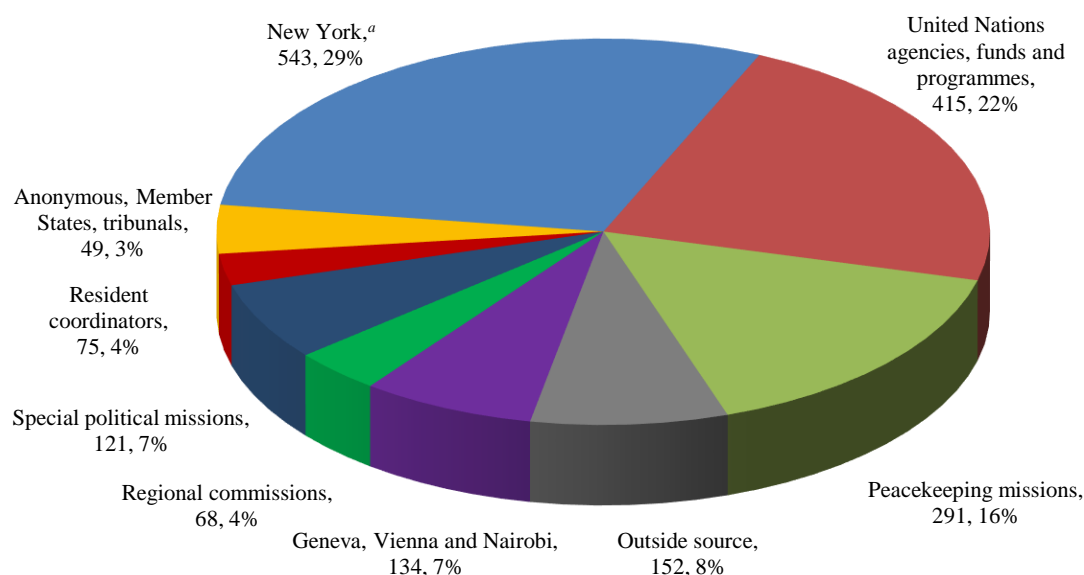
Figure I
Overall requests for Ethics Office services over the past five years



19. With continuing pandemic-related travel restrictions throughout 2021, the Ethics Office continued to provide its services and conducted all planned outreach missions virtually. The Office pivoted to providing advice and briefings remotely to requesting and targeted duty stations.

20. In 2021, there was an increase from the previous year with regard to requests from the field: peacekeeping missions (6 per cent), special political missions (1 per cent) and resident coordinators (1 per cent). Approximately 29 per cent of the requests came from New York, 38 per cent from other duty stations and 33 per cent from agencies, funds and programmes and third parties (see figure II).

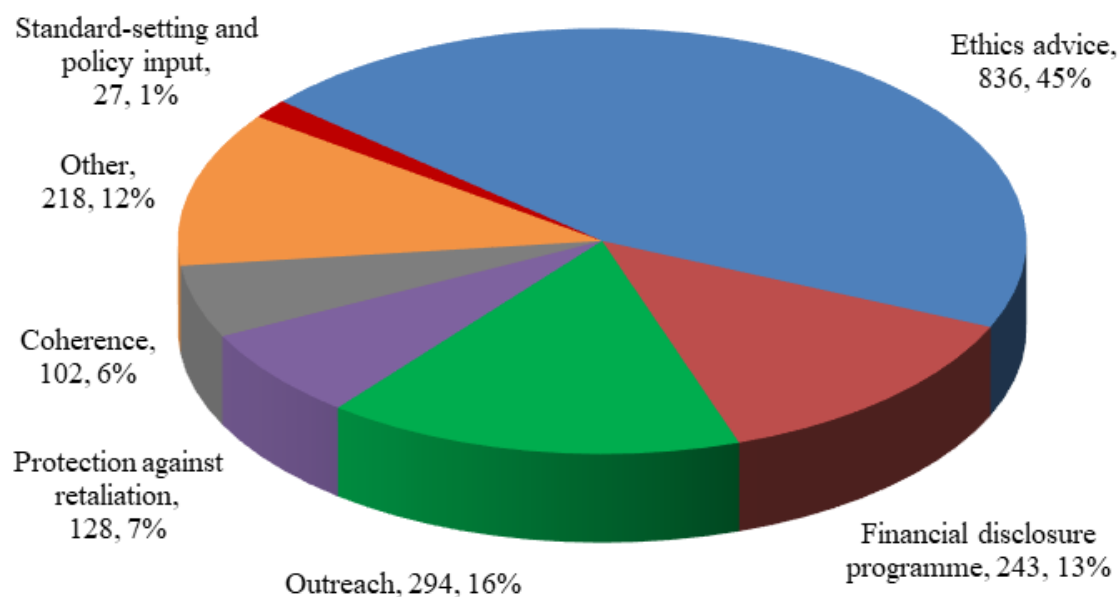
Figure II
Service requests in 2021, by source



^a United Nations Headquarters in New York includes staff of entities that are based in New York and staff members of these entities who are based at other duty stations.

21. As shown in figure III, of the total 1,848 requests, the largest portion was for ethics advice (836), an increase from 691 in 2020. The number of requests related to protection against retaliation decreased from 138 in 2020 to 128 in 2021. There were 242 requests related to the financial disclosure programme, 102 related to coherence, 27 related to standard-setting and 218 categorized as “other”. In addition, the Ethics Office held 294 outreach sessions, more than double the number held in 2020, which was 133.

Figure III
Service requests in 2021, by category



V. Activities of the Ethics Office

A. Advice and guidance

22. The Ethics Office’s overall mandate to foster a culture of ethics, transparency and accountability depends fundamentally on providing confidential, accurate and timely advice on all actionable requests. By providing such advice, the Office enables staff to identify and manage potential conflicts of interest and resolve ethical dilemmas before they become misconduct, fraud, corruption or other wrongdoing.

23. Despite the ongoing COVID-19 pandemic, the Ethics Office saw a return to the usual high demand for ethics advice and guidance, demonstrating the commitment of staff to high standards of conduct. During 2021, ethics advice and guidance matters constituted 45 per cent of the overall requests for the services of the Ethics Office (see figure III).

24. The number of requests for ethics advice increased from 691 in 2020 to 836 in 2021, representing a 21 per cent increase. Figure IV shows the subcategories of requests for ethics advice in 2021. Figure V presents a breakdown of the different categories of advice requested in the past three years.

Figure IV
Requests for ethics advice in 2021, by subcategory

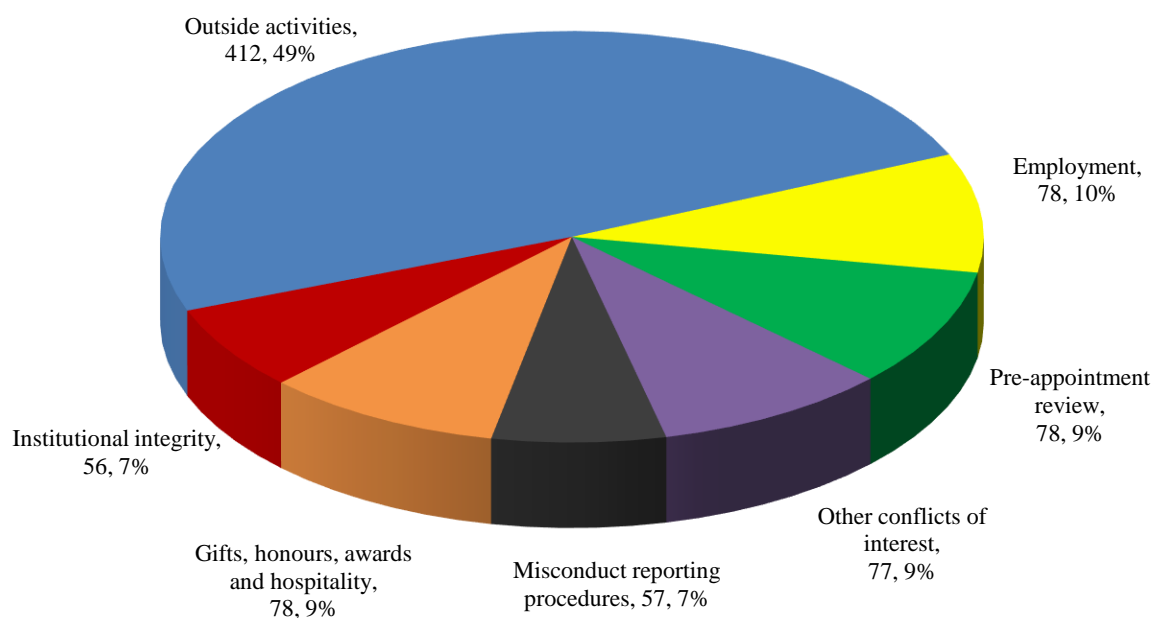
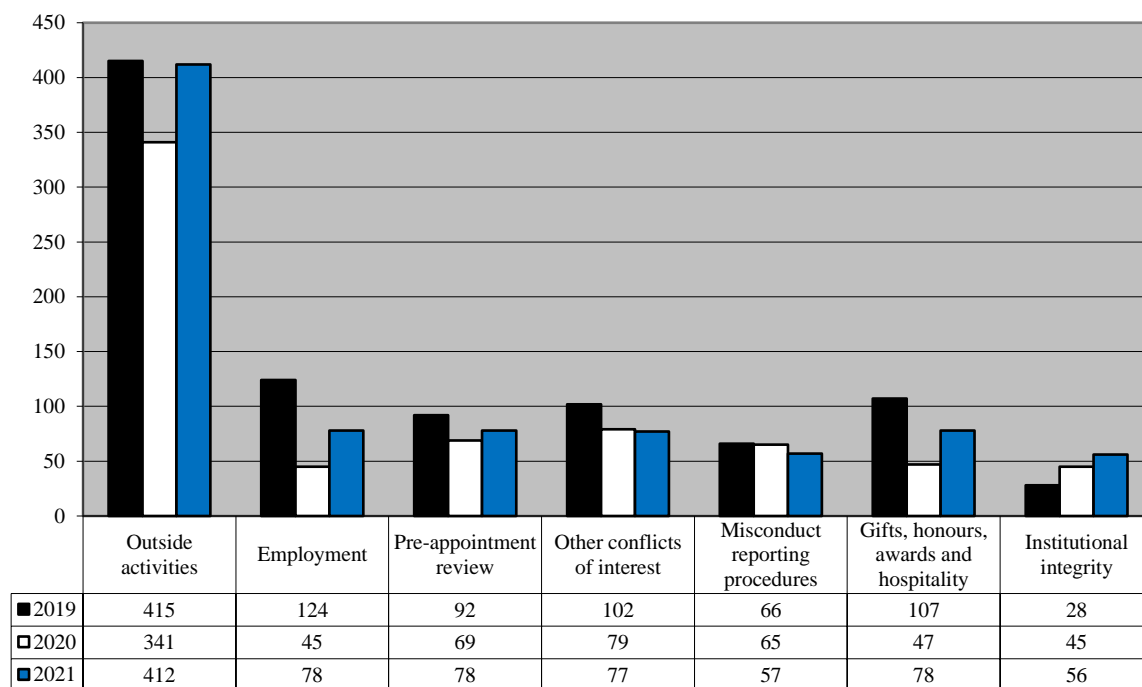


Figure V
Requests for ethics advice in the past three years, by subcategory



Outside activities

25. In 2021, the Ethics Office received 412 requests for advice on outside activities (see figure V) compared with 341 in 2020, representing a 21 per cent increase. As in previous years, requests for advice on outside activities continued to make up the

largest part of the total requests for advice (49 per cent in 2021). The Ethics Office noted a continued strong interest in guidance on the scope of permissible outside activities, particularly on: (a) outside occupation and employment, including while on special leave without pay; (b) outside activities related to the purposes, activities or interests of the United Nations; (c) external boards, committees or similar bodies; (d) publishing articles or books; (e) political activities; and (f) social and charitable activities. The Ethics Office reviewed the requests in the light of applicable staff regulations and rules, conducted due diligence reviews and considered the ethical implications of the intended engagements. The consideration of the ethical implications of such engagements included whether they created potential conflicts of interest or reputational risks, whether they were against the interests of the Organization, and/or whether they had an impact on the independence and impartiality of both the staff member and the Organization.

Institutional integrity

26. The Ethics Office has regularly been called upon to advise on matters of institutional integrity, in particular potential conflicts of interest or conflicts of function at the institutional level. These involve procedures, processes and decisions that may have an impact on the Organization's operations, reputation and image, as well as its ability to carry out its mandates in a fair and impartial manner. The Ethics Office responded to 56 questions on matters of institutional integrity. These matters are subdivided into three areas: institutional conflicts of interest (46), due diligence reviews of partners and donors (5) and procurement ethics (5).

27. Examples of institutional conflicts of interest include the ad hoc use of organizational resources or specific operational processes and procedures that may cause an unintended conflict of functions. They may involve invitations for the Organization to participate in certain activities or processes by external entities or individuals or offers of gifts, honours or pro bono goods and services to the Organization. Given the increasingly multi-stakeholder approach, including partnerships with civil society organizations and businesses, to advancing and achieving United Nations mandates, there is a commensurate need to ensure that achieving results does not undermine the Organization's integrity.

Gifts and honours

28. The Ethics Office responded to 78 requests for advice concerning honours, decorations, favours, gifts or remuneration, compared with 47 requests received in 2020, representing an increase of 66 per cent. This number of requests is in line with the usual numbers received prior to the pandemic and appears to be consistent with increased interaction between staff and external partners as pandemic-related restrictions are eased. In responding to the requests, the Office ensured the independence and impartiality of official actions by staff.

29. While the Ethics 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. 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.

30. In accordance with the recommendation from the Advisory Committee on Administrative and Budgetary Questions regarding the online gift registry, in 2021, progress was made in transforming the functional requirements of the pilot online gift registry into a prototype that had updated technology. The next step is to transform

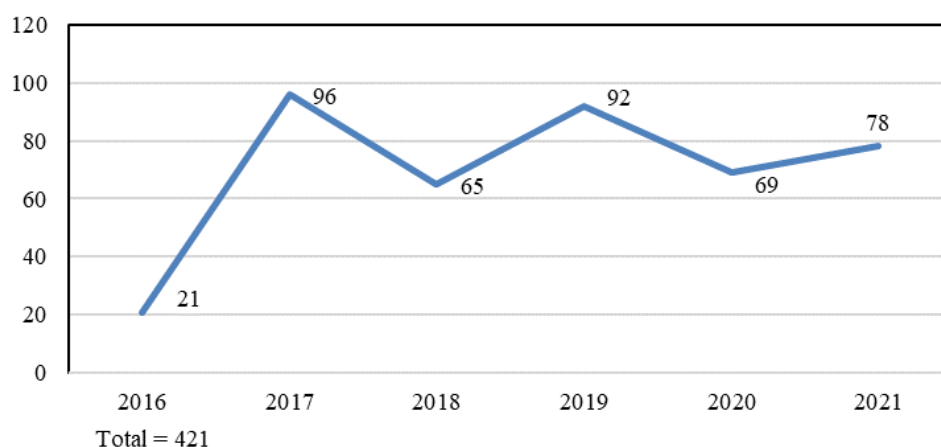
the prototype into a solution that is scalable and meets all information and communications technology standards, in particular cybersecurity. This work is envisaged to move forward in 2022.

Pre-appointment review

31. In 2021, the Ethics Office reviewed 78 pre-appointment declarations of interest, compared with 69 declarations reviewed in 2020, representing a 13 per cent increase. The reviews were for individuals under consideration for or newly appointed to positions at the level of Assistant Secretary-General and above, leadership positions of entities and field missions, and select candidates for resident coordinator. Since August 2016, when the pre-appointment reviews were introduced, the Office has conducted 421 reviews (see figure VI). The reviews continue to serve as an effective tool for the early detection and management of conflicts of interest and reputational risks.

Figure VI

Pre-appointment reviews conducted, 2016–2021



32. Upon entry to their United Nations duties, senior officials are provided with an induction briefing by the Director of the Ethics Office, at which time a follow-up discussion of reviewed matters may be included.

Employment-related matters

33. While the number of employment-related queries had shown a decreasing trend over the past three years, they increased in 2021 by 73 per cent, from 45 in 2020 to 78 in 2021. This large increase may be attributed to the impact of the COVID-19 pandemic on the well-being and resilience of staff, as well as increased outreach activities undertaken in 2021 compared with 2020. In addition to matters related to the Organization's standards of conduct, queries also included ethical dilemmas related to interpersonal and supervisory relations, the use of the Organization's resources, career-related concerns or performance appraisal issues.

Other inquiries

34. The Ethics Office received 218 other inquiries from staff and third parties (see figure III), representing 12 per cent of the overall requests and an increase of 31 per cent compared with 2020. Of the 218 inquiries, 170 were requests for general information from the public, 4 were media inquiries and, on 44 occasions, the Office was informed of or asked to take note of a particular matter or set of incidents.

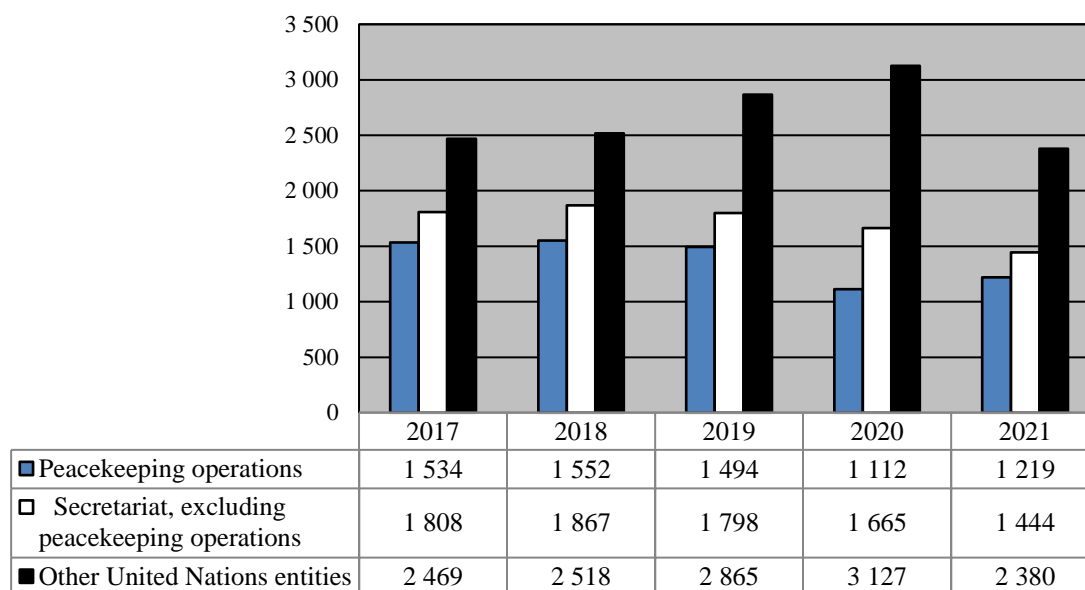
B. Financial disclosure programme

35. Established pursuant to staff regulation 1.2 (m) and (n), and Secretary-General's bulletin [ST/SGB/2006/6](#), the financial disclosure programme assists designated staff members in identifying, mitigating and managing conflict-of-interest risks. These risks may stem from their financial interests, personal affiliations or outside activities, or those of their immediate family members. Staff members who participate in the programme demonstrate that their personal interests do not influence the performance of their duties, thereby enhancing the credibility of the United Nations. Staff members at the D-1 level and above, whose principal duties involve procurement and investments or who have access to confidential procurement or investment information, and staff members of the Ethics Office are required to file statements. An external service provider, contracted by the United Nations, reviews their submissions.

36. During the 2021 filing cycle, 5,043 filers participated, representing a decrease of 861 compared with the 2020 cycle (see figure VII). The decrease in the number of filers resulted from the stricter application of guidelines provided by the Ethics Office in view of budget liquidity constraints faced by the Organization. In 2021, 818 (16 per cent) were first-time filers. Of the total, 5,040 (99.9 per cent) submitted their required disclosures, consistent with previously high submission rates. Three staff members who did not comply were referred to their heads of entity for accountability measures. In one case, the Ethics Office was informed that the concerned staff member was on extended sick leave until separation from the United Nations. The annex to the present report includes compliance data for 2021, broken down by entity, pursuant to General Assembly resolution [63/250](#).

Figure VII

Financial disclosure participation, by entity and filing year, 2017–2021



37. Of the 5,040 staff who submitted their disclosure statements, 46 (0.9 per cent) did not complete all the procedures required for the closure of their files. The required procedures included responding to requests for clarification or additional information, providing third-party documentation for verification, submitting related documents or implementing recommendations to manage possible conflicts of interest.

Compared with 63 incomplete cases in 2020, 46 represents a decrease of almost 27 per cent. Staff members whose files were not closed during a filing cycle will receive additional scrutiny, be referred to their heads of entity as appropriate or be reviewed as a priority in the following filing cycle.

38. As in the past, a random sample of approximately 5 per cent of the total filer population was selected to participate in the 2021 verification. Filers selected for verification were asked to provide third-party documentation for all items disclosed. By the close of the cycle, 94 per cent of the staff selected for verification had fully complied.

39. During the 2021 filing cycle, 152 filers (3 per cent) were identified as having a total of 173 possible conflicts of interest, and recommendations were provided for mitigating and managing them. Identified conflict situations may involve outside activities, financial interests, personal and family relationships, and other types of outside interests. As in previous years, recommendations on outside activities were the largest, with 84 recommendations (49 per cent), followed by 51 (29 per cent) on family relationships, and 37 (21 per cent) relating to financial activities. Filers were advised to take actions such as disclosing and seeking approval for outside activities from their heads of entity, implementing proactive recusals, resigning from leadership positions at non-United Nations entities, or ceasing to engage in outside activities. As of the closure of the cycle, 87.8 per cent of the recommendations were fully implemented, while the remaining 12.2 per cent were in the process of being implemented or were to be implemented. Pending recommendations will be monitored and followed up on in the following cycle until they are fully implemented.

40. Apart from Secretariat entities, a number of non-Secretariat entities opt to participate in the United Nations financial disclosure programme on a cost-sharing basis. Their participation contributes to enhancing consistency and a common approach to conflict-of-interest management, while taking advantage of economies of scale. As shown in figure VII, in 2021, 2,380 filers, or 47 per cent of the total filer population, were from other United Nations system entities.

41. In its resolution [70/305](#), the General Assembly decided that its Presidents should provide financial disclosure, in line with the United Nations financial disclosure programme, upon the assumption and completion of their duties. In 2021, the Ethics Office facilitated the submission of the financial disclosure statements of the President of the seventy-fifth session of the Assembly upon the completion of his duties and of the President of the seventy-sixth session upon the assumption of his duties.

42. Staff members at the Assistant Secretary-General level and above were invited again to participate in the annual voluntary public disclosure initiative of the Secretary-General. Summaries of their confidential disclosures were posted in batches on a rolling basis on the website of the Secretary-General³ beginning in December 2021. The initiative is intended to provide assurance to the public and Member States that senior officials are not influenced by their private interests in the performance of their official duties.

43. In 2021, of the 159 eligible senior officials, 135 (84.9 per cent) opted to participate in the voluntary initiative and had their public disclosures posted on the website of the Secretary-General. A total of 18 filers opted not to participate on the grounds of security concerns or respect for privacy, or for cultural or personal reasons, while 6 did not communicate their decision on whether to participate. Seven were ineligible to participate as their statement reviews were not completed at the time of

³ See www.un.org/sg/en/content/public-disclosure.

writing. The participation rate increased by 5.2 per cent compared with the 2020 initiative.

C. Protection against retaliation

44. Pursuant to the Secretary-General's bulletin entitled "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations" (ST/SGB/2017/2/Rev.1), the Ethics Office reviews requests for protection. The bulletin encourages individuals to report fraud, corruption and other potential misconduct without the fear of retaliation. It enhances protection for those who report misconduct (any violation of the Organization's regulations and rules by staff members) or wrongdoing (by any person, that would be harmful to the interests, operations or governance of the United Nations), and for those who cooperate with duly authorized audits or investigations. The ability to report misconduct or wrongdoing without fear of retaliation is a critical element to building an organizational culture of integrity, transparency and accountability.

45. In 2021, the Ethics Office received 128 enquiries under the policy, representing a 28 per cent increase compared with 2017 and a 7 per cent decrease compared with 2020. From January 2017 to December 2021, the Office cumulatively completed 161 preliminary determinations and referred 35 cases for investigation upon making a prima facie determination of retaliation. After investigation, the Office made 15 final determinations of retaliation during this period (see table 1 below).

Table 1
Protection against retaliation statistics, January 2017–December 2021

	2017	2018	2019	2020	2021
Referrals from OIOS for preventive measures	7	7	12	7	0
Completed preliminary review	22	39	36 ^a	30 ^b	34 ^c
Prima facie determination	10 ^d	6 ^d	13 ^d	3 ^d	3
Determination of retaliation after investigation	5 ^e	4 ^f	3 ^g	3 ^h	— ⁱ

^a Including one preliminary review that was initiated in 2018 and completed in early 2019.

^b Including three preliminary reviews that were initiated in 2019 and completed in 2020, one of which had been put on hold at the request of the staff member concerned.

^c Including one preliminary review that was initiated in 2020 and completed in early 2021.

^d Including one claim with respect to which the Ethics Office did not find a prima facie case of retaliation and the Office's determination was subsequently reversed by the alternate Chair of the Ethics Panel of the United Nations.

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

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

^g Including two claims that were initiated in 2017 and one claim that was initiated in 2018, with respect to which retaliation was established in 2019.

^h Including two claims that were referred for investigation in 2019 and one claim that was referred for investigation in 2020.

ⁱ The three claims that the Ethics Office referred to OIOS for investigation in 2021 were still pending with OIOS as at 31 December 2021.

46. In 2021, 84 of the 128 requests were for advice rather than for protection. Of the remaining 44 requests, 37 resulted in the initiation of preliminary reviews. Six were requests, by staff of the separately administered organs and programmes of the United Nations that are members of the Ethics Panel of the United Nations, for second-level reviews to be carried out by the Director of the Ethics Office in her

capacity as Chair of the Panel. Staff who raised concerns not covered by the policy were referred, as appropriate, to the Management Evaluation Unit, the Office of Staff Legal Assistance, the Office of the United Nations Ombudsman and Mediation Services or the Office of Human Resources. Staff were directed to file misconduct reports with OIOS or the responsible official, copying OIOS.

47. The Ethics Office initiates preliminary reviews of alleged retaliation 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. In 2021, the Ethics Office completed 34 preliminary reviews, as detailed in table 1. Of those, 31 did not present a prima facie case of retaliation (the majority of the underlying allegations of misconduct or wrongdoing were about workplace disputes or interpersonal conflict). The remaining three prima facie cases of retaliation were referred to OIOS for investigation. Upon referral, the burden of proof rests with the Administration to demonstrate by clear and convincing evidence that it would have taken the alleged retaliatory action even without the complainant's protected activity, or that the alleged retaliatory action was not taken to punish, intimidate or injure the complainant.

48. To safeguard the complainant's interests for the duration of the investigation, the Ethics Office may recommend to the Secretary-General interim protection measures. In one case, the Office recommended monitoring of the workplace situation with a view to preventing any retaliatory action. Following consultation, the complainants in the remaining two cases did not request interim protection measures.

49. After the investigation, the Ethics Office conducts an independent review of the findings and supporting documents to determine whether the Administration has demonstrated by clear and convincing evidence the shift in burden of proof. In 2021, the Ethics Office determined that the Administration had met its burden of proof, and retaliation was not established in five cases. All five complainants were from the same office and had made nearly identical claims of retaliation.⁴

50. The average time taken by the Ethics Office to conduct preliminary reviews, upon receipt of all the information requested, was 13.3 days. This is consistent with the 14.5-day average achieved in 2020 and is well within the policy's 30-day timeline.

51. In accordance with the policy, OIOS informs the Ethics Office, with the consent of the individual concerned, of any identified risk of retaliation upon receipt of a report of wrongdoing. In 2021, OIOS did not make any referrals under this policy provision.

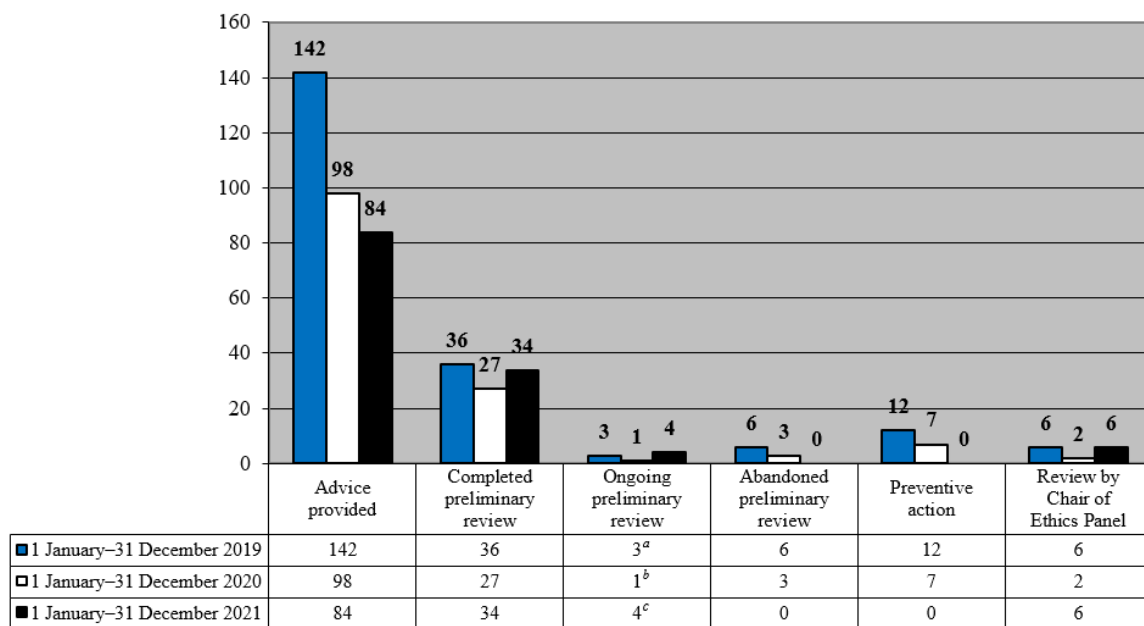
52. In 2021, five complainants sought review by the alternate Chair of the Ethics Panel of the determinations in which the Ethics Office had not found a prima facie case of retaliation. In all five cases, the Office's determination was affirmed.

53. In her capacity as the Chair of the Ethics Panel of the United Nations, the Director of the Ethics Office received six requests for review in 2021, 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 Chair concurred with the Panel members' determination in five cases. In the remaining case, the determination was reversed in part, and the Chair recommended that the case be referred for investigation.

54. Figure VIII presents all actions taken on enquiries relating to protection against retaliation from 2019 to 2021.

⁴ The five cases were referred for investigation in 2019; the Ethics Office received the investigation reports at the end of 2020 and completed its independent review in early 2021.

Figure VIII
Actions taken on enquiries relating to protection against retaliation, 2019–2021



^a 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.

^b The remaining preliminary review was completed in early 2021; the Office did not find a prima facie case of retaliation.

^c The four remaining preliminary reviews were completed in early 2022; the Office did not find prima facie cases of retaliation in three cases, and the fourth was referred to OIOS for investigation.

55. As required, an annual review and assessment of the policy was conducted. The review of the policy is ongoing.

D. Training, education and outreach

56. Given the ongoing pandemic-related restrictions in 2021, the Ethics Office continued to conduct ethics training, education and outreach in a virtual format. With the Office of Human Resources, where feasible, and other offices, the Ethics Office held or was invited to participate in eight virtual town halls. As in prior years, the Ethics Office shared annual broadcasts and iSeek articles on political activities, the financial disclosure programme and gifts during the holiday period.

57. The Ethics Office conducted 226 tailored ethics briefings, including 64 induction briefings for newly appointed staff at the level of Assistant Secretary-General and above, as endorsed by the General Assembly in its resolution 65/247, as well as for senior mission staff and resident coordinators.

58. The Ethics Office conducted virtual outreach sessions with the following missions and offices: the United Nations Office at Geneva, the United Nations Conference on Trade and Development, the United Nations Mission for the Referendum in Western Sahara, the United Nations Assistance Mission in Afghanistan, the Economic and Social Commission for Asia and the Pacific, the United Nations Multidimensional Integrated Stabilization Mission in Mali, the United Nations Interim Force in Lebanon, the Economic and Social Commission for Western Asia, the United Nations Office at Vienna, the United Nations Multidimensional Integrated

Stabilization Mission in the Central African Republic, the International Residual Mechanism for Criminal Tribunals, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, the United Nations Interim Security Force for Abyei, the Office of Administration of Justice, the United Nations Office at Nairobi, the United Nations Human Settlements Programme, the United Nations Environment Programme and the United Nations Assistance Mission for Iraq.

59. Although the Ethics Office continued to deliver virtual town halls during these outreach sessions, it also launched more targeted and participatory workshops on topics of interest, including conflicts of interest and protection against retaliation. Thirty-three of these sessions were held in 2021, with Ethics Office staff, who are based only in New York, holding sessions outside normal business hours to accommodate time differences.

60. The 2021 leadership dialogue was on the theme “Accountability system in the United Nations Secretariat: how do we understand and make it work?”. The dialogue – developed jointly with the Business Transformation and Accountability Division of the Department of Management Strategy, Policy and Compliance – aimed at fostering an understanding of how accountability in everyday United Nations operations helps personnel make better decisions, prioritize actions in the public interest and be held accountable for the exercise of the authority and management of the public resources entrusted to the United Nations. A total of 33,351 United Nations personnel participated, including 21,975 from Headquarters, 10,731 from field missions and 645 from other United Nations entities. The Ethics Office helped the United Nations Joint Staff Pension Fund and UN-Women launch their dialogues.

61. The Ethics Office used software to automate the collection of feedback and statistics from participants in the 2021 leadership dialogue. This enabled an expansive and detailed understanding of staff perceptions about the topic and an analysis of real-time participation data, and expedited the preparation of reports on the exercise.

62. The mandatory online course on ethics and integrity at the United Nations was completed by 12,733 participants in 2021, bringing the cumulative total to 56,979. Moreover, this online course content was shared with the United Nations Population Fund (UNFPA). The mandatory e-learning course on preventing fraud and corruption at the United Nations had been completed by a cumulative total of 36,023 participants by the end of 2021.

63. The Ethics Office collaborated with the United Nations System Staff College on the development of training modules that introduced the concepts of ethical leadership and ethical decision-making.

64. The Ethics Office website, available in all six official languages of the United Nations, was viewed 77,341 times, an indication of its relevance to staff and members of public alike.

E. Standard-setting and policy support

65. The Ethics Office continued to provide advice and support to other departments, offices and various United Nations entities in developing or updating policies and standards pertaining to ethics and integrity. During 2021, the Office participated in or commented on 27 policy and standard-setting matters, often involving multiple and ongoing consultations.

66. The Office provided inputs to enhance the consistency of ethics-related provisions in relevant Secretary-General’s Bulletins, including on post-employment restrictions, staff selection, the selection of resident coordinators and performance management. The Office also provided guidance on managing conflicts of interest for

specific staff groups, political activities and the induction package for senior officials, among other things.

67. The Office also provided significant and substantive inputs to the Joint Inspection Unit's ongoing review of the ethics function, and provided comments relating to the review of appeal mechanisms. It reviewed and made recommendations with regard to the questions related to integrity contained in the 2021 global staff engagement survey. In addition, the Office participated in a working group on the new United Nations Values and Behaviour Framework.

68. Upon request, the Office also provided policy inputs and exchanged experiences on ethics and integrity policy matters with other United Nations entities and intergovernmental bodies, particularly on managing conflicts of interest and reputational risks. The Office provided guidance in response to a request by the United Nations Joint Staff Pension Board for comments on its draft ethics policy.

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

69. The Ethics Panel of the United Nations is mandated to create a unified set of ethical standards and policies and to consult on complex ethics matters that have system-wide implications, as set out in Secretary-General's bulletin [ST/SGB/2007/11](#) and [ST/SGB/2007/11/Amend.1](#). Established in November 2007 and composed of the heads of the ethics offices of the Secretariat and separately administered organs and programmes, the Panel is chaired by the Director of the Ethics Office of the Secretariat.

70. The Panel held 11 formal sessions in 2021. The position of alternate Chair of the Panel was held by the Ethics Adviser of UNFPA from 1 September 2020 to 30 October 2021, and by the Chief of the Ethics Office of the United Nations Relief and Works Agency for Palestine Refugees in the Near East from 1 November 2021. She will hold the position until the end of 2022.

71. Pursuant to its terms of reference, the Panel reviewed the annual ethics reports of its members and exchanged information on the activities of their respective entities. The Chair led the Panel in considering ways to make their policies and programmes more effective and responsive to the needs of their respective organizations, particularly during the ongoing COVID-19 pandemic.

72. The Panel members consulted on how best to communicate advice and guidance to staff on outside activities, including political activities. They considered the use of special leave without pay by staff to take on temporary assignments in an international or intergovernmental organization, but concluded that a coherent approach to limiting this use was needed, given the specified nature of special leaves without pay. They discussed the increase in reports of serious wrongdoing and ways to redirect matters that could be resolved informally to other channels, such as the Office of the United Nations Ombudsman and Mediation Services.

73. The Panel exchanged information with regard to strengthening policies and procedures on addressing conflicts of interest. The members also considered ways to enhance the effectiveness of the financial disclosure and the declaration of interest programmes.

74. As part of its efforts to cultivate an organizational culture of integrity, inclusion and the promotion of human rights and equality, the Panel exchanged views on the approaches of independent offices to addressing challenging workplace issues. It considered the role of ethics offices with regard to organizational actions against racism and discrimination.

75. The members actively exchanged views and contributed their expert input to the review by the Joint Inspection Unit of the ethics function in the United Nations system. They also provided comments on the draft ethics policy of the United Nations Joint Staff Pension Board, at its request.

76. As staff worldwide were faced with the COVID-19 pandemic and flexible work arrangements, the Panel continued to exchange views on ways to strengthen outreach. It collaborated in the development and sharing of training and outreach content to ensure timely and consistent messaging and guidance on expected staff behaviour, and topics included outside activities, the personal use of social media, and gifts and honours.

77. With regard to the implementation of the policy on protection against retaliation for reporting misconduct or for cooperating with duly authorized audits or investigations, the members provided updates on the ongoing reviews of the policies of their organizations. They also considered standards and procedures for the review of protection against retaliation claims by the alternate Chair.

78. In accordance with the relevant terms of section 4.3 of Secretary-General's bulletin [ST/SGB/2007/11](#), the Chair consulted the Panel on her reviews of six retaliation cases, affirming five and partially reversing one. The ethics offices in question were recused from the reviews of their determinations in order to preserve the independence of the process. Pursuant to section 9 of [ST/SGB/2017/2/Rev.1](#), the alternate Chair received requests for review of five cases from Secretariat staff, affirming all (see table 2).

Table 2
Ethics Panel reviews of determinations of retaliation cases, 2017–2021

<i>Year</i>	<i>Chair reviews</i>	<i>Affirmed</i>	<i>Reversed</i>	<i>Alternate Chair reviews</i>	<i>Affirmed</i>	<i>Reversed</i>
2017	3	2	1	3	2	1
2018	9	7	2	5	4	1
2019	7 ^a	6	–	14 ^b	7	1
2020	4 ^c	1	–	8	10 ^d	1 ^e
2021	6	5	1	5	5	–

^a In addition to six Chair reviews, one initial preliminary review was conducted by the Chair, with the conclusion that there was no prima facie case of retaliation. That determination was reviewed by the alternate Chair and was upheld.

^b Three cases from the same office were referred back to the United Nations Ethics Office, as new evidence had been presented. The Ethics Office conducted new preliminary reviews, found prima facie cases and referred them for investigation. Following the investigation, the Ethics Office concluded that retaliation had not been established in all three cases.

^c One request for review by the Chair was abandoned in early 2021; in the other, the Chair upheld the no prima facie determination. In addition to the two Chair reviews, two initial preliminary reviews were conducted by the Chair. In one initial review, the conclusion was that there was a prima facie case and the matter was referred for investigation. Following the investigation, the United Nations Ethics Office concluded that retaliation had not been established. In the other initial review, the conclusion was that there was no prima facie case of retaliation.

^d In two cases, the complainants requested review in 2019. In two other cases, the complainants requested review in 2020 and the determination was issued in early 2021.

^e The complainant requested review in 2019. The initial determination made by the United Nations Ethics Office was reversed by the then alternate Chair, but a review by the subsequent alternate Chair upheld the initial determination.

79. As a follow-up to General Assembly resolution [63/250](#), the Secretary-General has been promoting collaboration on ethics-related issues within the United Nations common system. One initiative is the Ethics Network of Multilateral Organizations, established in 2010, through which entities of the United Nations system, affiliated

international organizations and international financial institutions exchange information and good practices for professional development and benchmarking. Its annual meetings bring together the senior-most professionals responsible for ethics functions among its membership. The Ethics Office participated in the thirteenth meeting of the Network, held virtually in July 2021 (part I) and November 2021 (part II) owing to the pandemic, hosted by the European Central Bank and chaired by the Pan American Health Organization. In addition, there was a separate meeting of the ethics officers of the entities of the United Nations System Chief Executives Board for Coordination to discuss issues of common interest in the United Nations system organizations.

VII. Conclusion

80. As shown above, despite the operational uncertainties that the pandemic brought in 2021, the Ethics Office provided a point of contact for staff on the standards of conduct and their application in various working contexts.

81. As the United Nations continues to adapt its operations to new opportunities and challenges, the Ethics Office must continue to successfully deliver on its mandate of assisting the Secretary-General in enhancing the Organization's culture of ethics, transparency and accountability. In doing so, it will need to rely on a strengthened independence, since, as noted by the Joint Inspection Unit in its report ([JIU/REP/2021/5](#)), independence is a prerequisite for the effective delivery of the ethics function's mandate.

82. **The General Assembly is requested to approve the recommendations for strengthening the independence of the Ethics Office, as outlined and explained in paragraphs 6 to 16 above, including: (a) the direct presentation of the annual report by the Ethics Office to the General Assembly; (b) an enhanced role of the Independent Audit Advisory Committee to oversee some of the work of the Ethics Office; and (c) raising the rank of the Head of the Office to the level of Assistant-Secretary General from the Director (D-2) level (starting with the next Head, if approved).**

Annex

Financial disclosure programme compliance level, 2021

<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	1	1	—
Cameroon-Nigeria Mixed Commission	2	2	—
Counter-Terrorism Committee Executive Directorate	4	4	—
Department of Economic and Social Affairs	53	53	—
Department of Global Communications	23	23	—
Department of Management Strategy, Policy and Compliance	36	36	—
Department of Operational Support	48	48	—
Department of Peace Operations	26	26	—
Department of Political and Peacebuilding Affairs, including special political missions	29	29	—
Department of Safety and Security	18	18	—
Development Coordination Office	128	128	—
Economic and Social Commission for Asia and the Pacific	23	23	—
Economic and Social Commission for Western Asia	16	16	—
Economic Commission for Africa	79	79	—
Economic Commission for Europe	12	12	—
Economic Commission for Latin America and the Caribbean	57	57	—
Ethics Office	12	12	—
Executive Office of the Secretary-General	26	26	—
Independent Investigative Mechanism for Myanmar	2	2	—
International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011	2	2	—
International Residual Mechanism for Criminal Tribunals	68	68	—
Office for Disarmament Affairs	7	7	—
Office for Outer Space Affairs	8	8	—
Office for the Coordination of Humanitarian Affairs	110	108	2
Office of Administration of Justice	3	3	—
Office of Counter-Terrorism	7	7	—
Office of Information and Communications Technology	10	10	—
Office of Internal Oversight Services	12	12	—
Office of Legal Affairs	23	23	—
Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States	4	4	—
Office of the President of the General Assembly	2	2	—
Office of the Special Adviser on Africa	4	4	—
Office of the Special Adviser on the Prevention of Genocide	1	1	—
Office of the Special Envoy of the Secretary-General for Burundi	3	3	—
Office of the Special Envoy of the Secretary-General for Syria	6	6	—
Office of the Special Envoy of the Secretary-General for the Great Lakes Region	3	3	—

<i>United Nations entity</i>	<i>Required filers</i>	<i>Completed filings</i>	<i>Non-compliant(s)</i>
Office of the Special Envoy of the Secretary-General for the Horn of Africa	2	2	—
Office of the Special Envoy of the Secretary-General for Yemen	14	14	—
Office of the Special Envoy of the Secretary-General on Myanmar	1	1	—
Office of the Special Representative of the Secretary-General for Children and Armed Conflict	1	1	—
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	1	1	—
Office of the United Nations High Commissioner for Human Rights	23	23	—
Office of the United Nations Ombudsman and Mediation Services	3	3	—
Office of the Victims' Rights Advocate	1	1	—
Peacebuilding Support Office	4	4	—
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	6	6	—
United Nations Assistance Mission for Iraq	61	61	—
United Nations Assistance Mission in Afghanistan	47	47	—
United Nations Assistance Mission in Somalia	8	8	—
United Nations Board of Auditors	1	1	—
United Nations Conference on Trade and Development	22	22	—
United Nations Integrated Office in Haiti	8	8	—
United Nations Integrated Transition Assistance Mission in the Sudan	7	7	—
United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant	2	2	—
United Nations Joint Staff Pension Fund	12	12	—
United Nations Joint Staff Pension Fund, Office of Investment Management	111	111	—
United Nations Mission to Support the Hedaydah Agreement	8	8	—
United Nations Office at Geneva	34	34	—
United Nations Office at Nairobi	45	45	—
United Nations Office at Vienna	14	14	—
United Nations Office for West Africa and the Sahel	4	4	—
United Nations Office on Drugs and Crime	58	58	—
United Nations Office to the African Union	5	5	—
United Nations Regional Centre for Preventive Diplomacy for Central Asia	1	1	—
United Nations Regional Office for Central Africa	3	3	—
United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory	2	2	—
United Nations Special Coordinator for Lebanon	4	4	—
United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority	4	4	—
United Nations Support Mission in Libya	17	17	—

<i>United Nations entity</i>	<i>Required filers</i>	<i>Completed filings</i>	<i>Non-compliant(s)</i>
United Nations System Chief Executives Board for Coordination secretariat	3	3	–
United Nations Verification Mission in Colombia	33	33	–
Subtotal (excluding peacekeeping operations)	1 444	1 442	2
Peacekeeping operations	1 219	1 218	1
United Nations bodies/agencies and others	2 380	2 380	–
Total	5 043	5 040	3