

Office of Ethics and Conduct (ECO)

ANNUAL REPORT 2020

INTRODUCTION

The Charter of the Office of Ethics and Conduct, IN/283 (Annex I), issued on 10 December 2020, sets out the purpose, authority and responsibilities of the Office of Ethics and Conduct (ECO), including the preparation of an annual report to be made available to all staff of the Organization. Accordingly, the present report provides an overview of the activities of ECO from the period 1 January 2020 to 31 December 2020.

MANDATE AND FUNCTIONS OF THE OFFICE

ECO's mandate is to promote ethical awareness and compliance, and ensure that IOM's rules, policies and procedures follow the standards of integrity called for in the IOM Standards of Conduct, including protection of staff against retaliation for reporting misconduct.

ECO carries out its functions under the principles of objectivity, impartiality, independence, confidentiality, and fairness. It conducts its activities with the highest levels of competence and integrity.

ECO's activities include:

- Assessing all allegations of retaliation and ensuring protection against retaliation, in accordance with the applicable procedures (IN/275);
- Advising on outside activities requests, gifts and honors, relatives in the workplace and other potential conflicts of interest (IN/15 Rev. 1 and IN/161 Rev. 1);
- Raising ethics awareness through proactive training and communication;
- Providing recommendations on submissions from senior managers and other relevant staff on conflicts of interest disclosure obligations;
- Developing new policies and providing support, as necessary, on existing policies that pertain to ethical behavior and standards of conduct;
- Providing guidance on enquiries related to the Standards of Conduct.

SUMMARY OF ACTIVITIES DURING THE REPORTING PERIOD

Figure 1 summarizes the activities carried out by ECO from 1 January 2020 to 31 December 2020. (For more details on each activity, see the separate sections below.)

Figure 1: Breakdown of 2020 Activities



DEVELOPMENT OF NEW POLICIES

The External Auditors in 2018 recommended that IOM Management develop a charter for the Office of Ethics and Conduct to outline its mandate, goals, authority, responsibilities and reporting requirements, as well as the appointment of Ethics Officers. During the reporting period, ECO coordinated a working draft with relevant internal units before receiving approval from the Director General to issue IN/283 - The Charter of the Office of Ethics and Conduct.

Based on another recommendation from the External Auditors to IOM Management in 2018 regarding the need to introduce internal procedures for disclosing staff financial interests, ECO also drafted, and is coordinating with other units, a Yearly Disclosure of Interest Statement, which includes Financial Disclosure.

In addition, ECO participated in the coordination process for the revision of IN/90, with the Human Resources Management (HRM), the Office of Legal Affairs (LEG), the Office of the Inspector General (OIG) and the Office of the Ombudsperson (OOM) (still ongoing).

INTERAGENCY COOPERATION

The Head of ECO participated in regular meetings with the Geneva network of Ethics officers. Meetings were held in preparation for the Joint Inspection Unit (JIU) "review of current state of the Ethics function in the United Nations", which took place during the reporting period. The JIU review aims to examine how

the Ethics function is established within the United Nations system and related organizations, taking into consideration the different organizational structures. The review will also examine what has changed since 2010, when the previous JIU review of the Ethics function was conducted.

Although IOM does not fall within the scope of JIU, the Head of Ethics was contacted by the JIU review team for an interview, which took place on 27 November 2020. The questions were on IOM and the Ethics function since it was established in 2014 regarding such topics as policy frameworks, mandate and independence.

All ECO officials took part in the 12th Ethics Network of Multilateral Organizations (ENMO) annual meeting held online from 8-10 July 2020, hosted by the World Bank. The agenda covered various topics. Among others, the organizations discussed practices in developing and launching new initiatives in the field of prevention of harassment, including awareness-raising campaigns, enhancement of prevention efforts, and training tailored to the specific role of bystanders.

In the framework of organizational ethics challenges, the organizations talked about the admissibility of secret recordings when one party to a conversation has not consented to such recording. The retaliation and whistleblowing policies of other ENMO organizations were discussed, and the considerations raised were particularly useful for ECO in developing the draft policy against retaliation. Further, emerging changes and innovations in Ethics training and awareness was presented and the organizations discussed initiatives to raise awareness and educate staff in new and novel ways beyond standard on-line or classroom workshops.

As part of the background work carried out in preparation for drafting the policy on protection against retaliation, ECO reached out to other UN agencies to learn how they handled retaliation. Through ENMO contacts, exchanges were held with UNIDO and IAEA.

ECO also reached out to sister agencies while doing research on financial disclosure and declaration of interests. Exchanges were held with UNIDO, IAEA, WIPO and ILO.

Liaison with other UN agencies: ECO was contacted by the IFRC ethics division and arrangements have been made to have a dialogue between the two organizations to talk about how ethics are dealt with. WTO contacted ECO to enquire about sharing an ethics officer. Although this proposal was not pursued given the different organizational structures, ECO invited WTO to participate in one of the training webinars, in order to familiarize themselves with IOM's approach to conflicts of interest and the Standards of Conduct.

OFFICE STRUCTURE AND RESOURCES

The Office of Ethics and Conduct is made up of a Head of Ethics, two Integrity Officers and an UG professional officer. The ECO team has developed extensive training and outreach experience and is increasing its expertise in dealing with retaliation cases. Queries are received from missions worldwide on all matters related to the Standards of Conduct, IN/15 Rev. 1, particularly on conflicts of interest.

The year 2020 was significant as on 31 July 2019, with the issuance of IN/275, the IOM Internal Justice system was modified. Previously ECO had been the unit that received all intake of misconduct allegations and conducted preliminary assessments. With the release of IN/275 this changed, and all the in-take was

transferred to OIG, except for retaliation cases which remained with ECO. A review of all pending cases- was carried out and ECO worked closely with OIG on some of the overlapping cases, until the backlog was eliminated.

ECO participated together with OIG and GCU in the management of the *We Are All In* platform, as well as in the IOM Headquarters Task Force on the Prevention of Sexual Exploitation and Abuse working group. ECO was also prepared to participate in joint trainings with OOM and GCU, however, due to COVID-19 pandemic these did not take place.

ECO is constantly reviewing its training methods and adapting it to the needs of missions worldwide and collaborating closely with other units such as OOM, GCU, OIG and HRM, to ensure IOM staff are better able to understand and apply policies and guidelines on ethics and conduct in their daily work.

ACTIVITIES DURING THE REPORTING PERIOD

1. Conflicts of Interest

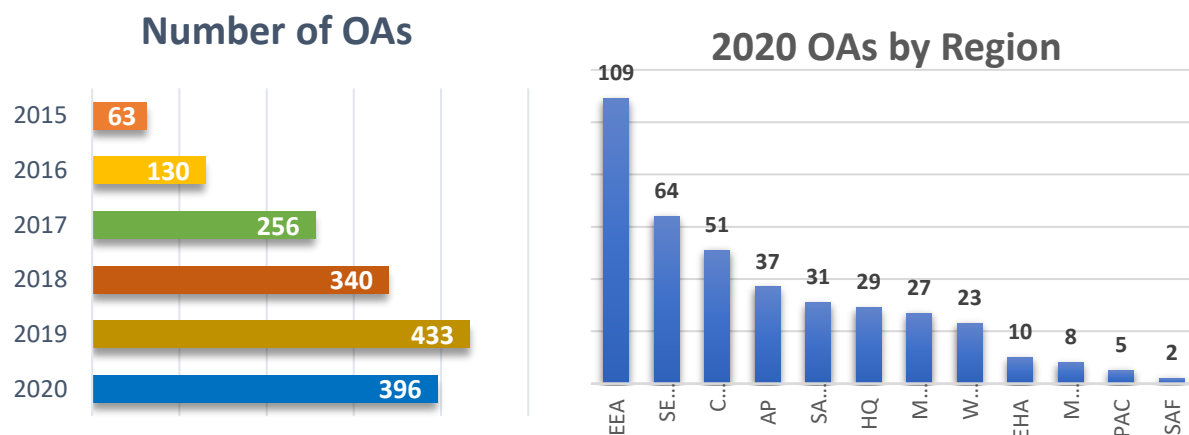
1.a Advising on outside activities

Art. 545 and 546 of the Standards of Conduct state that *“International Civil Servants should devote their energies fully to the work of IOM. Therefore, it is improper for IOM staff members to engage without prior authorization in any outside activity, whether remunerated or not, that interferes with the obligations or is incompatible with their status. ECO shall decide whether the undertaking of such office or employment is compatible with the proper discharge of the duties of the staff member with the Organization [...] Activities such as teaching or producing books or articles for publication on matters of official concern are governed by this same consideration and are to be approved, in advance, by the Office of the Director General through the Ethics and Conduct Office (ECO)”*.

Total Inquiries Processed

In 2020 ECO received 396 requests from staff members representing 2% of all IOM personnel worldwide seeking approval to engage in outside activities. Headquarters staff reported at the highest rate, 6%, while the African and MENA regions all showed request rates less than 2% of their staff numbers.

Figure 2: Details of Outside Activities (OAs)



Actions Taken by ECO

ECO approved 321 requests and denied 20, for a 94% approval rate. The most common denials involved activities that were political in nature or dealt with migration.

The remaining 55 requests were a mix of general inquiries and activities that were outside of ECO's mandate (and which ECO referred to other units, as appropriate). A small number of requests were still pending or under consideration at the end of the year.

Notable Trends

2020 saw a drop in the number of outside activity requests by 8.5% in comparison to 2019, breaking a previous trend that saw year-on-year increases since ECO began tracking outside activities in 2015. It is possible that this reduction was one consequence of lower activities in many sectors due to the global COVID-19 pandemic.

The requests came from 123 different missions. This reflects a 19.4% increase from 2019 (103), indicating greater awareness among staff members that they should consult ECO before engaging in activities outside of IOM.

It is notable that a substantial 21% of requests originated from Spanish-speaking missions in Central and South America, in comparison to only 15% in 2019. The increase in reports from these missions could be attributed to the Spanish language ethics webinars that ECO introduced and delivered to over 800 participants in 2020.

1.b Advising on Relatives in the workplace

On 20 January 2020, IN/161 Rev. 1 *Close Relatives in the Workplace* was issued, describing the applicable rules on recruitment and placement of relatives in IOM, in order to avoid any risk of perception of favoritism, nepotism, actual or perceived family influence or conflict of interest, in accordance with IN/15 Rev.1, the Standards of Conduct. The instruction applies to all IOM personnel employed by or working for IOM worldwide, whether internationally or locally recruited, regardless of the type or duration of the contract, including interns, secondees, consultants, escorts and individuals holding hourly contracts.

The instruction requires that all new applicants should report within their selection process any close relative, other relative or spouse who works for IOM, or who works for a donor, vendor, government, third party contractor or any other organization associated with IOM.

Following the same lines, existing IOM personnel are required to disclose to their respective supervisors and HR Focal Point, as soon as they became aware that a close relative, other relative, or spouse has applied, been selected, or holds any position at IOM, regardless of the type or duration of the contract.

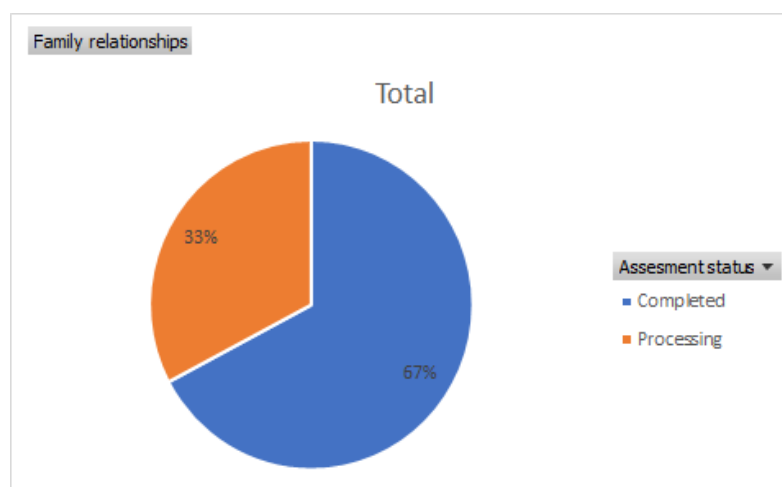
Likewise, all IOM personnel are required to declare to ECO any personal relationship that could lead to a conflict of interest. In this regard, ECO would advise whether, depending on the individual circumstances, such relationship would need to be disclosed formally.

According to IN/161 Rev. 1, all IOM personnel were requested to disclose prior to 29 February 2020 all their existing relationships to ECO as required in paragraphs 7.3-7.7 of IN/161 Rev. 1 by filling out Annex 1.

Total Inquiries Processed

During the reporting period, ECO received 741 Declaration Forms from IOM personnel worldwide, corresponding to 516 family relationships.

Of these 516 family relationships declared, 347 follow the requirements established by IN/161 Rev. 1, and the remaining 169 relationships are still in process of being reviewed by ECO, IOM missions, MAC and PAC.



ECO worked closely with IOM missions, MAC and PAC in 72 selection processes regarding candidates with declared family relationships within the Organization.

Notable Trends

It is worth mentioning that in the 73 different missions with family relationships among IOM staff members, the most common relationship among staff is the one of spouses (170), followed by staff members with close relatives (167).

Those missions which have large numbers of family members are located in West and Central Africa. This region, together with the East and the Horn of Africa, continues to delay in collaborating with ECO to find mitigation measures, as most cases are still pending.

ECO believes that this delay may be attributed to the changes in working methods resulting from the COVID-19 pandemic; however, ECO urges these regions to continue to collaborate and coordinate efforts to resolve outstanding issues.

1.c Advising on Gifts and Honours

Every year ECO reminds colleagues that the IOM Standards of Conduct provide that receiving a gift in connection with work can create or appear to create an obligation to the giver. To avoid such situations, staff members are not allowed to receive gifts in their official capacity.

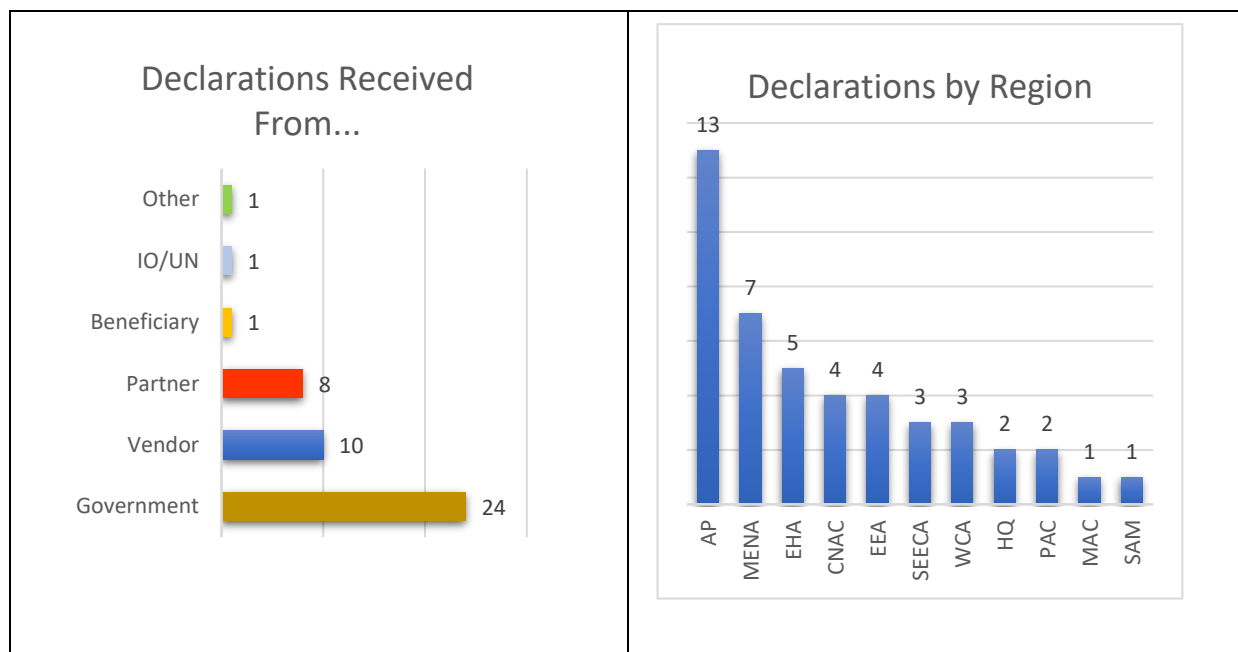
Gifts received on behalf of IOM should be promptly declared to ECO. Guidance about gifts may be found in IOM's Standards of Conduct (IN/15 Rev. 1) and the Unified Staff Regulations and Rules.

Total Inquiries Processed

During the reporting period, ECO handled 45 declarations of gifts and honors.

The region submitting the most declarations was Asia and the Pacific. In contrast, the Southern Africa region made no gift declarations to ECO in 2020. It is notable that this region did not report any gifts in 2019, either.

Figure 3: Details of Gifts and Honors Declarations



ECO Action

Most gifts were of nominal value and approved by ECO at a rate of 82%. ECO denied 7% and provided advice on the rest. The largest number of gifts and/or honors were from governments. When the gift was from a vendor, ECO approved it when it was of nominal value, while advising the mission involved to inform the vendor not to send any more gifts in the future.

1.d Other conflicts of interest

ECO received a small number of queries from missions around the world and colleagues at Headquarters concerning real or perceived conflicts of interest, such as disclosure of confidential data and collaborations with private and academic partners.

2. Assessing allegations of retaliation

According to IN/90, *“Retaliation means any direct or indirect detrimental action recommended, threatened or taken because an individual raises concerns, makes a complaint or assists in providing information about harassment or abuse of authority. Retaliation could occur because a staff member has reported an irregular practice, wrongdoing or misconduct. Proven cases of retaliation against staff will be treated as a separate case of misconduct and will be subject to disciplinary action”*.

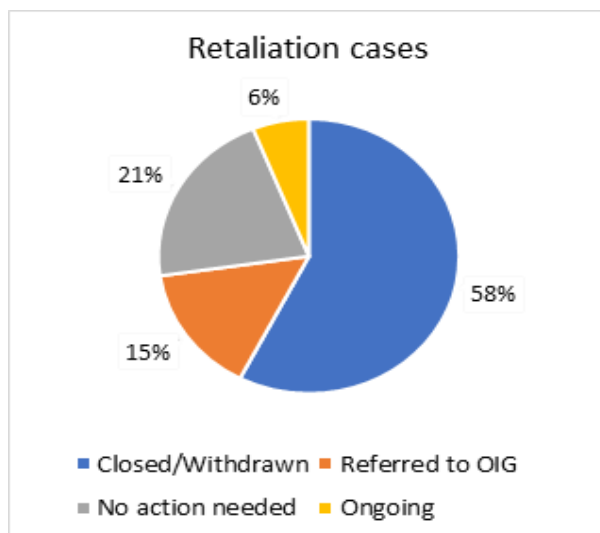
ECO is mandated with receiving allegations of retaliation while all other allegations of misconduct must be reported to OIG directly (IN/275 of 31 July 2019). Staff members may submit a complaint of retaliation by contacting ECO in writing, or by using the online platform www.weareallin.iom.int. Complaints should be factual and contain as much specific and verifiable information as possible. ECO seeks this information from the complainants by asking preliminary questions.

During the reporting period, ECO received 16 allegations of retaliation, representing a 23% decrease compared with 2019. In 2020, ECO processed 33 allegations of retaliation, of which 17 were complaints that had been submitted in 2019. Five cases did not contain any retaliation components and were treated as enquiries. In two cases, the complainants abandoned their claims.

In reviewing retaliation complaints, ECO conducts a preliminary assessment to determine whether there is prima facie evidence of retaliation. If ECO determines this to be the case, it refers the matter to OIG for investigation and notifies the complainant accordingly. Of the 24 preliminary assessments initiated in 2020, 16 cases were closed for lack of prima facie evidence, while in three cases, the complainants expressly withdrew their complaints. ECO referred five retaliation cases to OIG for investigation. As of 31 December 2020, two retaliation cases are ongoing¹.

ECO offers confidential and impartial advice in order to help staff members assess whether or not certain facts may constitute retaliation and which mechanisms are available to address their concerns. Staff raising concerns other than retaliation are referred, as appropriate, to the OOM, LEG, HRM and OIG. If ECO becomes aware of an immediate risk to the safety and security of the complainant, ECO either notifies the IOM Office of Staff Security (OSS) or advises the complainant to do so directly. ECO also can refer staff to the Staff Welfare Officer in cases of stress or other mental health issues.

¹ The 2018 JIU report provides statistics for other organizations in the period 2012-2016: *“Across the 18 organizations with reported cases of retaliation, prima facie evidence was determined to be found in just over one fifth (22.3 per cent). It is worth noting that in the seven small organizations prima facie evidence was not determined to be found in a single instance, while in medium and large organizations, prima facie evidence was determined to be found in 41 and 20 per cent of retaliation cases respectively.”*



In 2020, ECO prepared a draft policy on Protection against Retaliation, which is in process of being coordinated with other units. The new policy on Protection against Retaliation aims to encourage the reporting of potential misconduct without the fear of retaliation and provide an enhanced framework for reporting retaliation. In preparation for the policy, ECO held exchanges with other UN agencies and related organizations.

3. Awareness Raising and Training Activities

Raising awareness of IOM's policies on ethical conduct is one of ECO's major activities. In 2020, faced with global travel bans resulting from the global COVID-19 pandemic, ECO shifted its training focus from face-to-face trainings to webinars with expanded offerings in Spanish and French in addition to English. This period was also used to update the online training modules and develop a new program on the revision of IN/90. ECO also actively collaborated on training and outreach initiatives with other units, including the Gender Coordination Unit, the Office of the Ombudsperson, Staff Development and Learning and the Staff Welfare Office. In addition, taking advantage of the rollout of the new intranet, ECO produced materials for that platform to promote its training activities and raise awareness of retaliation.

Online Training

On 13 February 2017, ECO launched the e-learning training, Ethics and Conduct at IOM: *The Values We Share*. The course, available in English, French and Spanish, is based on the Standards of Conduct (IN/15 Rev. 1) and seeks to build understanding on why integrity and ethical conduct are important for IOM and its staff. It also promotes awareness of our responsibility to uphold IOM standards in our day-to-day work with beneficiaries, partners and colleagues. After completing this course, learners can better prevent, recognize and address misconduct. The training is mandatory for all IOM staff and non-staff members.

In 2020, ECO undertook an update of the online training to reflect *inter alia* the change in its mandate since the implementation of IN/275. The revised version will be released in January 2021.

As of 31 December 2020, a total of 14,479 people had completed the training since its inception, while approximately 5,000 others were in progress.

PLATFORM	In Progress	Passed	Sub-Total
Video Arts	1,070	8,644	9,714
i-Learn	3,048	4,940	7,988
E-campus	830	895	1,725
TOTAL	4,948	14,479	19,427

Face-to-face Training

To complement the online training, which has a wide reach but limited retention, ECO has successfully offered face-to-face training, called “*Let’s Talk Ethics*”, on the Standards of Conduct since 2016. In 2020, however, travel restrictions from March onward resulting from the COVID-19 pandemic, severely limited ECO’s ability to deliver live trainings.

Remote Training

In 2020 ECO turned to remote “webinars” to continue delivering ethics trainings to staff worldwide. The 4-hour live training format was converted to “*Let’s Talk Ethics Webinar*” - a 3-hour program split into two parts in order to take into account the attention span of participants. To improve retention of information, ECO increased the interactive elements of the training with expanded use of online tools that allowed for instant polling, games and question-and-answer sessions.

Spanish and French language webinars were also introduced, allowing ECO to reach more colleagues in their native languages. In total, ECO delivered more than 40 webinars to 2,408 IOM personnel this year.

Training of Trainers (TOT)

For large missions or those where English is not commonly spoken, ECO has a customized three-day training program that provides learners with the information and skills needed to give the Let’s Talk Ethics program to the colleagues in their mission. After successful completion of the TOT, the new trainers are asked to provide local training, while ECO provides contemporaneous and/or follow-up support for any issues that may arise during local trainings.

Since 2018, ECO has given the TOT to 39 trainers in 11 missions (Bangladesh, Colombia, Egypt, El Salvador, Greece, Jordan, Myanmar, South Sudan, Thailand, Ukraine and the USA). Although ECO was unable to offer any TOT training in 2020 due to the pandemic, graduates in the field from previous years delivered ethics training to 133 of their colleagues.

New Training Programs

In 2020, ECO collaborated with other units on an updated version of IN/90, which is expected to be ready in early 2021. In anticipation, ECO worked with an adult learning expert to develop a remote training program to familiarize staff members with the revised policy.

Other Awareness Raising Activities

In addition to training, ECO undertook other activities to enhance awareness of ethical issues among IOM staff members. Taking advantage of the ubiquity of the intranet as a tool for internal communication, ECO updated the information on its intranet page and developed a series of promotional materials for the platform, including, anti-harassment videos in English, Spanish and French, and a digital poster on retaliation. For the first time, ECO made its annual report accessible and included an easy-to understand infographic summary.

ECO also designed a “pop-up” to advertise its training programs on the intranet’s home page, which resulted in increased inquiries from missions in the field.

Finally, ECO began work on a new awareness campaign on retaliation for implementation in 2021.

CONCLUSION

In 2021 ECO will continue to promote ethical awareness and compliance across the Organization to ensure standards of integrity are followed, in line with the IOM Standards of Conduct.

The strong emphasis on addressing the issue of retaliation will continue, with an effort to raise awareness among colleagues on what retaliation is, and how to avoid it in the workplace. As soon as the new policy is finalized and shared widely, ECO will establish Standard Operating Procedures to clarify how cases are to be processed.

ECO will continue the successful WebEx training sessions that it initiated in 2020, with a view to reaching colleagues in all three official languages of the Organizations.

ANNEX I

Charter of the Office of Ethics and Conduct (ECO)

I. Introduction

1.1 This Charter provides the framework for the function of the IOM Office of Ethics and Conduct (ECO). ECO was established in 2014 in line with the Director General's commitment towards professionalism, accountability and transparency, and with a view to uphold IOM's fundamental principle of "integrity", as enshrined in the IOM Constitution (Article 15).

1.2 ECO is an integral part of the Office of the Director General (ODG) and reports to the Director General.

II. Mandate and functions

2.1 ECO's mandate is to promote ethical awareness and compliance, and ensure that the IOM rules, policies and procedures follow the standards of integrity called for in the IOM Standards of Conduct (IN/15 Rev.1), including protection of staff against retaliation for reporting misconduct.

2.2 ECO's activities include:

- Assessing all allegations of retaliation and ensuring protection against retaliation in accordance with the applicable procedures (IN/90, IN/275 and IN/282);
- Advising on outside activities, gifts and honours, relatives in the workplace and other potential conflicts of interest (IN/15 Rev.1 and IN/161 Rev.1);
- Raising ethics awareness through proactive training and communication;
- Providing recommendations on submissions from senior managers and other relevant staff on conflict of interest disclosure obligations;
- Developing new policies and providing support as necessary on existing policies that pertain to ethical behaviour and standards of conduct; and
- Providing guidance on enquiries related to the standards of conduct.

2.3 ECO makes recommendations to the Director General, Deputy Director General, and senior management on all matters related to ethics or those derived from its activities.

III. Enabling Environment

3.1 IOM is committed to fostering an organizational culture of ethics and an inclusive and harmonious work environment. The IOM senior management adheres to ethical principles,

recognizes, and supports ECO as a key institutional function for achieving results and accountability. The IOM senior management ensures that rules, policies, and procedures are adopted that provide for the independent and efficient functioning of ECO.

IV. Principles

4.1 ECO carries out its functions under the principles of objectivity, impartiality, independence, confidentiality, and fairness. ECO conducts its activities with the highest levels of competence and integrity.

Independence

4.2 ECO is functionally independent, exercises its judgement independently and operates without interference from parties internal or external to the Organization, without improper influence or external control and risk of retaliation.

4.3 Ethics Officers conduct their work impartially, without the risk of adverse effects on their contracts or career development and are able to express freely their opinion. The independence of ECO requires access to information. In order to effectively carry out its functions, ECO may request this information from the appropriate units.

4.4 ECO has full access to senior management in the Organization and is available to the Organization's governing body, if required.

Conflict of Interest

4.5 Ethics Officers must not engage in any situation which could create a potential conflict of interest. Ethics Officers should not have a personal stake in the resolution of any issue brought to the office, either in view of a previous involvement in the matter or a personal interest.

4.6 Ethics Officers shall disclose to the Head of ECO in a timely fashion any actual or potential conflict of interest they may have in an activity in which they are participating or situation where they are asked for advice. In such cases, the Head of ECO will recommend appropriate action to address the conflict as necessary.

4.7 The Head of ECO shall disclose any actual or perceived conflict of interest that may arise in the performance of their function to the Director General.

Confidentiality

4.8 ECO respects the rights of individuals to provide information and seek guidance in confidence, while making them aware of the scope and limits of confidentiality. ECO should obtain consent from the individuals prior to sharing any confidential information.

4.9 ECO ensures that sensitive data is protected and safeguards any non-public information associated with its functions, in compliance with the Organization's rules, policies and procedures.

V. Reporting

5.1 An annual report highlighting the activities of the ECO is available to all staff of the Organization.