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Report of the Secretary-General

Part II: Administrative and statutory matters

(f) Report on the ethics function

I. Introduction

1. In 2012, the ninety-fourth session of the Executive Council held in Campeche, Mexico, endorsed the proposal of the Secretary-General to apply ethical standards at the UNWTO against the benchmark applied by the United Nations and requested the Secretary-General to make the necessary arrangements with UNOPS for the creation of an ethics function at UNWTO starting on 1 January 2013 (decision 12(XCIV)).

2. The Executive Council further requested the Secretary-General to report annually to the Executive Council on the implementation of the ethics function in the previous year, "including the ethics officer's own report". Consequently, the Secretary-General presents in this document the activities conducted by the Secretariat for the implementation of the ethics function in 2013 and submits to the Executive Council the 2013 report of the Ethics Officer (Annex I of this document), Mr. David Mitchels, for its consideration.

II. Implementation of the ethics function at UNWTO in 2013

3. During 2013, an ethics office was established progressively in the Secretariat, in accordance with the terms of reference and implementation modalities described in document CE/94/3(III)(e) and approved by the ninety-fourth session of the Executive Council, as referred to above.

4. In particular, the activities of the Secretariat in 2013 for the implementation of this function included the setting up of the Office through appropriate mechanisms and the issuance of Administrative Circulars referring to:

- (a) the presentation, mandate and role of the Ethics Officer at UNWTO;
- (b) the adoption of a policy of protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations;



- (c) the adoption of a policy on accepting gifts, honours, decorations, favours or non-UN remuneration or benefits from governmental, non-governmental sources; and
- (d) the adoption of a policy on financial declaration statements that will start applying in 2014.

5. In addition, and pursuant to the large interest of UNWTO staff as expressed by the Staff Association, the Ethics Officer was invited to the Secretariat to hold face-to-face training sessions and individual meetings with staff in order to explain the role and activities of the Ethics Office and discuss ethical issues.

III. Actions to be taken by the Executive Council

6. The Executive Council is requested:
- (a) To recall its decision 12(XCIV) by which it decided to establish an ethics function at UNWTO;
 - (b) To take note of the report of the Secretary-General and of the report of the Ethics Officer regarding the activities implemented by the Ethics Office in 2013;
 - (c) To commend the progress made by the Secretary-General in applying ethical standards and encourage him to continue to implement the ethics function, in particular through the application of the financial disclosure policy; and
 - (d) To request the Secretary-General to report to the 100th session of the Executive Council on the implementation of the ethics function in the previous year, including the Ethics Officer's own report, and to remain available to consider any other report that may be submitted by the Ethics Officer.

Annex I. Report of the Ethics Officer on the activities conducted by the UNWTO Ethics Office in 2013

Activities of the UNWTO Ethics Office in 2013

Annual Report of the Ethics Officer

The present report is provided to the Secretary-General of the World Tourism Organization (UNWTO). The report covers the period from 1 January to 31 December 2013.

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I. Introduction

1. The present report is the first since the establishment of the Ethics Office as a separate entity in UNWTO.
2. In accordance with the Ethics Office mandate to promote the highest standards of integrity and to foster a culture of ethics, transparency and accountability within UNWTO, the present report provides an overview and assessment of the establishment and work of the Ethics Office in relation to its areas of responsibility over the reporting period.

II. Background and general information

3. During its ninety-fourth session in Campeche, Mexico, the Executive Council of UNWTO, by decision 12 (XCIV), endorsed the proposal of the Secretary-General to further apply ethical standards at UNWTO and in particular, to establish an ethics function, in line with the White Paper Implementation Plan and the benchmarks applied by the United Nations. The Ethics Function is aimed at promoting an ethical organizational culture based on integrity, accountability, transparency and respect. It is an internal personnel integrity management system, and as such, it is not directly linked with the activities of Ethics and Social Dimension of Tourism programme or the Global Code of Ethics for Tourism.

4. The Executive Council requested the Secretariat to insource the Ethics function to the United Nations Office for Project Services (UNOPS). Pursuant to that request, the Secretary-General concluded an agreement with the Executive Director of UNOPS in December 2012, the agreement being effective from 1 January 2013.
5. The agreement specified that UNOPS would establish an ethics function in UNWTO during 2013, to include the standards suggested by the United Nations Joint Inspection Unit (JIU) in its report Ethics in the UN System (JIU/REP/2010/3), with the addition of discretionary functions, as follows:

JIU suggested standards:

- (a) Ethics function established by a decision of the legislative body.
- (b) Terms of reference of ethics function to include:
 - (i) Development and dissemination of ethics standards;
 - (ii) Development and implementation of mandatory ethics training;
 - (iii) Provision of confidential ethics advice and guidance to all personnel of the organization whatever their contractual status;
 - (iv) Administering the organization's policy for the protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations (so-called "whistle-blower protection policy");
 - (v) Administering the organization's financial disclosure programme.

Additional functions agreed:

- (i) Receiving complaints of unethical conduct, including harassment, and advising on whether there appears to be a *prima facie* case thereof, and suggesting to management the best approach for handling the case;
- (ii) Using the ethics hotline to receive not just ethical issues in a narrow (i.e. JIU suggested) sense, but to receive all reports or complaints of misconduct, with appropriate referral;
- (iii) Assisting on mediating between staff if requested by the SG; and/or
- (iv) Assisting in the identification of suitable investigators where cases necessitate an investigation.

6. Following the agreement with UNOPS, David Mitchels (Ethics Officer, UNOPS) was designated by the Secretary-General as UNWTO's Ethics Officer.
7. The Ethics Officer reports directly to the Secretary-General, providing him with an annual report about the activities of the office.
8. In accordance with its core mandates, the Ethics Office assists the Secretary-General in ensuring that all personnel conduct themselves with integrity and professionalism and uphold the Charter of the United Nations. The Office furthermore seeks to nurture and sustain an organizational culture committed to ethics and accountability, with the aim of enhancing both the credibility and effectiveness of the United Nations.

III Activities of the Ethics Office during 2013

9. During 2013, all the activities required by the agreement between UNWTO and UNOPS, as described in the boxes shown under paragraph 5 above, were implemented.
10. Specifically, the Ethics Office's areas of responsibility now collectively support the Office's strategic objective of promoting an ethical organizational culture in order to enhance organizational integrity, accountability, efficiency and productivity.

A. Financial disclosure programme

11. The Ethics Office is mandated to administer the UNWTO financial disclosure programme (FDP) pursuant to Secretary-General's Circular NS/774, promulgated in Madrid on 22 November 2013, as a means of identifying, managing and mitigating personal conflicts of interest risks in pursuit of strengthening public trust in the integrity of the organization. Pursuant to the Secretary-General's Circular, and to advice from the Ethics Officer, personnel identified to be within the categories listed in the Circular will be required in 2014 and thereafter to file annual disclosure statements.

B. Protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations

12. On 14 June 2013, the Secretary-General promulgated Secretary-General's Circular NS/768 on 14 June 2013. The aim of the Circular is as follows:
 - (i) encouraging and protecting staff members who disclose information relating to misconduct that may not otherwise be discovered or cooperate with a duly authorized fact-finding activity;

- (ii) ensuring the Organization can effectively address such cases and manage risks; and
 - (iii) ensuring the Organization functions in a transparent and accountable manner with the objective of enhancing good corporate governance.
13. The Office receives complaints of retaliation and conducts preliminary reviews to determine whether a complainant engaged in a protected activity and if so, whether the protected activity was a contributing factor to the alleged retaliation. In the event that on the basis of its preliminary review the Office determines that there is a prima facie case of retaliation, the matter is referred for formal investigation.
14. Pending the completion of a referred investigation, the Ethics Office may recommend to the Secretary-General that interim protection measures be implemented to safeguard the interests of the complainant. The Office will make a final recommendation to the Secretary-General for his determination subsequent to receipt and assessment of the completed investigation report and evidential materials.
15. The effective implementation of the protection against retaliation policy remains an essential means of promoting an organizational culture that encourages staff to speak out against behaviour that places the reputation and standing of UNWTO at risk. In addition to the thorough and timely review of received retaliation complaint cases, the Office will continue to articulate the purpose, scope and availability of the protection-against retaliation-policy to staff. The Office considers raising awareness of the policy to be one means of preventing retaliation.
16. During 2013, the Ethics Officer received no requests for protection from retaliation under the Circular.

C. Outreach, training and education

17. In order to acquaint personnel with the ethics function, and the process for setting it up, the Secretary-General issued Circular NS/762 on 27 February 2013, entitled “Establishment of an Ethics Function”. This Circular explained to personnel the importance of the function, how and why it came to be established in UNWTO, and what its terms of reference were. Pursuant to the Secretary-General’s Circular, the Ethics Officer issued Communication 1/13 on 13 March 2013, introducing himself and the Office to personnel, and informing them of the functions that the office would perform. Contact details were provided, specifically a confidential telephone line, and a confidential email address.
18. The Ethics Officer established intranet pages to allow all personnel at UNWTO to see the mandate of the office, its terms of reference, and to give advice on specific ethical issues. Online ethics training was provided via the online learning programme “Integrity Awareness Initiative”, which is directed at personnel at all levels and focuses on core values and the standards of integrity to be observed

within the workplace environment. This training was made available to all personnel of UNWTO via a link on the intranet.

19. On 20 and 23 September 2013, the Ethics Officer provided face-to-face training to large numbers of UNWTO personnel in four sessions in Madrid. The Ethics Officer is grateful for the support and help he received from the UNWTO Administration and the Staff Association Committee in the organization of this training.

D. **Advice and guidance**

20. The ethics advisory function is a key element in the United Nations efforts to protect and bolster its reputation and standing. Pursuant to its advisory mandate, the Office provides confidential ethics advice and guidance to UNWTO personnel, management, and departments and offices in order to ensure that decision-making is consistent with the values, principles and rules of the United Nations. This function serves to prevent, mitigate and resolve actual or perceived conflicts of interest, and in so doing enhances the integrity of UNWTO and its personnel. Dedicated telephone and email help-lines have been made available for confidential advice.
21. Advice and guidance provided by the Ethics Office during the reporting period included clarification or interpretation of the UNWTO regulations, rules and standards concerning prohibited or restricted activities, and the situation and rights of collaborators in the organisation, and of course ethical dilemmas, including receipt of gifts and travel benefits. Through inter-agency consultation and coordination with the Secretary-General, the Director of Administration, the Head of Human Resources, the Legal Office and the Staff Association Committee (SAC), the Ethics Office has sought to ensure consistent approaches to the interpretation and implementation of organizational standards.

IV **The Ethics Network of Multi-Lateral Organizations**

22. In accordance with the United Nations' ongoing promotion of system-wide collaboration on ethics-related issues, including with United Nations specialized agencies and other interested entities, the United Nations Ethics Network was established on 21 June 2010. The Ethics Network was founded within the framework of the Chief Executives Board for Coordination (CEB) in order to promote system-wide collaboration and coherence in the area of ethics and integrity, with the participation of ethics officers and related professionals from the United Nations Secretariat and funds and programmes, the United Nations specialized agencies, and international financial institutions. The United Nations Ethics Network, subsequently renamed the Ethics Network of Multilateral Organizations (ENMO), held its fifth meeting in Paris in July 2013 and has held best practices discussions concerning the establishment and implementation of ethics training and surveys. The UNWTO Ethics Officer participated in the ENMO meeting.

23. Full information on the work of the Ethics Network is provided in the Report of the United Nations Secretary-General to the General Assembly of the United Nations on the Activities of the Ethics Office (document A/./...).

David Mitchels
Ethics Officer, UNWTO

4th March 2014