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Abbreviations and acronyms

AC	Administrative Circular
ADG	Assistant Director-General
ADP	Annual Disclosure Programme
COF	consultant official of the Organization
CSH	Human Resources Division
CSF	Finance Division
CSLH	Health Services
D	Director
DDG	Deputy Director-General
ENMO	Ethics Network of Multilateral Organizations
ETH	Ethics Office
FDP	Declaration of Interest and Financial Disclosure Programme
GS	General Service
IAEA	International Atomic Energy Action
JIU	Joint Inspection Unit
LEG	Legal Office
NPO	national professional officer
NPP	national project personnel
NSHR	non-staff human resources
OER	Office of Emergencies and Resilience
OIG	Office of the Inspector General
OMB	Ombuds Office
Р	Professional
PSA	personal services agreement
PSEA	protection against sexual exploitation and abuse
RAF	Regional Office for Africa
RAP	Regional Office for Asia and the Pacific
REU	Regional Office for Europe and Central Asia
RLC	Regional Office for Latin America and the Caribbean
RNE	Regional Office for the Near East and North Africa
SSC	Shared Services Centre
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
WIPO	World Intellectual Property Organisation
WPP	Whistleblower Protection Policy



2022 in numbers







revised Outside Activities Policu finalized



2 guidelines published





3 videos produced

9 briefings

2 webinars

three-day *Ethics* event held



FAO personnel

submitted annual disclosure statements



Executive summary



- ▼ This report presents the advisory and preventive work of the Ethics Office of the Food and Agriculture Organization of the United Nations (FAO) undertaken in 2022, under the following areas: Advice and Guidance, Annual Disclosure Programme, Protection against retaliation Whistleblower Protection Policy, Standard setting and policy advocacy, and Training, awareness raising and advocacy.
- ✓ Based on the work undertaken in 2022 and in the Ethics Office's efforts to support the Organization's achievement of an ethical workplace, the Ethics Office wishes to draw attention to some observations which are detailed in the following full report. These concern the following areas: gender equality and equity; psychological safety and speak-up culture; protection against retaliation; outside activities versus activities done in an official capacity; inappropriate sexual behaviour; organizational conflict-of-interest risks; ownership of ethical decision-making; and improving FAO's culture of accountability. The Ethics Office will use the observations to inform its priorities of work in the short and longer terms.
- ▼ To help foster ethical conduct and increase awareness across the Organization, the Ethics Office carried out a wide range of activities, from providing advice and guidance on ethics-related matters, sharing input to standard setting and policy, to developing advocacy and awareness raising tools and offering dedicated briefings.
- The Ethics Days, celebrated in March 2022, was a major awareness raising success and part of the Ethics Office's efforts to

- advocate for an ethical work environment.

 Other advocacy and communication activities undertaken by the Ethics Office include the development of intranet articles and videos, as well as delivery of briefings and webinars.
- ▼ The Annual Disclosure Programme was revised in 2021 with an enhanced focus on identifying conflicts of interest. The programme was successfully implemented in 2022 for the reporting year of 2021.
- ▼ The Ethics Office handled 428 contacts in 2022, the majority of which concerned queries on outside activities, conflicts of interest and standards of conduct. A number of contacts concerned issues outside of the Ethics Office's mandate or required intervention from other units; such contacts were referred to other offices.
- ▼ The Ethics Office received six reports of alleged retaliation but none of them met the criteria set out in the Whistleblower Protection Policy. Other contacts were made referring to retaliation that were in fact requests for guidance on other matters. Further awareness raising is required to clarify the scope of the Whistleblower Protection Policy, and it is also recommended that work be undertaken to address the fear of reprisal and enhance protection from abuse of authority and harassment, for instance by strengthening the provisions and application of Administrative Circular 2015/03.
- Operational responsibility for protection from sexual exploitation and abuse (PSEA) transitioned to the Office of Emergencies and Resilience in 2022, with Deputy Director-General Laurent Thomas designated as PSEA Champion.





Introduction



This report presents a summary of the activities carried out by the Ethics Office of the Food and Agriculture Organization of the United Nations (FAO) from January to December 2022. The report is organized according to the main areas of work: Advice and guidance; Standard setting and policy advocacy; Training, awareness raising and advocacy; Annual Disclosure Programme;

Source: Developed by the Ethics Office.

Protection against retaliation; and United Nations (UN) coherence. It commences with observations around challenges and opportunities.

All figures and tables in this report have been elaborated by the Ethics Office based on FAO internal data.



Barskoon, kyrgyzstan © FAO / Min



Mandate and mission

The Ethics Office was established in December 2009, pursuant to resolution 1/2008 of the 35th (Special) Session of the Conference, in November 2008. From 2012 to 2016, an Ethics Committee acted as an advisory panel on ethics matters. In 2014, the position of Ombudsman/Ethics Officer was created, located under the Legal Office (LEG) for administrative purposes.

In April 2019, the 161st session of Council endorsed the proposal in the Programme of Work and Budget 2020–21 to separate and enhance the Ombudsman and Ethics functions. In March 2020, an Ethics Officer took office, cementing the separation of these two functions.

The Ethics Office is mandated to foster a culture of integrity, transparency, and accountability to enable all personnel to perform their functions in accordance with the highest standards of conduct and to come forward without fear of retaliation when they witness misconduct.

Senior Management has been supportive of the Ethics Office's activities, with the Director General setting the tone at the top that personnel's wellbeing and ethical conduct are priorities in FAO.

The Ethics Office has had the opportunity to interact with the Oversight Advisory Committee throughout the year both formally and informally. The Office has benefitted from the Committee's insight and suggestions on how to address some of the challenges related to the Ethics Office's mandate. Furthermore, the Ethics Office has appreciated the Committee's guidance on areas of improvement to allow for enhanced effectiveness of this Office.

Statement of independence

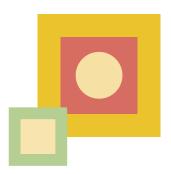
The Ethics Office collaborated with LEG, the Human Resources Division (CSH) and the Office of the Inspector General (OIG) to address certain cases. Nevertheless, the advice and opinions provided by the Ethics Office remained independent of Management and aspired to protect the interests and reputation of the Organization as well as those of the individuals concerned.







Observations



FAO, like other international organizations, is making efforts to ensure achievement of **gender equality** and equity. Key to consider is that the unequal representation of women in higher ranks can inevitably have an impact on building a culture of psychological safety, as the Ethics Office has been able to deduce from some of the contacts this year. The Ethics Office encourages the Organization to continue striving for gender equality and equity at all levels, considering how gender disparity can be a catalyst for perpetuating systemic indirect discrimination. Low female representation amongst leadership positions can lead to women feeling excluded from decision-making processes.

Flexible working arrangements may help facilitate gender equality, and the Ethics Office welcomes the Organization's openness to continuing its flexible approach to the working arrangements.

The Ethics Office continues to advocate for a healthy and robust speak-up culture, which requires that psychological safety is established. Speaking up entails feeling comfortable in sharing ideas or concerns and reporting misconduct, without negative repercussions, and helps to create an ethical work environment. Psychological safety can be built by demonstrating and accepting vulnerability, and minimizing fears about making mistakes. Psychological safety does not mean that there are no consequences for poor conduct or inadequate performance, but rather that the environment is such that people are not hindered by interpersonal fear. A speak-up culture will often be premised on:

- less internal hierarchical protocols, as these create hurdles for smooth, timely and relaxed dialoguing and sharing;
- employment security, as volatile contractual arrangements and lack of access to internal

- justice mechanisms most often leave personnel without stable employment more vulnerable (the Organization's ratio of affiliate personnel to staff is almost 80/20);
- a tolerance for different communication styles in ensuring healthy two-way communication where personnel have awareness of their own emotions and the emotions of others;
- promotion by leadership of behaviours that strengthen a healthy workplace and sense of community.

Efforts to create psychological safety must be done at all levels of the Organization. The Ethics Office has therefore collaborated closely with other units, specifically the Ombuds Office (OMB) and OIG, for instance through joint missions, to highlight how the Organization addresses internal justice from various aspects and to ensure that personnel feels empowered to reach out to them when in need. The Ethics Office continues to work closely also with other internal stakeholders such as CSH and LEG to identify solutions to legacy issues, on policy design and outreach.

Psychological safety is facilitated where the work culture accepts **active bystander** intervention because inappropriate behaviour is addressed, even if not directly called out, before it escalates and colleagues know they are supported when they find themselves in difficult situations. Active bystander intervention can help address instances of **discrimination**, such as racist micro-aggressions, and it is the Ethics Office's consideration that further work should be undertaken to help personnel develop the needed capacities to intervene when they witness such behaviour.

¹ In 2022, the total Affiliate Workforce (NSHR) was 11 248; total staff workforce was 3 258.





While the Ethics Office continues to strengthen awareness and outreach efforts aimed at promoting a healthy workplace, it is our consideration that FAO would benefit from an all-encompassing Equity and Anti-Harassment Policy that more adequately addresses how personnel can avoid discriminatory behaviours, and how a psychologically safe environment can be created, by highlighting not only what the inappropriate behaviours are, but also defining acceptable behaviours for achieving a respectful work environment. Such a policy could be used to clearly express the Organization's intention to welcome diverse ideas and opinions, as they are catalysts of innovation and change. The Ethics Office avails itself to support the development of such a policy, possibly in the context of the CSH-led review of the Policy on Harassment, Sexual Harassment and Abuse of Authority.

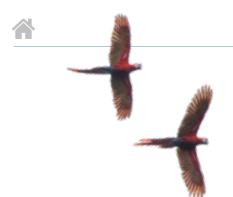
The Ethics Office continues to receive requests for protection against retaliation for situations that are not covered under the Whistleblower Protection Policy. The policy provides that to be protected against retaliation, the claimant must have engaged in a protected activity and the retaliatory act must have happened as a consequence of that activity. While this formulation would appear to be logical and a fair demarcation, the policy is nevertheless often misconstrued to mean that personnel are protected from any form of reprisal, for instance due to interpersonal conflicts. Such conflicts can be spurred by uncivil or rude behaviour, where the claimant may wish to seek support from the Ombuds Office on how to approach a solution, but may also be demonstration of harassment or

abuse of authority, in which case, the claimant may wish to make a formal report about the situation to OIG, so the matter may be investigated.

Personal conflicts of interest, such as family relations in FAO or FAO partner organizations appear to be fairly frequent amongst FAO personnel, and it is our consideration that there may be a number of assumptions that can explain this:

- Some countries or geographical areas are very sparsely populated meaning there is a higher chance that many in the population are related or closely connected.
- b. Nepotism, favouritism and other such behaviours may be more pronounced in certain geographical areas for instance due to socioeconomic conditions or cultural norms.
- c. Romantic or other personal relationships formed prior or during the FAO employment either with FAO colleagues or representatives of FAO partners and other stakeholders may give rise to conflicts of interest.

The Ethics Office also continues to receive a number of requests for engagement in **outside activities** from FAO personnel, where these activities should be done in an **official capacity** as representatives of FAO. The Ethics Office considers that there would be value in issuing clear guidelines on the criteria for determining official capacity participation or representation. The Ethics Office is currently in consultation with LEG on this matter.



The Ethics Office commends the Heads of Office who have demonstrated exemplary responsibility in relation to reports of inappropriate sexual behaviour. Such behaviour, often broadly categorized as "sexual harassment" is complex, firstly because the behaviour may range from a brief remark to repeated physical advances and, secondly, because there may be situations in which the alleged perpetrator has no reasonable idea that they are inducing discomfort by their actions, or where they genuinely believe the feelings they are demonstrating are mutual. Nevertheless, the victim's perception must be validated and the situation handled promptly, including providing options to the victims as to the way forward and psychological support.

As FAO continuously seeks to increase partnerships and collaborations with external entities, the Ethics Office considers as important the timely identification of potential Organizational conflictof-interest risks. Further, proactive management of Organizational conflict-of-interest risks in private sector partnerships could begin with establishing what FAO's appropriate risk appetite will be as it relates to private sector partners. The Ethics Office has had informal bilateral discussions with stakeholders on this topic, and will continue these discussions in relation to the scheduled conflict-of-interest mapping exercise in 2023.

The Ethics Office encourages all personnel to take ownership of their ethical decisions as FAO's integrity and sound reputation can only be achieved through the everyday actions of all personnel across the Organization arising from the ethical decisions they make. Whilst the Ethics Office is mandated to foster an ethical work environment, ethical decisionmaking is alone something the Ethics Office can only provide advice and guidance on; the Ethics Office cannot do this for or on behalf of the Organization.





Similarly, a strong ethics and integrity culture is not founded by headquarters alone; Decentralized Offices have an important role to play in mainstreaming ethics across the Organization. Based on the Ethics Office's observations and analyses of the types of contacts across the various regions, targeted advocacy activities that meet each region or office's particular needs have been undertaken. To continue these efforts in 2023 visits to specific Regional Offices are planned.

Further, to continue improving FAO's culture of accountability, it is essential that clear roles and responsibilities are outlined at all levels, performance management is done effectively

and efficiently, and transparency characterizes the Organization's methods of work. Managers throughout the Organization have a greater responsibility to contribute to this as they are the pacesetters of the tone within their teams.

All observations made in this report will inform the awareness raising and advocacy work of the Ethics Office in 2023.

The Ethics Office sees itself as trusted advisor and therefore greatly appreciates the opportunities to provide advice and guidance to personnel and Management across FAO and looks forward to continuing the collaboration into 2023.







Management and resources



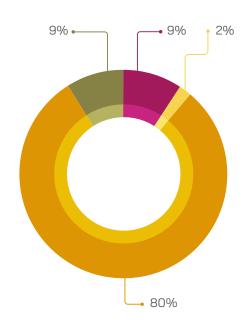
The Ethics Office recruited a P-3 staff member (Regular Programme) in September 2022 and therefore now counts three (3) staff members: one Senior Ethics Officer (P-5), one Ethics Officer (P-3) and one Ethics Assistant (G-4). Consultants or interns are recruited as and when needed for specific time-bound tasks.

The late 2022 onboarding of the P-3 resulted in budgetary savings that the Ethics Office spent on advocacy tools for awareness raising and visibility purposes.

Some activities that had been planned for 2022 were not carried out due to reasons outside of the Ethics Office's control, but it is hoped that they will be carried out in 2023. Nevertheless, the Ethics Office spent approximately 90 percent of its 2022 allotment (USD 554 990 out of USD 614 445) by quickly adapting to the situation and shifting priorities around.

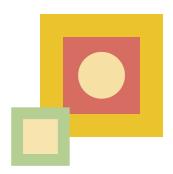
The Ethics Office encourages pulse feedback on all the advice and guidance that the Office provides to personnel through the "Customer thermometer" application that is embedded in outgoing emails. In the reporting period, 106 responses were received with 89 percent of respondents being very happy (gold light) or happy (green light) with the support provided (Figure 1). The red and yellow alerts amounted to 11 percent. The negative feedback is given anonymously and without any further comments, however, it is assumed that negative feedback feedback may also indicate situations where the respondent was dissatisfied with the outcome of their request, for instance if they requested permission to engage in a certain outside activity and the Ethics Office recommended non-approval. Only about one in four contacts provided feedback, which may be because a number of contacts were made by the same management representatives. In 2023, the Ethics Office will periodically review the effectiveness of using the application, as the feedback in 2022 did not give substantially informative insight, but alone a snapshot of contact satisfaction.

Figure 1 Percentage of Customer thermometer feedback on FAO Ethics Office advice and guidance, 1 January — 31 December 2022





Advice and guidance

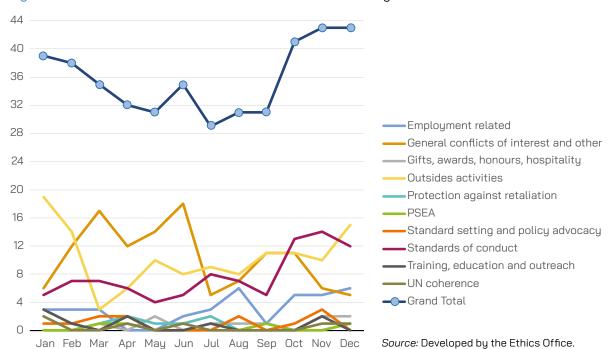


The Ethics Office had 428 contacts in 2022,² corresponding to 35.7 per month and with a fairly steady trend over the year (Figure 2). Some of the contacts required significant time for analysis and response, whereas others were handled expeditiously, for instance, where referral to other units was suggested. For 308 of the contacts (72 percent), responses were provided within one or two days from receipt of all relevant information, whereas the remainder were responded to within three to seven days, or within the requested deadline.

Contacts are recorded in a confidential database and categorized based on the main issue that they concern.

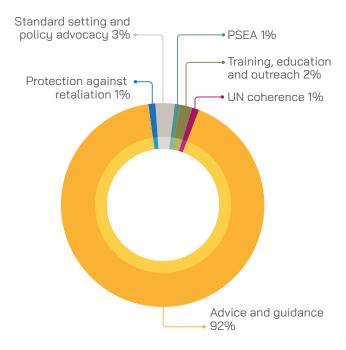
The vast majority of contacts concerned "Advice and guidance" (Figure 3). Under this category, three subcategories accounted for 80 percent of all contacts (Figure 4): "Outside activities" (29 percent), "General conflicts of interest" (29 percent) and "Standards of conduct" (22 percent). There was no discernible difference between the genders in terms of the types of contacts, except for "General conflicts of interest", where approximately twice as many men than women contacted the Ethics Office (Figure 5a). We can also discern that the majority of contacts were made by or regarding affiliated personnel (i.e. 167 contacts against 143 contacts made by or regarding staff members) (Figure 5b).

Figure 2 Trend of contacts to the FAO Ethics Office over the year 2022



² FAO had 14 506 employees in total in 2022.

Figure 3 Percentage of contacts by category



Source: Developed by the Ethics Office.

In regards to the subcategory "Standards of conduct" (Figure 6a), it is noticeable that more women than men contacted the Ethics Office in almost all areas concerning interpersonal issues such as "Harassment" (8 women; 5 men) and "Respect/treatment" (9 women; 4 men), whereas far more men than women (10 men; 1 woman) contacted the Ethics Office regarding "Fraud". The contacts regarding "Fraud" primarily concerned irregularities in procurement processes or operations (e.g. delivery of agricultural input), impersonations by external individuals for personal gain, fraud by candidates in recruitment processes and allegations of fraud undertaken by staff members. Out of the 19 contacts regarding "Fraud", the Ethics Office deemed, prima facie, that 13 required investigation by OIG. Figure 6b shows the contractual modalities and gender of contacts in this subcategory. While there is not a substantially important difference in contacts between the genders overall, we can triangulate the information with human resources data for the Organization.

Figure 4 Percentage of contacts by subcategory

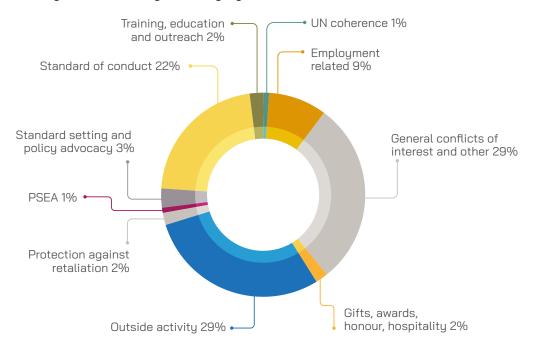
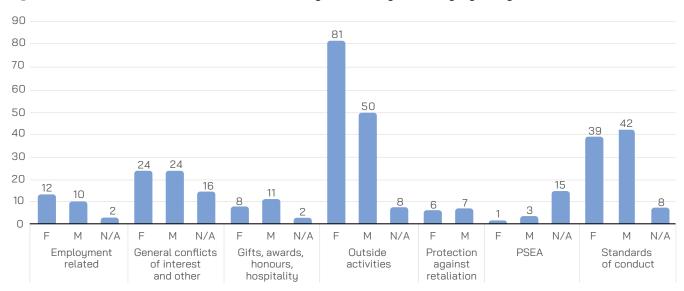




Figure 5a Number of contacts under "Advice and guidance" by subcategory and gender



Source: Developed by the Ethics Office.

Figure 5b Number of contacts under "Advice and guidance" by subcategory and contract type

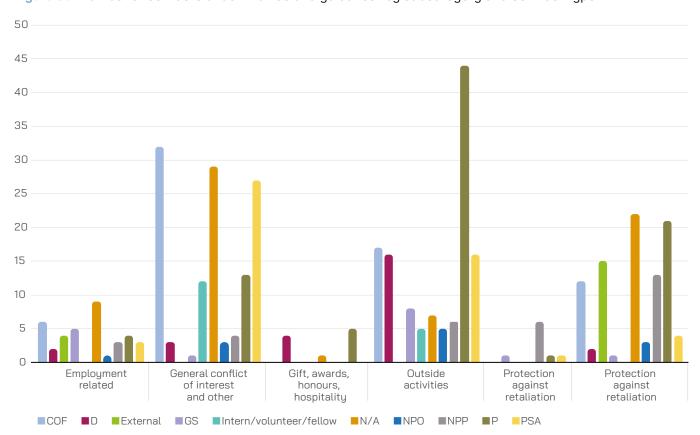
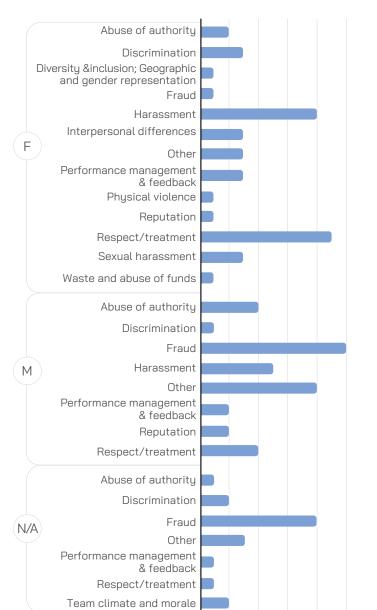






Figure 6a Number of contacts under the subcategory "Standards of conduct" by details and gender

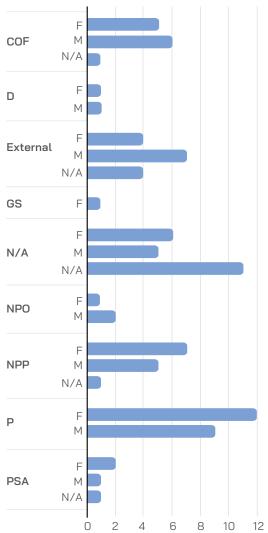


6

8

10

Figure 6b Number of contacts under the subcategory "Standards of conduct" by contract type and gender



 $\label{eq:Source:Developed} \textit{Source:} \ \mathsf{Developed} \ \mathsf{by} \ \mathsf{the} \ \mathsf{Ethics} \ \mathsf{Office}.$



We note that slightly more women than men in the Professional (P) category contacted the Ethics Office, and as women account for 46 percent of the P category, we can conclude that there is a higher number of women proportionally who have brought concerns about standards of conduct. Similarly, the number of women and men consultants (COFs)³ who have contacted the Ethics Office is practically identical, despite women only accounting for 39 percent of all COFs in the Organization.⁴

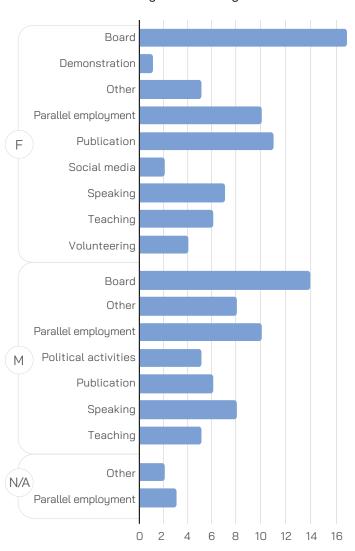
N/A indicates that Management or an external to FAO contacted the Ethics Office.

Three contacts concerned "sexual harassment", with two detailing situations that could constitute harassment and one contact requesting further information on the subject. One contact under sexual harassment regarded input to the Annual Survey on Reporting of Sexual Harassment. Only women contacted the Ethics Office about sexual harassment.

Contacts under "Outside activities" have typically concerned personnel requesting permission to sit on boards, issue publications, or participate in speaking engagements or teaching activities (Figure 7). Proportionally more women (63 contacts) than men (56 contacts) sought assessments of "outside activities" requests. Several contacts concerned circumstances where the Ethics Office considered the activity should be undertaken as part of the requester's official role in FAO.

A number of contacts concerned "parallel employment" which are situations where FAO wishes to recruit a consultant or subscriber who is also employed elsewhere. The Ethics Office provides an independent review of actual, potential or appearance of conflict of interest connected to the requests. The hiring manager or the member of personnel may request authorization for the

Figure 7 Number of contacts under the subcategory "Outside activities" by details and gender



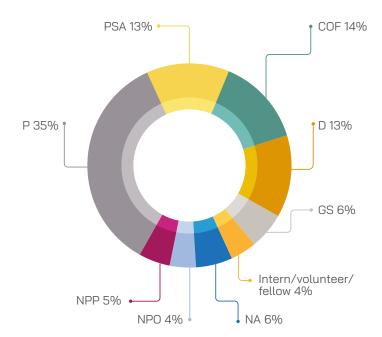
activity also where the Ethics Office's assessment was not supportive, as Management will consider other aspects, such as operational continuity. There is no statistically meaningful difference between the genders in this subcategory.

Consultant officials of FAO.

⁴ Please refer to the CSH Annual Report for 2022 for details on human resource data.

As to who requested assessments of outside activities, including parallel employment, Figure 8 demonstrates that 36 percent were Affiliate Workforce (COF, PSA, Intern/volunteer/fellow, NPP), whereas 58 percent of contacts were made by staff members (D, P, GS, NPO). It should be noted that the Ethics Office records contacts regarding parallel employment with the details of the individual concerned, also where the individual is not yet under contract but where details of the expected contract are available. This practice is followed so that a record of the individual is kept for any future reference. However, some contacts were made on behalf of management without indicating details of the individual the request concerned, meaning these were not reported under specific contract categories.

Figure 8 Percentage of contacts on "Outside activities" by contract type



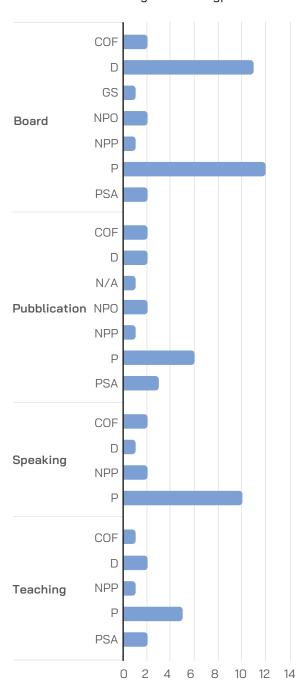
Source: Developed by the Ethics Office.

Figure 9 shows that it was primarily staff members in the P category who requested assessments for the most popular outside activities mentioned above. Also a number of staff in the D category requested permission to sit on "Boards". Despite the high number of GS staff in the Organization, they accounted only for a minimal part (4 percent) of these contacts.

As can be evinced from Figure 10, most of the "General conflicts of interest" contacts concerned the recruitment of COF and PSA who were government employees. These include individuals employed in national research institutes, organizations fully or majorly funded by governments, and government entities. In most instances, FAO sought to recruit the individuals for specific timebound contracts and often on a "when actually employed" basis (e.g. for 20 days over three months). In all but these cases (as not practical where the individual only works a limited number of days for FAO), the Ethics Office requested that the individual take special leave without pay. The Ethics Office will also normally ask that the candidate presents evidence to FAO that the government entity does not foresee a conflict of interest with the FAOengagement. This requirement is to ensure that FAO has confirmation that the concerned external entity is aware of and in agreement with the contract. All individuals are also guided by the Ethics Office about their obligations of independence while working for FAO, in accordance with the Standards of Conduct for the International Civil Service. While these situations, i.e. where government employees are being recruited, actually constitute parallel employment, they are accounted for under General conflicts of interests and not Outside activities, due to the higher conflict-of-interest risk that they represent.



Figure 9 Number of contacts about specific "Outside activities" by contract type



Source: Developed by the Ethics Office.

Figure 10 Number of contacts on specific "Conflicts of interest" by contract type

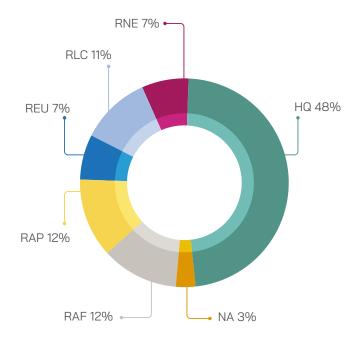


"Personal conflicts of interest" might include situations where FAO or ex-FAO personnel have a vested interest in a procurement or letter-of-agreement process, for instance where the representative of the implementing partner previously worked for FAO and thus has an added advantage over other bidders. Others concern situations where FAO personnel used their FAO role to pursue private interests, such as promoting own or family businesses or activities. In all cases, there was indication that the situation could place the individual in circumstances where their independence and neutrality towards FAO could be questioned. The contacts that did not concern personnel currently under contract are indicated by "N/A".

Only few contacts concerned "**Gifts**" which, in the Ethics Office's view, may indicate under-reporting in this area. In this context FAO's Gifts Policy is currently under review.

Almost half of all contacts were made by colleagues based at headquarters, with the remaining half divided between the other regions (Figure 11).5 "N/A" indicates contacts by externals where it was not possible to discern the region. Figure 12 details the categories of contacts made in headquarters and the Decentralized Offices, respectively. Many requests for "Outside activities" assessments came from headquarter-based personnel, which may be understandable as it was only in December 2022 that the Administrative Circular (AC) 2022/14 was issued, clarifying the need for affiliated personnel also to request assessments, and headquarters has a larger number of staff members, proportionally to the other regions. However, the numbers could also indicate under-reporting in some regions.

Figure 11 Percentage of contacts by FAO region

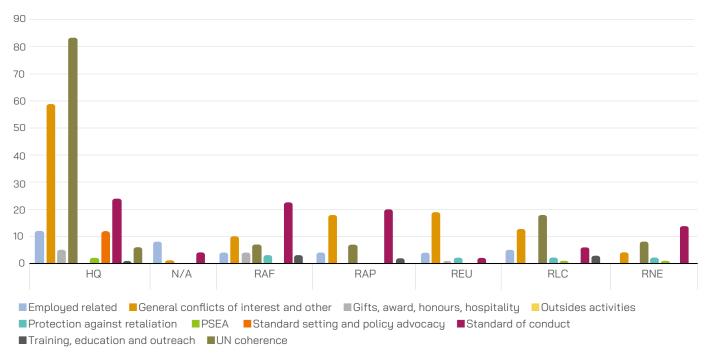




While divided by region, the contacts were made by various offices under the administrative responsibility of the specific region, i.e. not by the Regional Office only.



Figure 12 Number of contacts in all regions by subcategory



Source: Developed by the Ethics Office.

Figure 13a details the contacts under "Outside activities" by region, and again here it is clear that headquarters accounts for most contacts. Some regions had a higher number of contacts concerning "General conflicts of interest" than others (Figure 13b). In many cases, the guidance provided by the Ethics Office was that there were no particular conflict-of-interest risk for the Organization.

A small majority of the contacts were made by management (56 percent), against individuals (43 percent) with the remaining 1 percent being contacts made by externals and ethics focal points.

A number of contacts were referred to other units, particularly to the Ombuds Office (OMB) for informal conflict-resolution or other intervention, or to OIG for circumstances that would potentially require a formal investigation (Figure 14). On a number of occasions, contacts were given more than one option.

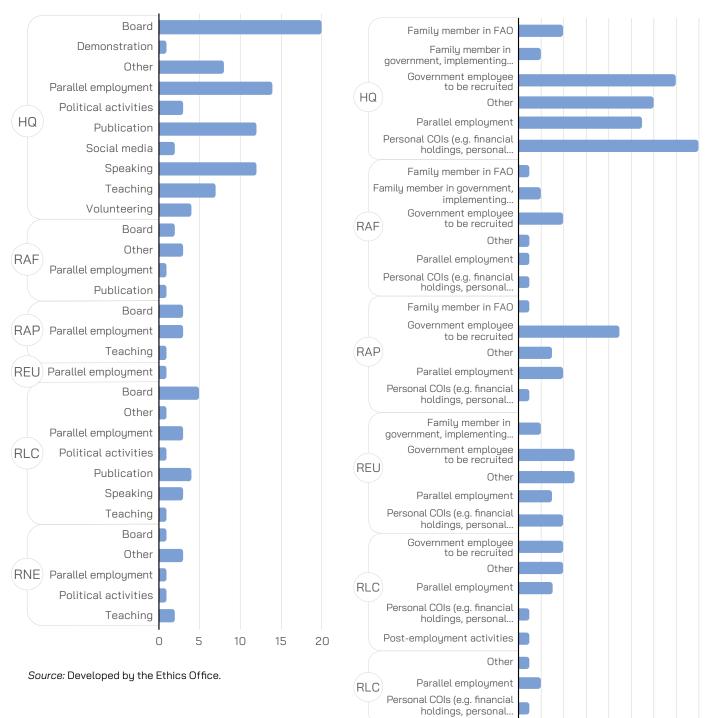






Figure 13a Number of contacts under "Outside activities" by details and region

Figure 13b Number of contacts under "General conflicts of interest" by and region



Source: Developed by the Ethics Office.

4 6 8 10 12

14 16



Figure 14 Number of contacts referred to other units by subcategory









Standard setting and policy advocacy

Fostering an organizational culture of ethics and accountability requires consistent, clear and solid policies that emphasize ethical conduct. To help this, the Ethics Office provided input to reflect ethical considerations in internal policies, practices and processes.

The Ethics Office also participated fully in the ongoing internal audit of the Ethics Management in FAO.

The Ethics Office is part of the **Workplace Integrity Network**, a working group under the umbrella of the Committee for Workplace conduct and protection from sexual exploitation and abuse (PSEA), which is an Organizational group collaborating across different offices to mainstream and enhance ethical conduct in various areas of work and relations.

The Ethics Office is also an observer in the **FAO Engagement and Partnerships Committee**,
established under AC 2021/07, as well as a
member of the **Data Protection Oversight Committee**, established under AC 2022/06 Data
Protection Policy.

On 5 December, the new **AC 2022/14 on Outside activities**, applicable to the Affiliate Workforce was published. The Ethics Office had worked significantly with internal stakeholders, particularly LEG, to draft a practical policy that would address the gap previously identified in regards to outside activities undertaken by personnel other than staff members. Further to this AC, also the delegation of authority for approval of outside activities was amended so only staff members at the D 1 level and above would be required to

request approval from the Deputy Director-General (DDG) level. Other personnel should request approval from their Office Head. It is hoped that this change will impact compliance positively as requesters may feel less intimidated to request approval. Office Heads should also be in a better position to assess conflicts of interest arising from the outside activities considering these are often undertaken within an area that may overlap with the epersonnel's FAO expertise.

To facilitate reporting alleged retaliation under the FAO Whistleblower Protection Policy, the Ethics Office worked with OIG to be included in the new FAO Hotline, which allows for reporting in more than 100 local languages.

A proposal for an alternative review mechanism under the Whistleblower Protection Policy was approved by the Director-General in March. This mechanism is required under the Whistleblower Protection Policy to ensure due process in the event of a conflict-of-interest situation within the Ethics Office or where the complainant wishes to appeal the Ethics Office's determination. Implementation is pending further action from the Office of the Director-General (ODG).

The Ethics Office has continued its substantial review of the Gifts policy with the revised policy earmarked to be implemented in 2023 and has worked extensively on the development on an Annual Affirmation form and an enhanced Conflict of interest disclosure form, as recommended by the External Auditors in 2019 (recommendation 33a). At present, colleagues from the Affiliate Workforce sign a combined Declaration of non-employment and disclosure combined form upon recruitment, but only staff members sign a Declaration of loyalty. Furthermore, while the

The Affiliate Workforce may also be referred to as "nonstaff human resources" (NSHR) or "other personnel".



disclosure form does state that any material changes to the individual's circumstances that may result in a conflict of interest should be disclosed, it is the Ethics Office's view that this practice is not commonly adhered to. There are thus serious gaps in the Organization's ethical framework.

The implementation of the forms lies with CSH, but the Ethics Office has been the driving force behind the development of the forms and continues to provide all the support needed for their implementation.

The **conflict of interest mapping exercise** was put on hold, with an intention of relaunching this work in 2023.

The Ethics Office has had the opportunity to support two CSH-led briefings on the Probationary Performance Appraisal Process, and to collaborate with the Shared Services Centre (SSC) and CSH on development of guidance on Affiliate Workforce parallel employment, including review of the Non-staff human resources (NSHR) Guidelines.

The Ethics Office has provided input to a number of guidelines such as "Publishing in FAO" to ensure adequate guidance on publishing as an outside activity, and the "Goodwill Ambassador Programme" to ensure the guidelines would help prevent any conflict-of-interest situations. Furthermore, the Ethics Office has responded to a number of requests from various internal FAO units, for instance, to support due diligence and reporting requirements.

A proposal for assigning a CSH focal point who the Ethics Office may contact regarding retaliation cases was agreed to between CSH, the Ethics Office and LEG. It was found to be important to clarify this arrangement, enabling the Ethics Office to copy not only OIG but also CSH on its recommendation to the Director-General to inform

them of the outcome of its independent reviews. This change will be clarified in an updated version of the Whistleblower Protection Policy in 2023.

Lastly, a proposal to introduce **pre-appointment** conflict of interest screening for senior staff **appointments** was made to CSH. The suggestion came from the assessment that newly appointed senior staff members are often involved in or have various professional affiliations such as leadership or policymaking roles in international non-governmental organizations, professional bodies, academic institutions or advisory boards, etc. While FAO staff are not precluded from being involved in outside activities, particularly those of a professional nature when in line with the manual section (MS) 361, it is recognized that certain activities, when carried out by FAO personnel of senior rank, may give rise to a perception of lack of independence or impartiality to the detriment of FAO. Consequently, an outside activity that might have been viewed as appropriate in the case of less senior FAO employee may not be appropriate where the requesting FAO employee is of a more senior rank or carries out a representational or prominent functions. CSH confirmed their support for such pre-screening to be undertaken.

The Ethics Office initiated reviews of the Code of ethical conduct and From concern to clarity: FAO's Roadmap on where to go when in need to ensure the publications continue to be relevant and accurate.

The Ethics Office sent a message to all Assistant Directors-General (ADGs)/Regional Representatives on **ensuring work-life balance**, following contacts that highlighted issues in this regard.

The Ethics Office has provided comments on the "USUN Rome: Questionnaire on audit reports, whistleblower policies and procedures, travel policies and practices".





Training, awareness raising and advocacy



A robust ethical framework is crucial to guiding personnel's understanding of the Organization's expectations towards them, and enabling them to abide by the rules and make sound ethical decisions. Regulations, rules and policies, however, are not sufficient to build and maintain such a framework but must be flanked by targeted and timely advocacy efforts. The Ethics Office has implemented a combination of advocacy tools in 2022 to reach its overall objective of fostering an ethical workplace.

The Ethics Office carried out **nine (9) bilateral briefings** with individual FAO offices and **two (2) webinars** in 2022 to raise awareness about its mandate and a variety of ethics-related topics from protection against retaliation, conflicts of interests to outside activities.

The webinars were jointly organized with colleagues in other integrity-related roles and aimed at shedding light on the differences between interpersonal conflicts or other situations that may be uncomfortable or stressful, but that do not necessarily constitute misconduct, and situations that would be considered as harassment, abuse of authority or retaliation. The webinars contained a number of scenarios that were discussed from various aspects, providing the participants with analytical tools to frame such situations, and an opportunity to ask questions to alleviate any doubts.

It is the Ethics Office's consideration that a **speak-up culture** can only be achieved when personnel feel that independent offices such as the Ethics Office are approachable. This entails providing for a safe place where they are able to share doubts on ethical dilemmas or issues that they have experienced at work.

In this spirit, the Ethics Office held a three-day event from 22 to 24 March 2022 to celebrate the two-year mark as a standalone office. The event was opened by the Director-General. The "Ethics Days" contained a range of different virtual activities where colleagues had the opportunity to discuss and share their observations in an informal setting. Some of the topics that were discussed included racial discrimination and how to prevent fraud. Particularly biases and discrimination due to ethnicity or race, for instance manifested through micro-aggressions, are important topics that were touched upon. Table talks with colleagues, representing all categories of personnel from different units in FAO, expanded on the ethical dilemmas they experience in their work. The participants tested their knowledge about FAO regulations and rules in ethics quizzes, and the winners received tokens (cups, pens, lanyards, and others) with taglines serving as daily reminders of our ethical obligations to "do right". The event was attended by more than 600 colleagues across all geographical regions.

Diversified and targeted advocacy tools are necessary to ensure the desired impact on the Organizational culture. Consequently, the Ethics Office has produced **nine (9) Intranet articles** and **three (3) videos on** (i) the mandate and activities of the Ethics Office ("Welcome to the Ethics Office"); (ii) what ethics and integrity mean to FAO personnel ("Your take on ethics") where colleagues from all over the Organization featured; and (iii) the various resources available to personnel when in doubt or have issues they need support, developed based on the publication "From concern to clarity — FAO's Roadmap on where to go when in need". **Annex 1** presents details of the briefings, webinars and articles.

⁷ OIG, CSH, OMB, Health Services (CSLH).



The Ethics Office tested the suitability of the "DilemmApp" for ethical capacity building purposes. The App is an innovative tool to build ethical awareness that requires fairly little effort and time from participants. A pilot was run between 29 November and 23 December 2021 for 50 selected participants from across FAO, the results of which were discussed in focus group meetings in early 2022. A total of nine dilemmas were shared and participation was approximately 70 percent of the colleagues who had signed up. All who participated found the App to be easy and engaging to use, and the dilemmas to be interesting, insightful and helpful in building ethical decision-making capacities. Based on the feedback, the Ethics Office initiated contractual discussions with the developer with the hope that a customized App can be launched in FAO in 2023.

Two (2) **guideline documents** have been published internally on:⁸

- a. Understanding conflicts of interest.
- b. Understanding the Whistleblower protection policy.

⁸ The guidelines will be made available in all FAO languages in early 2023.

The Ethics Office reviewed the number of times the Code of Ethical Conduct and the Roadmap on where to go when in need were downloaded in the various languages over 2022 and found these numbers to be low compared with the number of personnel in FAO (the maximum number of hits were the Code in English with 474 hits with only 153 for French, for example). Further efforts will be done to raise awareness around these important publications.

The Ethics Office has communicated with personnel through email, Intranet articles and Yammer posts.

The Ethics Office has sought **input from Decentralized Offices** on awareness raising and advocacy activities for 2023, and look forward to collaborating further with colleagues on these initiatives.

The Senior Ethics Officer undertook two (2) travels to the Regional Office for Africa (RAF) and to the Regional Office for Europe and Central Asia (REU) and SSC, respectively. Both travels were intended to raise awareness about the mandate and activities of the Ethics Office, and FAO's ethical framework, and help ensure that personnel in these offices feel comfortable about coming to the Ethics Office for advice and guidance. The travel to REU/SSC was a joint mission with the Inspector General and the Ombudsperson.

The data is drawn from AWSTAT, an internal FAO-tool, which has some technical issues which impacts the accuracy of the reported data. For this reason, we are not reporting the numbers for the various language versions, but using the information to inform our work at trend level.





FAO employee **completion rates for ethics-related training** (all mandatory) for an average of 14 506 personnel were as follows (as of 31 December 2022):¹⁰

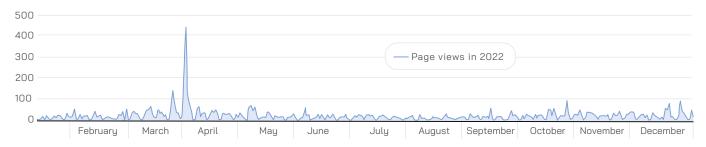
Training title	Staff compliance %	Affiliate Workforce compliance (%)
Achieving Gender Equality in FAO's Work	93.7	78.5
Ethics and Integrity at the United Nations	93.2	71.7
FAO's Whistleblower Protection Policy	94.3	76.9
Prevention of Fraud and other Corrupt Practices	95.2	76.1
Prevention of Harassment, Sexual Harassment and Abuse of Authority	98.6	80.3
Protection from Sexual Exploitation and Abuse (PSEA)	95.7	78.4
United Nations Course on Working Together Harmoniously	94.8	78.5

Source: Developed by the Ethics Office.

The **network of Ethics Focal Points** was dismantled in August 2022, shortly prior to the expiration of their two-year mandate. This decision was grounded in discussions with the Ombudsperson and a wish to create a network of respectful workplace facilitators instead, in response to apparent needs in the Decentralized Offices. The role of the Ethics focal points was intended to raise awareness and direct colleagues to the correct resource, but not to get directly involved in conflict resolution or mediation. However, it was clear that most of the issues brought to the attention of the focal points concerned interpersonal conflicts. Furthermore, many focal points struggled with the task of raising awareness as they did not feel sufficiently equipped to do so. The Ethics Office sent certificates of appreciation to all focal points for their service.

Usage of the Ethics Office's Intranet pages and Internet site gives an indication of interest in ethics-related matters. Figure 15 shows the number of the Ethics Office page views per day over the year 2022. In total there were 6 668 page views in 2022 (i.e. similar to 2021). There were steep increases in page views end March, in concomitance with and shortly after the Ethics Days were held. The usage activity level was otherwise fairly stable throughout the year with page views ranging from just a few to 70–80 per day. The most viewed pages were "Documents and references", "Ethics Days" and "Training and Awareness raising resources".

Figure 15 Ethics Office Intranet page views, 2022



¹⁰ As also reported by CSH in their Annual Report.



Annual disclosure programme



The Organization's Declaration of Interest and Financial Disclosure Programme (FDP) was established when the 132nd Session of the Council in June 2007 approved an amendment to Article I of the Staff Regulations (Staff Regulation 301.1.10 and 301.1.11).

The Programme was revised in 2021 to focus on identification of conflicts of interest, and is now referred to as the "Annual Disclosure Programme" (ADP). The aim of the Programme is to identify, resolve and mitigate conflict-of-interest risks arising from staff members' personal engagements (outside activities, personal relations, assets or liabilities, etc.) where these may conflict with their official obligations as international civil servants.

Process

The 2022 ADP was launched by the Ethics Office on 24 May 2022 via AC 2022/05. The deadline was initially set for 30 June, and then extended to 15 July 2022. The ADP was finally closed on 19 August 2022.

The Ethics Office recruited an external expert to carry out the review of the ADP statements and recommend mitigating measures where conflicts of interest were identified. To prevent a conflict of interest situation, the LEG reviewed four ADP statements submitted by personnel working in the Ethics Office in 2021.

As for previous years, a Sharepoint platform was used for the ADP. Participants would download and fill out a Microsoft Word questionnaire, save it in PDF and upload it to the platform.

A number of participants submitted empty forms or forms with incomplete information. In these cases,

the External Reviewer requested clarifications from the participants by email. A number of participants did not submit their statements within the deadline, requiring individual and repeated follow ups from both the External Reviewer and the Ethics Office.

Where participants disclosed relevant circumstances, which they considered conflicts of interest, the External Reviewer would provide brief recommendations to the Ethics Office.

The Ethics Office reviewed and revised the recommendations as appropriate and communicated based on these findings with the individual through personalized email messages. In a number of cases, communication was also sent to the individual's supervisor to mitigate the identified conflict-of-interest risk. Lastly, the Ethics Office sent acknowledgement and clearance emails to those who did not make any disclosures. In total 198 emails were sent.

The Director-General sent out an email encouraging compliance and expressing appreciation for the participants' cooperation, based on a request from the Ethics Office.

A total of 542 disclosures had been received at the time of closure of the programme (19 August), corresponding to a 98 percent compliance rate. The names of non-compliant participants were communicated to CSH for appropriate action, in accordance with AC 2022/05.

The External Reviewer completed their report on 17 October 2022.







Population

A list of 582 participants (staff and Affiliate Workforce) were selected to participate in the ADP 2022, based on the criteria set out in AC 2022/05. Subsequently, the list was reduced to 554 participants as some had since left the Organization, some were duplicates, and some had been included in the list erroneously.

While 554 people in an organization with 3 255 staff members is representative (17 percent), the inclusion of additional staff members across all divisions should be considered as this would be in line with the spirit of any disclosure programme. Conflict-of-interest risks are not limited to certain roles and responsibilities, but may occur in all settings where, for instance, there are personal relationships or outside activities that influence or appear to influence the staff member's independence. The Ethics Office deems inclusion of additional colleagues from CSH and Finance (CSF) advisable.

The effectiveness and efficiency of the ADP is greatly dependent on a thoughtful, risk-based assessment of particular functional responsibilities within FAO that may give rise to actual, potential or appearance of conflicts of interest and thus expose FAO to reputational risks. In order to better manage this risk, it is necessary to identify those whose functional responsibilities meet the criteria for filing so that assessments for actual, potential or appearance of conflicts of interest can be undertaken with respect to their private interests.

The inclusion of the Affiliate Workforce should be reconsidered in the future. While some consultants were included in the eligible population, due to their

contractual modalities, a number of them were not under contract for all or part of the ADP period, which rendered follow ups challenging.

Statistical findings

In total, 542 eligible personnel in 170 duty stations submitted their annual disclosure statements for the reporting year 2021, 35 percent of whom were based at headquarters.

Out of the statements reviewed, 182 contained disclosures of situations that the reporters deemed could present conflicts-of-interest; i.e. 34 percent of the submitted disclosures. The disclosures were spread amongst five categories i.e. Family Relationship, Outside Activities, Monetary Obligations and Remunerations, Acquired Assets, Vendors, and Partners.

Out of the 182 personnel who reported situations they deemed conflicts of interest, the External Reviewer, in consultation with the Senior Ethics Officer, concurred in 83 instances that the situations carried some conflict of interest risks for FAO. From the 182, the remainder of the disclosures for 99 personnel were assessed as not presenting any actual, potential or perceived conflicts of interest for FAO.

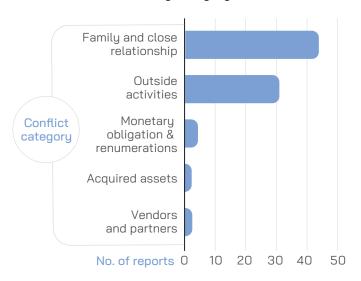
As evidenced in Figure 16, 31 out of the 83 assessed conflicts of interest related to "Outside Activities". Of these cases, only five participants produced written management authorization allowing them to engage in said activities. This observation means that 84 percent of the participants engaged in Outside Activities did not have authorization.



Forty-four conflicts of interest pertained to the category of "Family and Close Relationships", by far the largest cohort, whereas only very few of the conflicts of interests regarded "Monetary Obligations", "Acquired Assets" and "Vendors and Partners".

Figure 17 shows the distribution of submissions by grade. The assessed conflicts of interests were reported by personnel from all grade levels but 43 submissions (52 percent) were made by senior staff, i.e. P-5 and above, with D-1 staff forming the single largest cohort with 21 submissions out of the 83 (25 percent).

Figure 16 Distribution of the 83 assessed conflicts of interest by category



Source: Developed by the Ethics Office.



Figure 17 Distribution of the 83 assessed conflicts of interest by grade







Compliance

While a majority of participants (458 out of 554, i.e. 82 percent) respected the initial deadline of 30 June, 18 percent of the participants did not. This failure to comply with the prescribed deadline entailed that the whole process was consequentially delayed.

The Ethics Office will prepare virtual workshops in 2023 for all participants to inform them about the ADP, what information is required, and demonstrate how the platform works. It is anticipated that such workshops will enhance understanding and accordingly also compliance. The workshops will not be mandatory, but strongly encouraged.

Consideration will also be given to involving Heads of Office by turning them into collaborators so that they can motivate their staff to complete the disclosures on time. Involvement of managers would also make it easier to mitigate identified conflict-of-interest risks through management action.

In the spirit of honouring accountability and sound management of conflicts of interest at FAO, staff who do not submit their disclosures within the deadline without reasonable cause should be considered non-compliant and escalated for follow up action by CSH and their management.

Conclusions and recommendations

The revised questionnaire resulted in a notable increase in the number of disclosures compared with previous years, suggesting that the move from financial disclosure to conflicts of interest disclosure was wise and useful for the originally intended purpose of the FDP as set out in the Staff Regulations.

The many disclosures outside of the scope of the ADP (i.e. for situations that were not requested in the questionnaire) suggest a willingness on the part of personnel to disclose potential conflicts of interest situations.

It is clear that further awareness raising and advocacy must be done to increase compliance regarding the requirements for authorization for outside activities. While the Ethics Office has completed its work on the revised MS 361 and AC 2022/14, we also foresee the need to produce targeted communication material, calling on all personnel to seek authorization for ongoing outside activities that have previously not been authorized or those activities whose authorizations have expired. The Ethics Office will, as part of its 2023 priorities, undertake awareness raising and advocacy in this area.

Awareness raising on the potential conflict-ofinterest risk related to personal relationships should also be emphasized.

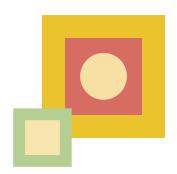
The revised ADP has revealed some important gaps in compliance as well as the commonly observed major conflict-of-interest risks within the Organization. Nevertheless, the Ethics Office will continue to review the programme and identify opportunities for further improvement, as might be necessary to ensure that the ADP is fit for its purpose.

The Director-General's support by leading with integrity and encouraging compliance is considered to have had a positive impact, and the Ethics Office is grateful for the support from Senior Management as well as colleagues across the Organization who helped materialize and operationalize the programme.

The Ethics Office also wishes to express gratitude to all the participants who diligently submitted their ADP statements.



Protection against retaliation



The primary objective of the Whistleblower Protection Policy is to ensure that personnel can report misconduct and cooperate with audits, investigations, security services and, in practice, proactive integrity reviews without being retaliated against.

Under the policy, the Ethics Office is responsible for conducting reviews of complaints to determine whether there has been a *prima facie* case of retaliation and, if so determined, refer the case to OIG for investigation.

Nine contacts concerning protection against retaliation were received in 2022. Three of these were recorded as "Advice and guidance" because they concerned different underlying issues (such as alleged harassment). The other six requests did not meet one or more criteria under the policy.

The most common criterion that is not met is that of "engaging in a protected activity". It is noted that personnel requesting for protection against retaliation may feel they are retaliated against because they have voiced concerns or disagreed with their supervisors on a matter concerning their work, however, such situations do not constitute a report of misconduct pursuant to the policy as there is no formal reporting, and thus the individuals are not protected.

In such cases, the Ethics Office advises the individual of the outcome of the initial review and that they may submit a complaint regarding other alleged misconduct to OIG for investigation or contact the Ombudsperson for support to resolve the conflict informally.

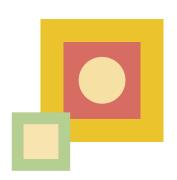
As last year, the Ethics Office observed that a number of the requests for protection against retaliation concerned the non-renewal of contracts or termination of contracts for personnel in the Affiliate Workforce. It continues to be our consideration that root causes can be attributed to poor performance management and a lack of transparent communication around the reasons for the management decisions. Whilst the non-renewal or termination of employment may be based on legitimate business reasons, managers should endeavour to ensure that due process is followed in managing performance and that all personnel are given a fair chance and opportunity to improve.







Protection from sexual exploitation and abuse



In February 2022, the PSEA Focal point responsibility transitioned to the Office of Emergencies and Resilience (OER), under the oversight of Deputy Director-General Laurent Thomas, designated as Champion for PSEA. Operational responsibility for PSEA will transition to OER. The shift will help ensure adequate organizational oversight and accountability.

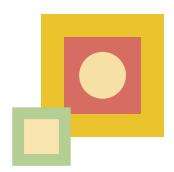
In Decentralized Offices there is a PSEA focal point network consisting of FAO staff members who serve in this role in addition to their normal tasks.

The Ethics Office serves as an observer on the Workplace Conduct and PSEA Committee (Director-General Bulletin 2021/35). The Committee has two working groups: one on workplace conduct led by the Director, CSH and another on PSEA led by the Director, OER.









The Ethics Office provided comments, through CSH, on the Standards of Conduct for the International Civil Service for a review that was undertaken by the International Civil Service Commission. The following comments were suggested: (i) to enhance clarity around participation in political activities/demonstrations and the use of social media, with an aim to provide coherent guidance on these sensitive and complex topics, (ii) clarify the rules around employment of national civil servants (regarding independence and impartiality); and (iii) more clearly define the scope and applicability of the standards of conducts t with regard to the categories of UN personnel to whom they may or may not apply.

The Ethics Office also provided input to:

- A460: Joint Inspection Unit of the United Nations System (JIU) review of Internal Appeal Mechanisms;
- Annual Survey on Reporting of Sexual Harassment – 2021;
- Survey related to the external audit of OECD on Implementation of ethical principles and standards and Risk Management System.

The Ethics Office participated (virtually and inperson) in the 2022 Annual Ethics Network of Multilateral Organizations (ENMO) Conference, organized and hosted by United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris, France. The following topics were discussed:

- Conflicts of interests and outside activities: from personal to semi-official to official;
- What we can learn from behavioural science to increase ethical behaviour and prevent misconduct – examples: interpersonal and financial conduct;
- Ethics of artificial intelligence;
- Best practices and innovation in prevention and training in a hybrid environment;
- Data analytics: harnessing data to measure impact, proactively identify red flags and focus prevention efforts;
- Whistleblowing: Latest trends in encouraging internal whistleblowing and providing protection.

As part of continued efforts to build and advance engagements outside FAO, in 2022 the Ethics Office met with ethics counterparts from the Romebased Agencies, the United Nations Children's Fund (UNICEF), World Intellectual Property Organisation (WIPO) and the International Atomic Energy Agency (IAEA) to exchange best practices and explore new opportunities for collaboration.

The Head of IAEA Ethics Office gave a talk about the Standards of Conduct for the International Civil Service during the Ethics Days.

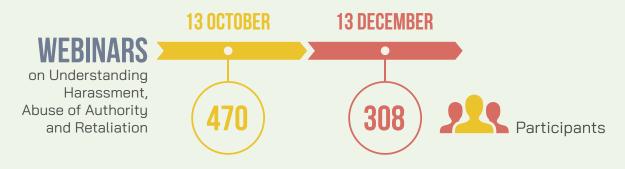






List of Ethics Office outreach activities, 2022

The following webinars were held:



The following briefings were held:







INTRANET ARTICLES

16 FEBRUARY

An ethical approach

17 MARCH

(pre-Ethics Day) Doing right together

11 APRIL

(post-Ethics Day) Doing right together

25 MAY

Ethics and integrity (about the Annual Disclosure Programme)

27 SEPTEMBER

What is new in the Ethics Office?

7 OCTOBER

T'is the season... for giving and receiving

26 OCTOBER

Prevention is better than cure. Understanding harassment, abuse of authority and retaliation.

21 DECEMBER

They came, they saw... they learned (on joint OIG, OMB, ETH mission)

6 DECEMBER

Updated rules on Outside activities



