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UNFPA – Reports of UNDP, UNFPA and UNOPS Ethics Offices

United Nations Population Fund

Report of the Ethics Office 2019 *

Summary

This report is submitted to the Executive Board pursuant to paragraph 9 of Executive Board decision 2010/17: Reports of the Ethics Offices of UNDP, UNFPA and UNOPS. In accordance with the Secretary-General's bulletin entitled United Nations system-wide application of ethics: separately administered organs and programmes (ST/SGB/2007/11/Amend.1), the report was reviewed by the Ethics Panel of the United Nations in March 2020 and presented to the UNFPA Executive Director.

The report provides a summary of the activities of the UNFPA Ethics Office during 2019, and describes trends in the mandated areas of its work. It also provides recommendations to management to further strengthen the organizational culture of integrity and compliance.

Elements of a decision

The Executive Board may wish to take note of the present report, and welcome continued progress in the work of the UNFPA Ethics Office.

* Reissued due to the COVID-19 impact on meetings

I. Introduction

1. The present report, the 12th since establishment of the UNFPA Ethics Office in 2008, covers the 2019 calendar year. Pursuant to paragraph 9 of Executive Board decision 2010/17, the report, prepared in accordance with the Secretary-General's bulletin, "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11 as amended), is submitted to the Board at its annual session in 2020.
2. The Ethics Office supports the Executive Director in helping to ensure that all UNFPA staff and other personnel perform their functions consistent with the highest ethical standards required by the Charter of the United Nations, the Standards of Conduct for the International Civil Service, the Staff Regulations and Staff Rules, and UNFPA policies and procedures. The Ethics Office operates on principles of independence, impartiality and confidentiality. Its activities aim to promote an organizational culture based on shared values of integrity, accountability, transparency, professionalism, respect and tolerance.
3. This report describes the key activities undertaken by the Ethics Office in 2019. It also suggests ways to strengthen the organization's ability to maintain the ethical standards necessary for UNFPA to continue to deliver a world where every pregnancy is wanted, every childbirth is safe, and every young person's potential is fulfilled.

II. Activities of the UNFPA Ethics Office

4. As in previous years, the activities of the Ethics Office were undertaken in the following mandated areas of work:
 - (a) Providing confidential advice and guidance;
 - (b) Administering the financial disclosure programme;
 - (c) Taking responsibility for activities assigned to the Ethics Office under the policy for the protection against retaliation;
 - (d) Developing standards, training and education on ethics issues, and conducting ethics outreach, in coordination with relevant units of UNFPA and with the Ethics Panel of the United Nations (EPUN), to ensure that there is a uniform and consistent application of ethics-related issues in the United Nations system; and
 - (e) Providing guidance to management to ensure that the organization's rules, policies, procedures and practices reinforce and promote the highest standards of ethics and integrity required by the United Nations Charter and other applicable staff rules and regulations.
5. In furtherance of this mandate, the Ethics Office provided services on 309 occasions in 2019 (compared with 397 in 2018).
6. Figure 1 below shows that most of the 309 services provided in 2019 were advisory (186), followed by training-related (21) and standard-setting matters (14). Table 1 below summarizes the services provided by the Ethics Office over the most recent four-year period, 2016-2019.

Figure 1
Requests for services, by category, in 2019

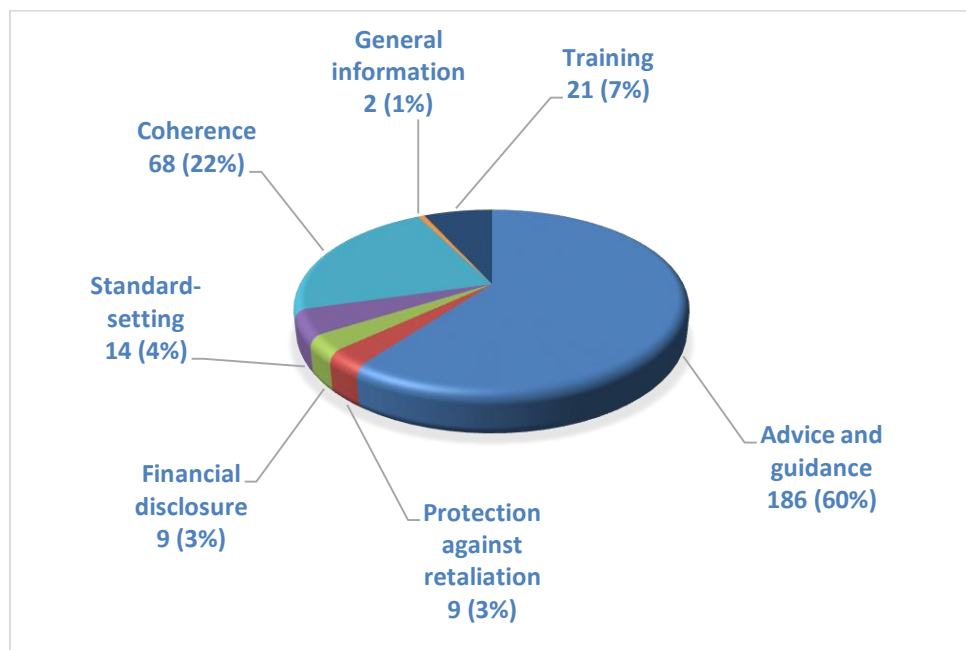


Table 1
Overview of services, by category, 2016-2019

Year	Advice and guidance	Retaliation	Financial disclosure	Standard-setting	Coherence	General information	Training	Total
2016	237	13	26	25	36	10	25	372
2017	280	5	24	33	61	3	37	443
2018	257	7	7	32	44	2	48	397
2019	186	9	9	14	68	2	21	309

A. Advice and guidance

7. Confidential advice and guidance matters constituted 60 per cent of the Ethics Office's caseload. Approximately 97 per cent of the requests came from fixed-term staff, while the remainder came from non-staff personnel and other third parties.

8. Requests for advisory services decreased from 257 in 2018 to 186 in 2019. The downward trend in 2019 may be related to the transition between the outgoing and incoming Ethics Advisers. Nevertheless, it warrants analysis and review by the Ethics Office in 2020, since this downward trend commenced in 2017. It is possible that limited capacity of the Ethics Office has impacted outreach activities and associated opportunities for personnel to engage with the Ethics Office.

Table 2
Requests for ethics advice and guidance, by geographic location, 2016-2019

Year	HQ	Eastern and Southern Africa	Western and Central Africa	Latin America and the Caribbean	Asia and the Pacific	Eastern Europe and Central Asia	Arab States	Total
2016	113	11	35	20	31	2	25	237
2017	133	16	9	26	74	10	12	280
2018	109	31	13	41	44	9	10	257
2019	90	15	10	9	32	18	12	186

9. Of the 186 requests for advice, 71 per cent (132 requests) concerned conflicts of interest issues (see table 3 below). Of these, 56 per cent (74 requests) related to participation in outside activities and employment, such as teaching assignments, volunteering, serving on boards of non-governmental organizations, and publishing articles or books. For about 43 per cent of these, formal permission from the Division for Human Resources (DHR) was required for the activity or employment. The staff member formally requested permission; the Ethics Office reviewed the request and advised DHR as to whether the activity presented a conflict of interest or posed other ethics concerns. For activities involving publication of materials, the Ethics Office often engaged the Division of Communications and Strategic Partnerships to review the draft publication to ensure there were no conflicts with the UNFPA mandate or presented a reputational risk.

10. Employment-related inquiries constituted 29 per cent (54 requests) of all advice. Most related to allegations or concerns about workplace conduct, including possible misconduct, harassment and sexual harassment. Many other inquiries involved fair application of policies. In addition to providing substantive advice, the Ethics Office often referred staff and other personnel to the Office of Audit and Investigation Services (OAIS), the Ombudsman for the funds and programmes, or the relevant human resources strategic partner or senior manager for further assistance.

Table 3
Requests for ethics advice and guidance by category

Category	Headquarters	Field	Total cases
Conflicts of interest			
– Outside activities	30	44	74
– Gifts, awards and hospitality	14	11	25
– Organizational conflicts of interest	14	1	15
– Other	4	14	18
Subtotal	62	70	132
Employment-related concerns			
– Workplace conduct issues	9	20	29
– Clarification of personnel-related policies	6	6	12
– Recruitment and promotion processes	4	6	10
– Other inquiries	1	2	3
Subtotal	20	34	54
Grand Total	82	104	186

B. Financial disclosure programme

11. Mandated by the Secretary-General, the financial disclosure programme is intended to help UNFPA to preserve and protect its integrity, thus building donor and public confidence in the organization and its staff. The programme is a primary tool for identifying and assessing conflict-of-interest risks arising from the private holdings and activities of staff and their immediate family members.

12. For the 2019 filing cycle, 515 staff were required to submit financial disclosure statements, covering the 2018 calendar year (see table 4). Of the staff required to file, 143 were based at headquarters and 372 were field-based. The staff members filing disclosures comprised 335 staff in managerial positions (65 per cent) and 180 support staff (35 per cent).

Table 4
Financial disclosure participation, by location and calendar year, 2015-2018

Year	Headquarters	Field	Total by year
2015	147	365	512
2016	132	371	503
2017	147	364	511
2018	143	372	515

13. Of the 515 staff members required to file, six left before submitting any form. Thus, 509 forms underwent a complete review. The Ethics Adviser reviewed each financial disclosure statement to ensure completion, and to consider whether any of the holdings or activities of the staff member or their immediate family members could present a conflict of interest, given the organization's mission and activities and the staff member's role.

14. Following review of the financial disclosure statements, the Ethics Office additionally subjected a random sample of 47 statements of the entire filing population to verification of their financial disclosures. This verification process allows the Ethics Office to ensure that staff members are diligently and accurately completing their financial disclosure statements, and detect when this is not the case. An outside firm retained by the Ethics Office reviewed the documentation submitted in support of the staff members' original disclosures. The selected staff were diversified by location, grade and function.

15. During the verification phase, 37 statements (79 per cent) were reviewed, verified and closed without noteworthy concerns. However, 10 staff members (21 per cent) were found to have assets or liabilities that they had not disclosed during the initial disclosure period, although no conflicts of interest were ultimately found.

16. The outside firm recommended that the Ethics Office: (a) continue to include in the verification exercise staff who state they have nothing to disclose; (b) notify those staff members who did not submit accurate or complete documentation in support of their financial disclosures that in the future they must accurately and completely disclose all requested information; and (c) revise the instructions in the financial disclosure system to further define what constitutes an 'asset', including specific reference to bank accounts. The Ethics Office notes that it has already implemented the first two recommendations.

17. External verification did not identify any conflicts of interest among the filers. Given this, the Ethics Office will review the financial disclosure programme in 2020 to determine if it is fit for purpose.

C. Protection of staff against retaliation

18. UNFPA is obligated to protect staff members who report misconduct, or who participate in an authorized fact-finding activity, from any actual or threatened detrimental action that they may face as a consequence of that report or their participation. The policy on protection against retaliation sets forth the prohibition against retaliation, the procedures for lodging a complaint, and the steps the organization may take to address retaliation. In 2019, the Ethics Office received three complaints of retaliation and six retaliation-related inquiries.

19. For each retaliation complaint, the Ethics Office undertakes a preliminary review to determine whether the complainant engaged in an activity warranting protection from retaliation and, if so, whether this protected activity was a contributing factor to the retaliation. If the Ethics Office determines that a *prima facie* case of retaliation has been established, the matter is referred to OAIS for investigation. Following completion of the investigation, the Ethics Adviser reviews the investigation report, discusses the report with the investigators, considers whether retaliation has occurred, and then makes appropriate recommendations to the Executive Director.

20. One complaint arose in the context of the staff member's referral of an allegation of misconduct (as required by his/her function) and a subsequent recruitment decision. The Ethics Office conducted a review and determined that there was insufficient evidence to refer the matter for investigation. A second complaint arose in the context of an allegation of misconduct and a subsequent performance assessments and recruitment decision. The Ethics Office made recommendations for protective measures and referred the matter for investigation. The third complaint did not relate to alleged retaliation and, as such, the Ethics Office advised the complainant to refer the matter to OAIS.

21. Of the six retaliation-related inquiries, one related to the efficacy of protective measures. The remaining queries related to the conditions that constitute retaliation and applicability of the policy to specific matters.

D. Training, education and outreach

22. The training, education and outreach programme of the Ethics Office aims to reinforce the core values and principles of the United Nations and the international civil service, increase knowledge of and compliance with ethics-related policies, and encourage staff and management to adhere to high ethical standards.

23. In 2019, the Ethics Office provided training and training-related services on 21 occasions (see figure 1 above).

24. This included 15 in-person sessions that reached approximately 317 UNFPA personnel. This included new heads of office, the focal points for human resources and for protection from sexual exploitation and abuse and sexual harassment, United Nations volunteers, new personnel and the Eastern Europe and Central Asia region. The Ethics Adviser conducted an outreach mission to the country office in Turkey, with topics covering core values, principles, expected behaviour and conflicts of interest; the staff code of conduct; ethics for non-staff personnel; ethics and social media; ethics and culture; and ethical leadership.

25. The Ethics Adviser also participated in the facilitation of cross-regional change management workshops with 60 personnel in Kenya and Dubai, specifically in the identification of the UNFPA culture through workplace narratives and visioning a culture of innovation, agility, results orientation and integration. The Ethics Office supports the culture change initiative, which will strengthen the enabling environment for adherence to UNFPA values and standards.

26. Compliance with the online training programme, “Ethics and Integrity at the United Nations Population Fund”, is at 50 per cent (1,976 completions out of 3,981 personnel tracked). This represents an increase from 21 per cent at the end of 2018. Spanish and French versions of the course were launched in 2019.

27. The Ethics Office published items on its ethics “community” site in 2019, including links to ethics resources and information, and insights on the prohibition of solicitation of help from Governments to advance one’s career.

E. Standard-setting and policy support

28. A key function of the Ethics Office is to provide guidance to management on ethics standard-setting so that the policies and practices of the organization reflect and promote the expectations of integrity, impartiality and fairness required of UNFPA and its staff. During the reporting period, the Ethics Office collaborated with other UNFPA offices on 14 occasions to review, provide input and seek clarification on new and revised organizational policies and procedures. This work included providing input to draft policies, reports and training packages; and responding to donor inquiries about UNFPA ethics practices and policies.

F. Coherence

29. The Ethics Office contributed substantially to coherence in the United Nations system in 2019 (68 activities up from 44 in 2018). Much of the coherence-related work of the Ethics Office involved interaction with EPUN, established under ST/SGB/2007/11/Amend.1. The Ethics Office participated in 10 official meetings of EPUN. In addition, the Ethics Office gave substantive input to other EPUN-related matters outside of EPUN meetings, and solicited advice from EPUN in return.

30. Further information on the work of EPUN will be provided in the upcoming Report of the Secretary-General on the activities of the United Nations Ethics Office.

31. The Ethics Office continued its active participation in the Ethics Network of Multilateral Organizations (ENMO). The Ethics Adviser attended the ENMO annual meeting in July 2019.

III. Observations and recommendations to management

32. The following observations and recommendations reflect on 2019, and recommend steps to further strengthen a culture of ethics and integrity in UNFPA and the United Nations.

33. The Ethics Office has highlighted for a number of years that its workload has expanded to the point of being at full capacity. To this end, the Ethics Office requested that senior management approve an increase of the size of the Ethics Office by one junior-level professional staff member in 2018. The incoming Ethics Adviser (October 2019) did not request additional resources, and instead decided to review the workload and resources needed, opportunities to partner in training and outreach with other organizations of the United Nations common system and within UNFPA. In the short and immediate term, the Ethics Adviser will work with senior management to respond to resource needs as identified.

IV. Conclusion

34. The Ethics Office in 2019 continued its practical approach to promoting a culture of ethical behaviour. In every interaction with staff and personnel, the Office has emphasized the importance of loyalty to the vision of the United Nations, and the values of independence, impartiality, and respect and tolerance. It is hoped that this approach will continue throughout 2020 and beyond.