



WORKING PAPER

COUNCIL — 231ST SESSION

Subject No. 20: Periodic reports by the Secretary General

ANNUAL REPORT OF THE ETHICS OFFICER FOR 2023

(Presented by the Secretary General)

EXECUTIVE SUMMARY

The ICAO Framework on Ethics approved by the Council at the sixth meeting of its 193rd Session requires the Ethics Officer to submit an annual report to the Council, unchanged by the Secretary General, together with any comments of the Secretary General thereon. The Ethics Officer, Mr. Fabio Buonomo, has prepared an annual report to the Council for the period from 1 January to 31 December 2023.

The Secretary General transmits herewith to the Council the Annual Report of the Ethics Officer for 2023, on which the Secretary General has no comments.

Action: The Council is invited to

- a) take note of the present report and express support to the work and needs of the Ethics Office;
- b) approve the recommendation to amend the title of the “Ethics Officer” to “Ethics Advisor”; and
- c) approve the recommendation to amend the categories of “unethical conduct” included in paragraph 41 of the ICAO Framework on Ethics, as proposed in paragraph 3.23 of this report.

<i>Strategic Objectives:</i>	This working paper relates to all Strategic Objectives, Supporting Strategies and Transformational Objective.
<i>Financial implications:</i>	To be determined.
<i>References:</i>	The ICAO Service Code C-WP/15474, C-DEC 228/1 C-DEC 193/6 C-DEC 223/10 JIU/REP/2017/9 JIU/REP/2021/5 C-WP/15330

1. INTRODUCTION

1.1 The present report – on which the Secretary General has no comments – is submitted in accordance with paragraph 91 f) of the ICAO Framework on Ethics (Annex I to the ICAO Service Code, hereafter the “Ethics Framework”), which was approved by the Council at the sixth meeting of its 193rd Session ([C-DEC 193/6](#)). It outlines the activities undertaken by the Ethics Office during the period from 1 January to 31 December 2023.

1.2 The Ethics Office is independent from all other services and functions, while reporting administratively to the Secretary General. The Ethics Officer has both formal and informal access to the ICAO Council, the Evaluation and Audit Advisory Committee, the External Auditor, the investigative entity, and the external ethics entity.

1.3 The Ethics Office functions on the principles of independence, impartiality, and confidentiality. Its activities aim to foster and promote a culture of ethics, integrity, accountability, transparency, and respect within ICAO. In this regard, the Ethics Office provides confidential advice and guidance on ethical matters to management and staff, regardless of contract type and duration. It also assists the Secretary General and the Council in cultivating and nurturing a strong organizational culture of ethical behaviour and decision-making, whereby ICAO staff and management observe and perform their functions in a manner consistent with the highest standards of conduct and come forward without fear of retaliation. The Office also serves as a key advocate of ICAO principles and values, thereby enhancing the trust in and the reputation of the Organization, both internally and externally.

2. MANDATE OF THE ETHICS OFFICE

2.1 Pursuant to paragraph 91 of the Ethics Framework, the functions of the Ethics Officer include the following:

- a) providing confidential ethics advice and guidance to all staff members and protecting all confidential information received from staff and other sources;
- b) providing advice to the Secretary General and the Council on policies and procedures related to ethical issues;
- c) administering the ICAO policy for the protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations;
- d) prevention and outreach through the development and implementation of mandatory ethics training programmes and internal communications, including contribution to ICAO’s website on the ethics functions; and
- e) developing, implementing and administering ICAO’s financial disclosure and conflict of interest declaration programmes.

3. SUMMARY OF ACTIVITIES UNDERTAKEN IN 2023

3.1 **Advice and guidance:** Through the provision of confidential advice and guidance, the Ethics Office fulfils a key role in supporting and upholding ICAO ethical standards and culture. By offering impartial, actionable, consistent, and timely guidance on appropriate courses of action, the Ethics Office supports all ICAO personnel and management in making informed and appropriate decisions at both personal and professional levels that are in the best interests of the Organization. The provision of ethics advice also enables personnel to better identify and resolve actual, potential or perceived conflicts of interest – as well as other ethical dilemmas or sensitive workplace situations

– before they develop into more serious concerns for ICAO. By acting as a trusted consultative resource, the Ethics Office also plays a fundamental risk management role, promoting ongoing awareness of and adherence to applicable policies, rules, and standards of conduct in a trusted working environment.

3.2 In 2023, the Ethics Office provided confidential advice and guidance on various issues, through in-person and virtual meetings or in writing. The Office received 227 requests for advice and guidance, resulting in an increase of approximately 10% from 2022. This included 123 requests categorised as “Individual” (queries more personal in nature), 97 as “Management” (queries by members of ICAO personnel in their official capacity), and 7 as “External” (queries from outside ICAO). The Office also recorded 61 requests involving administrative-related activities, 46 outside activities¹, 40 standards of conduct, 25 conflicts of interest, 22 misconduct/wrongdoing², 17 gifts, and 16 financial disclosure programme (for further details see Appendix A).

3.3 In this context, the Ethics Office has seen a significant year-on-year increase of requests involving standards of conduct and administrative-related activities, the majority of which related to interpersonal and/or managerial issues. The Ethics Office considers this to be an indication of the need for the Organization to improve its internal capability to informally address conflicts at an early stage as well as enhance the existing rules on role and responsibilities of Directors, managers and supervisors in this area. The Ethics Office notes that these observations were equally expressed in the 2022 Annual Report of the Ethics Officer (C-WP/15474, hereafter the “2022 Annual Report”).

3.4 **Standard-setting and policy support:** Fostering an organizational culture of ethics, transparency and accountability requires frequent and consistent advocacy. To integrate ethical considerations institutionally, the Ethics Office continued to provide ethics-related advice and input to the Secretary General, the Council and its organs, and senior management to ensure that ICAO policies, rules, procedures and practices reflect, reinforce and promote ethical standards and integrity.

3.5 During the reporting period, the Ethics Office provided inputs on 39 standard-setting and policy matters (13 of which were proactively submitted *ex officio* by the same Ethics Office) on a range of topics. In this context, the Office actively participated in the discussions on ICAO accountability framework, assessment on innovation, sustainable budget, use of artificial intelligence, establishment of an independent Ombudsperson position, Administrative Instructions on information security, and the review of the policies on Secondment and Interactions with External Parties.

3.6 In view of the decisions taken by the Council after the presentation of the 2022 Annual Report (C-DEC 228/1 refers), the Ethics Office also engaged in discussions with relevant offices of the Secretariat on the review of ICAO regulatory framework governing different topics, such as the engagement in outside activities, early informal dispute resolution mechanisms, and performance assessment systems. *Inter alia*, such interactions yielded positive developments regarding the guidelines for staff awards, and the handling, recording and disposing of gifts received by ICAO personnel in connection with the performance of official functions, where the Secretary General issued suitable *interim* measures, pending the finalization of a more extended framework on these areas.

3.7 Comparing the actual numbers of the last three years, the Ethics Office noted that the decrease of requests submitted by management (as opposed to the steady number of proactive *ex officio* recommendations submitted by the Ethics Office) reported in the 2022 Annual Report continued in 2023 (for further details see Appendix B). As reported at the time, this seems in part due to an apparent misunderstanding within management, including senior managers, regarding the advisory role of the Ethics Office, leading to recurring efforts to involve the Office in managerial or organizational decisions. To address this situation, throughout 2023, the Ethics Officer continued to hold meetings with Directors and managers to provide them with an opportunity to better understand the mandate of

¹ Under the ICAO regulatory framework there is no expressed requirement for the Secretary General to ask for the Ethics Officer’s advice before deciding on requests to engage in an outside activity, while staff may ask the Ethics Officer for confidential preliminary advice on possible future requests. This notwithstanding, it has been the consistent practice of the Secretary General to seek the Ethics Officer’s input prior to deciding on such requests.

² In accordance with paragraph 87 of the Ethics Framework, the advice and guidance provided involved information on the applicable formal or informal conflict resolution mechanisms, and not the merit of possible allegations of misconduct.

the Ethics Office. Nevertheless, as noted above, the overall situation has not improved since last year. For this reason, the Ethics Office would like to re-submit the recommendation for the change of the title of the position of “Ethics Officer” to “Ethics Advisor” to better reflect the current role, functions and responsibilities, and align it with the best practice within the United Nations system. To facilitate the review of the request, and in view of last year’s decision of the Council to defer a final decision in this regard until a later stage on the basis of a more in-depth analysis to be undertaken by the Secretariat (C-DEC 228/1 refers), the Ethics Office provided the Secretariat with relevant input on this topic.

3.8 In 2023, the Ethics Office also undertook a mapping exercise of the Organizational Conflicts of Interest within ICAO in order to implement an *ad hoc* pending recommendation included in the Joint Inspection Unit (JIU) report on *Review of Mechanisms and Policies Addressing Conflict of Interest in the United Nations System* (JIU/REP/2017/9). The final result of the exercise was shared with the senior management in order to consider how it could help ICAO to further enhance a strong organizational culture of ethics, transparency and accountability.

3.9 **Protection against retaliation:** The Ethics Officer administers the ICAO policy on protection against retaliation, which applies to all categories of ICAO personnel who allege that they have been subjected to or threatened with detrimental action for engaging in good faith in a *protected activity*, which includes reporting misconduct or cooperating with a duly authorized investigation or audit. The purpose of the policy is to enhance accountability within ICAO and ensure that staff can engage in a *protected activity* without fear of retaliation.

3.10 During the reporting period, the Ethics Officer reviewed and provided preliminary confidential advice on five cases of potential or perceived retaliation. The Ethics Officer also received three formal requests for protection against retaliation. While one case is still open, pending submission of relevant information by the complainant, the other two cases were closed because it was determined that the complainant did not raise a *prima facie* case of retaliation. In one instance, the complainant requested the United Nations Ethics Office (UNEO) to conduct an independent review of the no *prima facie* determination in accordance with paragraphs 80-81 of the ICAO Ethics Framework. After conducting its independent review, the UNEO concurred with the ICAO Ethics Officer’s assessment that no *prima facie* case of retaliation was established, and the case was closed.

3.11 Pursuant to the existing Agreement between ICAO and the UNEO, the Ethics Officer was informed by the UNEO that, in accordance with Appendix G to the Rules of Procedure for the ICAO Council, in 2023 they received and completed one preliminary review of a request for protection against retaliation that could not be submitted to the ICAO Ethics Officer *ratione materiae*, which resulted in a determination by the UNEO that there was no *prima facie* evidence of retaliation.

3.12 **Training, education and outreach:** Training, outreach and awareness-raising initiatives are critical for ICAO personnel to recognise their standards of conduct expectations to the Organization, and thereby form an important component of the Ethics Office’s mandate. By focusing on knowledge and skill building as related to ICAO values, principles and standards of conduct, the Office developed education and outreach initiatives which served to assist ICAO personnel in acting in the best interests of the Organization, and to protect its reputation.

3.13 Based on the existing contract between ICAO and the United Nations Staff System College (UNSSC), in 2023 the Ethics Office – supported by the Bureau of Administration and Services (ADB) – developed and launched three online ethics courses for all ICAO personnel, regardless of contract type and duration, on *Prevention of Sexual Harassment*, *Protection against Retaliation at ICAO*, and *ICAO Regulatory Framework on Ethics and Compliance*. The Office also worked with the UNSSC on the development of three additional courses on *Ethics and Integrity*, *Protection against retaliation for all managers and supervisors*, and *Anti-fraud and anti-corruption*, which are expected to be launched within the first quarter of 2024.

3.14 In 2023, the annual ICAO Leadership Dialogue was launched. The topic – *Personal Use of Social Media: How is my online behaviour?* – focused on the importance of responsible use of social media while respecting individual freedoms and always reflecting the principles and values

enshrined in the Chicago Convention, the United Nations Charter, the Standards of Conduct for the International Civil Service, ICAO Ethics Framework, and related rules and regulations. This exercise was positively welcomed by staff and management. The Ethics Office received input and several suggestions from the participants on various sessions and will prepare an *ad hoc* report to the Secretary General, including findings and recommendations.

3.15 With the assistance of the Communications Unit, the Ethics Office created and maintained a dedicated site within the new ICAO intranet system for the benefit of all ICAO personnel. The site includes information on the different areas of the mandate of the Office, and dedicated pages on important topics such as ICAO's principles and values, standards of conduct, protection against retaliation, trainings, prevention of sexual harassment, the financial disclosure programme, outside activities, and gifts. The Ethics Office also used the intranet site together with the ICAO internet website, to publish copies of the most recent Annual Reports of the Ethics Officer in all ICAO official languages.

3.16 In 2023, the Ethics Office created an Ethics Postmaster account, which was used, among other communication purposes, to launch a series of monthly Ethical Awareness Messages on ICAO principles, values and standards of conduct. The Office also distributed posters and giveaways on the same topic to managers and personnel, including those serving in the Regional Offices, and ensured that related electronic messages were displayed within the ICAO Headquarters building in Montreal. As well, the Ethics Office issued gift advisory messages reminding staff about the importance of always staying mindful of their independence as international civil servants and not to create an impression that a gift, favour or benefit could improperly influence their professional actions or decisions.

3.17 In 2023, the Ethics Officer visited the Western and Central African (WACAF) and Asia and Pacific (APAC) Regional Offices as well as the APAC Regional Sub-Office (APAC RSO). Outputs of the visits included workshops for staff and confidential consultations with staff and Regional Directors.

3.18 The Ethics Office also held dedicated sessions with various ICAO offices on thematic ethical matters, as well as courtesy meetings with the newly appointed Council State representatives. It also contributed to the orientation courses organized by ADB in 2023.

3.19 **Financial Disclosure Programme:** The ICAO annual financial disclosure and conflict of interest declaration programme (FDP), as administered by the Ethics Office, is designed to assist ICAO and its personnel³ in identifying, mitigating, and managing actual, potential or perceived conflicts of interest that may arise between staff's personal financial interests, relationships or affiliations – as well as those of their immediate family members – and their ICAO functions and obligations. The primary purpose of the programme is to ensure independence and impartiality are preserved in official decision-making, and to promote organizational accountability, transparency and public trust in ICAO and its personnel.

3.20 During the reporting period the Ethics Office updated the FDP forms to make them more effective and client-friendly and launched the 2023 FDP exercise. It is worth noting that the number of participants in the programme progressively increased by almost 17% per year during the last two FDP exercises (i.e., from 162 in 2021, to 190 in 2022 to a total of 222 personnel in 2023, including staff members, consultants and secondees).

3.21 Thanks to the support of a temporary Administrative Assistant (Consultancy), the Ethics Office successfully launched, administered and finalized the 2023 FDP with 100% compliance by participants, including the President of the Council and Secretary General. *Inter alia*, the Ethics Office was able to contact and liaise with all eligible personnel through individual confidential

³ ICAO personnel who are required to file include a) all personnel at the D-1 level and above; b) allotment holders, certifying Officers and their alternates; c) all staff members, consultants and secondees whose duties relate to the procurement or contracting of goods and services for ICAO; d) staff members, consultants and secondees involved in safety and security audits and CDI Field Operations Officers; and e) all staff members, consultants and secondees whose duties relate to the investment of the assets of ICAO.

communications and review all Conflict-of-Interest Declarations submitted by the required staff. Furthermore, in accordance with the existing ICAO regulatory framework, the Ethics Office selected randomly for assessment and verification several of the Financial Disclosure Statements received. Where deemed necessary, individuals were contacted and advised on appropriate mitigating actions. Eventually, this verification phase was finalized with no cases of conflicts of interest that needed to be reported for action. Finally, the Ethics Office confidentially filed all the documentation received and submitted an *ad hoc* report to the Secretary General including relevant information on compliance, statistics on the returns filed and reviewed actions.

3.22 While the 2023 FDP was successfully finalized with 100% compliance, on several occasions the Ethics Office faced resistance, and sometimes even overt hostility, by some of the identified eligible personnel. The Ethics Office managed to address such circumstances and is planning to develop a targeted awareness-initiative to help ICAO personnel to better understand the scope and importance of the FDP.

3.23 At the same time, based on feedback received, it is the Ethics Office's opinion that part of the problem is due to the fact that paragraph 41 of the Ethics Framework includes the "*staying in a conflict of interest situation*" among the categories of "unethical conduct" which could be reported as misconduct⁴. This formulation is unfortunate, as the reprehensible conduct should be the failure to disclose the existence of a conflict-of-interest situation or the failure to comply with a request by ICAO to address such situation, rather than the fact that an individual stays in a conflict-of-interest situation per se. In fact, the latter situation could be due to circumstances beyond the control of the concerned staff, and the conflict of interest could just be mitigated but not avoided by either the staff or ICAO⁵. For this reason and bearing in mind the potential risks for the Organization associated with such formulation, the Ethics Office recommends the amendment of the text of paragraph 41 of the Ethics Framework limited to the text "*staying in a conflict of interest situation*" with "*failure to disclose the existence of a conflict-of-interest situation or to comply with a request by ICAO to address it*".

3.24 As reported in the past, in coordination with Procurement and other relevant offices of the Secretariat, the Ethics Office explored different options for the development of an external electronic platform for the submission and storage of confidential information associated with the FDP. It was noted that all such options involved significant costs for the Organization. At the same time, in a recent report, the Joint Inspection Unit recommended the executive heads of United Nations system organizations to "*evaluate the effectiveness and efficiency, including "value for money", of their financial disclosure and declaration of interest programmes and, on the basis of the findings, propose changes to the relevant policies where appropriate*"⁶. Based on the above, it was decided to pause any further action involving potential external entities and explore the possibility to benefit from the results of the ongoing ICAO Digital Transformation, in a way that the reliable and secure electronic platform would be developed by using existing ICAO resources and capabilities.

3.25 **United Nations Coherence:** The Ethics Office promotes and supports collaboration with other ethics functions, which is considered to be an important tool for achieving its mandate. In 2023, the Ethics Officer continued his active participation in the Ethics Network for Multilateral Organizations (ENMO), which is a forum to promote system-wide collaboration on ethics-related issues, as well as exchange best practices and information for the coherent application of ethical standards and policies. The Network comprises over 100 senior ethics officials from more than 40 multilateral institutions. This includes the organizations belonging to United Nations Chief Executives Board, which established a dedicated group within the network, to which the Ethics Officer is an active member. The Ethics Officer also served as a member of the ENMO Governance Committee. He also actively participated in the 15th Annual Conference of ENMO which focused, *inter alia*, on ethics and

⁴ Specifically, paragraph 41 of the Ethics Framework provides that "*The Unethical conduct is behaviour that is contrary to the core values and principles that are enshrined in this framework and includes discrimination; harassment, including sexual harassment; intimidation, retaliation and abuse of authority; staying in a conflict of interest situation; corruption; misuse of corporate information and breach of confidentiality; and nepotism, be it for personal benefit or for favours to others*".

⁵ For instance, in the hypothetical case where the spouse of a staff member (who is not involved in ICAO procurement or contractual activities) is also the legal representative of an ICAO vendor.

⁶ Recommendation 4 of the JIU report on *Review of the ethics function in the United Nations* (JIU/REP/2021/5).

the use of innovative technologies, innovations in impact measurement, and the role of the ethics office in the overall governance structure.

3.26 During the reporting period, the Ethics Officer also took part in a two-member peer-review team responsible for the evaluation of the UNEO ethics advisory and related services. Finally, the Ethics Office established and maintained constructive bilateral relations with the Ethics Offices of other International Organizations.

4. OBSERVATIONS AND CONCLUSION

4.1 As mentioned by the JIU in a remark addressed to the legislative organs, governing bodies and executive heads of United Nations Organization, “*an adequate level of resources for the ethics function (both human and financial) is a prerequisite for achieving the expected levels of integrity and accountability in an organization*”⁷. In this context, in terms of available resources under the ICAO Regular Programme Budget in 2023, the situation of the Ethics Office remained limited and consistent with what was reported in the past two annual reports⁸. Consequently, in 2023 the Ethics Office continued to rely on the “voluntary” support from other offices as well as the assignment of exceptional funding from the limited 2022 carryover budget. A similar arrangement is also expected to take place in 2024, with the understanding that this would be reviewed in case unforeseen urgent needs arise during the year. It was also agreed that during the preparation of the ICAO triennial Regular Programme Budget for 2026-2028, the Secretary General will support a proposal for the inclusion of adequate resources to the Ethics Office. While such measures are expected to address some of the concerns associated with the level and sustainability of the resources allocated to the Ethics Office, they would not obviate either the risk of an unintended perception of limited independence of the Office, or the challenges faced by the Office to properly plan activities for an effective implementation of its mandate⁹. To enhance the Ethics Office’s ability to carry out its mandated responsibilities, a State letter for a Junior Professional Officer opportunity for the position of an Associate Ethics Officer was issued in December 2022 and remained open throughout 2023. Regrettably, no nominations were submitted by any Government during the reporting period.

4.2 As mentioned above, the analysis of the emerging trends related to the requests for advice and guidance received from the Ethics Office in 2023 appears to confirm the need – already expressed in the 2022 Annual Report – for ICAO to enhance its limited internal capability in terms of early informal dispute resolution mechanisms. In this regard, a key action would be to reinforce the existing rules on the roles and responsibilities of Directors, managers and supervisors, who have the duty to promote and preserve a safe and harmonious work environment, and the obligation to take swift and appropriate preventative action on potential cases of misconduct, especially harassment, as soon as they become aware of such situations¹⁰. In parallel, ICAO personnel should be granted access to independent and neutral entities when the involvement of Directors, managers or supervisors is considered to be unsuitable or ineffective. In this regard, the Ethics Office welcomes the decision to open a vacancy for the position of an independent Ombudsperson, who will report directly to the Secretary General. At the same time, it would be important to also establish a network of volunteer Respectful Workplace Advisors ramified within the different Bureaus, Offices, and Regional Offices, which would act as a neutral resource and provide colleagues with initial support when experiencing a workplace dispute. The network should also assist with building and sustaining an ethical culture

⁷ The JIU report on *Review of the ethics function in the United Nations* (JIU/REP/2021/5) where the attention of the legislative organs and governing bodies is also drawn “*to the need to ensure that the ethics functions of their respective organizations are adequately resourced, including through a dedicated budget line*” (see paragraphs 86 and 298).

⁸ See paragraphs 4.1 of C-WP/15330 and C-WP/15474, where it was noted that the Regular Budget only included two lines directly associated with the Ethics Office: a) 60% of the position of the Ethics Officer; and b) travel.

⁹ Under such circumstances, in 2023, the Ethics Officer was often obliged to prioritize the tasks associated with the different areas of its mandate to the expense of the provision of prompt and comprehensive advice and support. The Office’s ability to discharge regular managerial and administrative responsibilities was also affected. For a further analysis on the impact of the budget constraint on the Ethics Office’s ability to carry over its mandate see also paragraphs 52-56 of the report of the ICAO Office of Internal Oversight on Internal Audit Report on Ethics Framework ([IA/2022/4](#)).

¹⁰ Paragraphs 31 and 92 of the ICAO Ethics Framework refer. See also paragraph 4.3 of the 2022 Annual Report.

through communication, training and other ethics or compliance-related initiatives. Finally, it would also be advisable to consider the possibility to make available to ICAO staff the services of a skilled Staff Counsellor assisting personnel on workplace matters that may cause individuals stress or other challenges, either through direct contract or by benefitting of existing resources within the United Nations system.

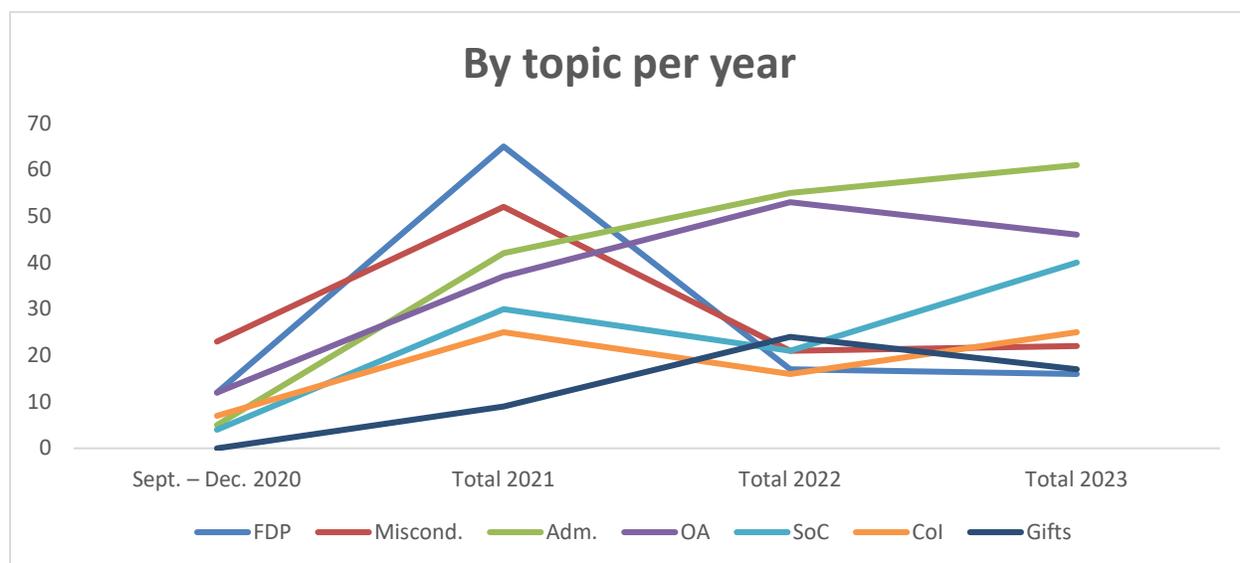
4.3 The Ethics Office considers important to continue updating the ICAO regulatory framework on some key ethical areas to align them with United Nations best practices. In this regard, the Ethics Office wishes to commend the Secretary General for issuing two important *interim* measures on staff awards and the handling, recording and disposing of gifts. The Office also understands that a Specialist (Administrative Law, Policy and Disciplinary Matters) is expected to join ICAO shortly, and that the incumbent's responsibilities include the development of a regulatory framework on these two topics as well as other pending issues, such as the engagement of outside activities. In this context, it is suggested that ICAO takes this opportunity to also review its Personnel Instruction PI/1.3.1 on *Prevention of Sexual Exploitation and Sexual Abuse*. While ICAO has a very good record in this area, with no complaint received by the investigative entity in 2023, the existing framework is outdated and would benefit from alignment with relevant policies in force in the United Nations system.

4.4 The Ethics Office understands that the Organization is exploring the possibility to engage in strategic partnerships and alternate funding models to supplement constrained budgets. As noted by the JIU in a recent report, such partnerships “*have ethical implications and expose both the staff and the overall organizational integrity to new types of risks, such as regarding the neutrality of the parties involved, the soundness of the value proposition, and possible favouritism or conflicts of interest*”¹¹. In this regard, the Ethics Office welcomes the decision of both the Committee on Cooperation with External Parties and the Small Group on Sustainable ICAO Financing and Budgeting to involve it – along with other relevant Bureaus and Offices – in discussions on the review of existing procedures as well as the establishment of appropriate procedures on due diligence, risks assessment and management, with the aim of mitigating and managing the resulting ethical risks, such as conflicts of interest. In this context, it would also be advisable that all relevant stakeholders are engaged in conflicts-of-interest mitigating measures through a holistic approach, where – for instance -members of Panels and Expert groups, consultative fora and similar entities are requested to sign a declaration through which they would acknowledge ICAO principles and values and commit to disclose any conflict of interest that might arise from their engagement with ICAO. It could also be timely to consider progressing with the review of the Council's decision to explore options regarding the development of a Code of Conduct for the staff of Delegations to ICAO that would provide guidance on recommended standards of behaviour, as well as in relation to interactions between Delegations and the ICAO Secretariat (C-DEC 223/10 refers).

¹¹ See paragraph 329 of the JIU report on *Review of the ethics function in the United Nations* (JIU/REP/2021/5), where it is also stated that “[t]he decrease in traditional government and donor funding has profound ethical implications as well, since it is increasingly forcing organizations to look for funding from and partner with a variety of private sector entities. [...] The ethics functions will have an important role to play in steering organizations through such changes, in particular to mitigate and manage the resulting ethical risks.”.

APPENDIX A

Advice and Guidance¹²



<u>Topic</u>	<u>Sept. – Dec. 2020</u>	<u>Total 2021</u>	<u>Total 2022</u>	<u>Total 2023</u>
<i>FDP</i>	12	65 ¹³	17	16
<i>Miscond.</i>	23 ¹⁴	52 ¹⁵	21 ¹⁶	22
<i>Adm.</i>	5	42	55	61
<i>OA</i>	12	37	53	46
<i>SoC</i>	4	30	21	40
<i>CoI</i>	7	25	16	25
<i>Gifts</i>	0	9	24	17
<u>Total</u>	63	260	207	227

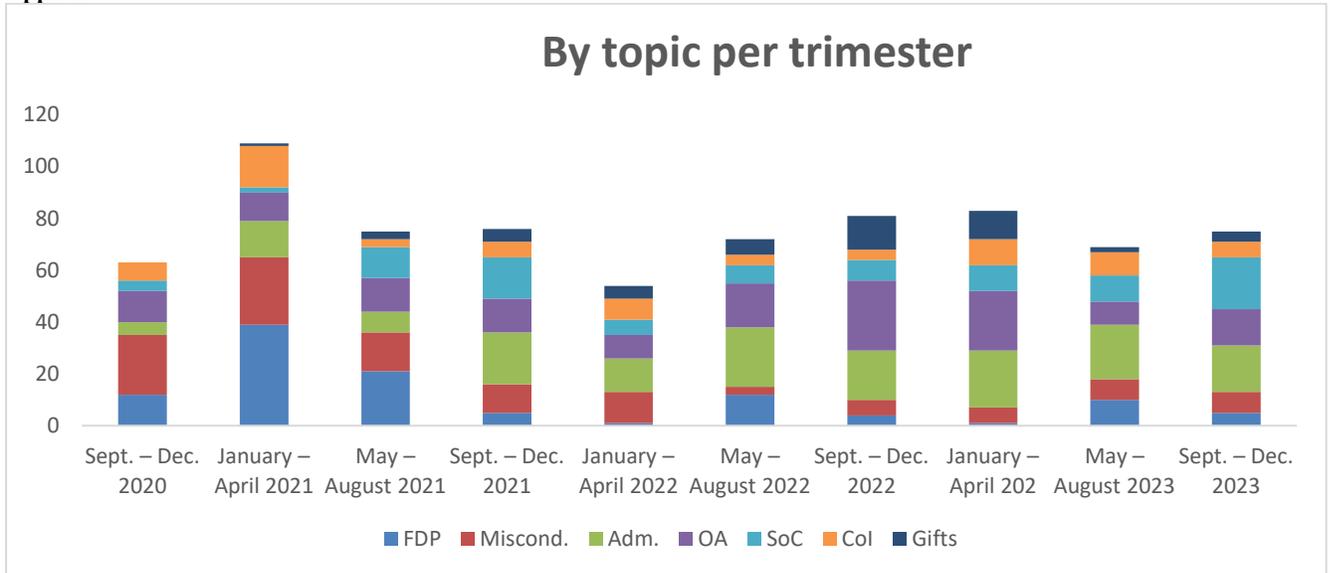
¹² For the purpose of the present Appendix, the following acronyms are used: “FDP” for “Financial Disclosure programme”; “Miscond.” for “misconduct/wrongdoing”; “Adm.” for “administrative-related inquiries”; “OA” for “outside activities”; “SoC” for “standards of conduct”, and “CoI” for “conflicts of interest”.

¹³ It is worth noting that in 2021 the Ethics Office led two separate FDP paper-based exercises and numerous staff expressed concerns and difficulties in submitting the necessary documentation during a pandemic.

¹⁴ This includes the provision of preliminary advice on 3 cases of potential/perceived retaliation.

¹⁵ This includes the provision of preliminary advice on 5 cases of potential/perceived retaliation, and 3 cases of wrongdoing.

¹⁶ This includes the provision of preliminary advice on 5 cases of potential/perceived retaliation, and 3 cases of wrongdoing.



Topic	Sept. – Dec. 2020	Jan. – Apr. 2021	May – Aug. 2021	Sept. – Dec. 2021	Jan. – Apr. 2022	May – Aug. 2022	Sept. – Dec. 2022	Jan. – Apr. 2023	May – Aug. 2023	Sept. – Dec. 2023
<i>FDP</i>	12	39	21	5	1	12	4	1	10	5
<i>Miscond.</i>	23 ¹⁷	26 ¹⁸	15 ¹⁹	11 ²⁰	12 ²¹	3 ²²	6 ²³	6 ²⁴	8 ²⁵	8 ²⁶
<i>Adm.</i>	5	14	8	20	13	23	19	22	21	18
<i>OA</i>	12	11	13	13	9	17	27	23	9	14
<i>SoC</i>	4	2	12	16	6	7	8	10	10	20
<i>Col</i>	7	16	3	6	8	4	4	10	9	6
<i>Gifts</i>	0	1	3	5	5	6	13	11	2	4
Total	63	109	75	76	54	72	81	83	69	75

¹⁷ This includes the provision of preliminary advice on 3 cases of potential/perceived retaliation.

¹⁸ This includes the provision of preliminary advice on 3 cases of potential/perceived retaliation, and 2 cases of wrongdoing.

¹⁹ This includes 1 case of wrongdoing.

²⁰ This includes the provision of preliminary advice on 2 cases of potential/perceived retaliation.

²¹ This includes the provision of preliminary advice on 3 cases of potential/perceived retaliation.

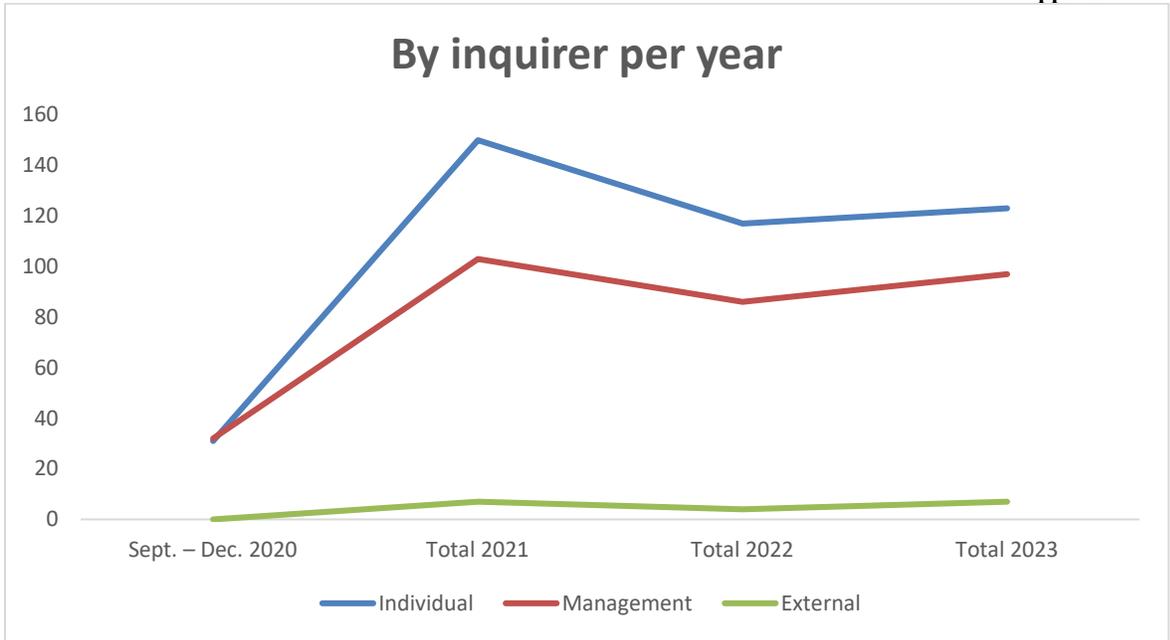
²² This includes the provision of preliminary advice on 1 case of potential/perceived retaliation, and 1 case of wrongdoing.

²³ This includes the provision of preliminary advice on 1 case of potential/perceived retaliation, and 2 cases of wrongdoing.

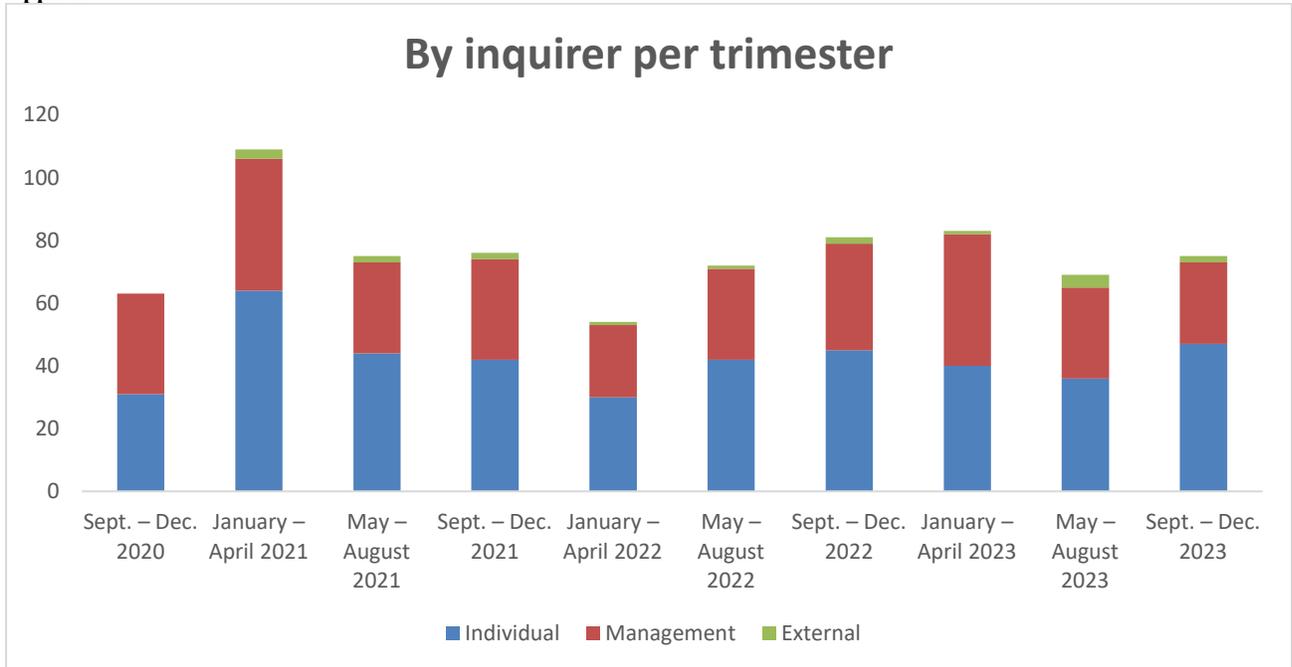
²⁴ This includes the provision of preliminary advice on 2 cases of potential/perceived retaliation.

²⁵ This includes the provision of preliminary advice on 2 cases of potential/perceived retaliation and 2 cases of wrongdoing.

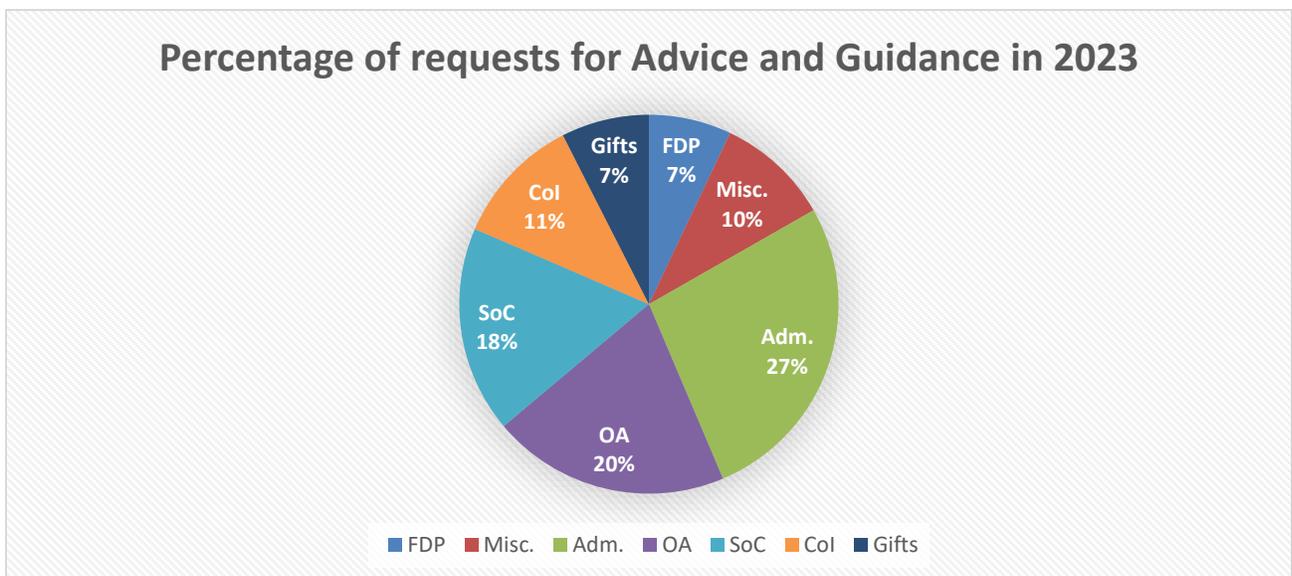
²⁶ This includes the provision of preliminary advice on 1 case of potential/perceived retaliation.



	<u>Sept. - Dec. 2020</u>	<u>Total 2021</u>	<u>Total 2022</u>	<u>Total 2023</u>
<i>Individual</i>	31	150	117	123
<i>Management</i>	32	103	86	97
<i>External</i>	0	7	4	7
Total	63	260	207	227
<i>Ex Officio</i>	0	7	7	12

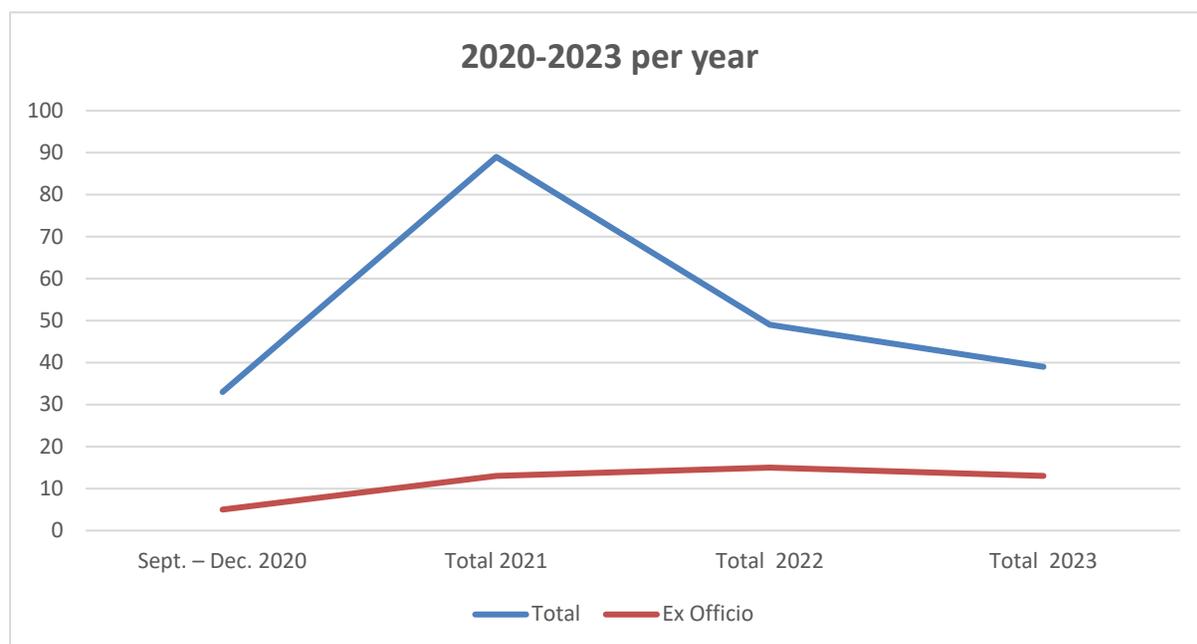


	<u>Sept. – Dec. 2020</u>	<u>Jan. – Apr. 2021</u>	<u>May – Aug. 2021</u>	<u>Sept. – Dec. 2021</u>	<u>Jan. – Apr. 2022</u>	<u>May – Aug. 2022</u>	<u>Sept. – Dec. 2022</u>	<u>Jan. – Apr. 2023</u>	<u>May – Aug. 2021</u>	<u>Sept. – Dec. 2021</u>
<i>Individual</i>	31	64	44	42	30	42	45	40	36	47
<i>Management</i>	32	42	29	32	23	29	34	42	29	26
<i>External</i>	0	3	2	2	1	1	2	1	4	2
Total	63	109	75	76	54	72	81	83	69	75
<i>Ex Officio</i>	0	1	2	4	1	2	4	1	2	9

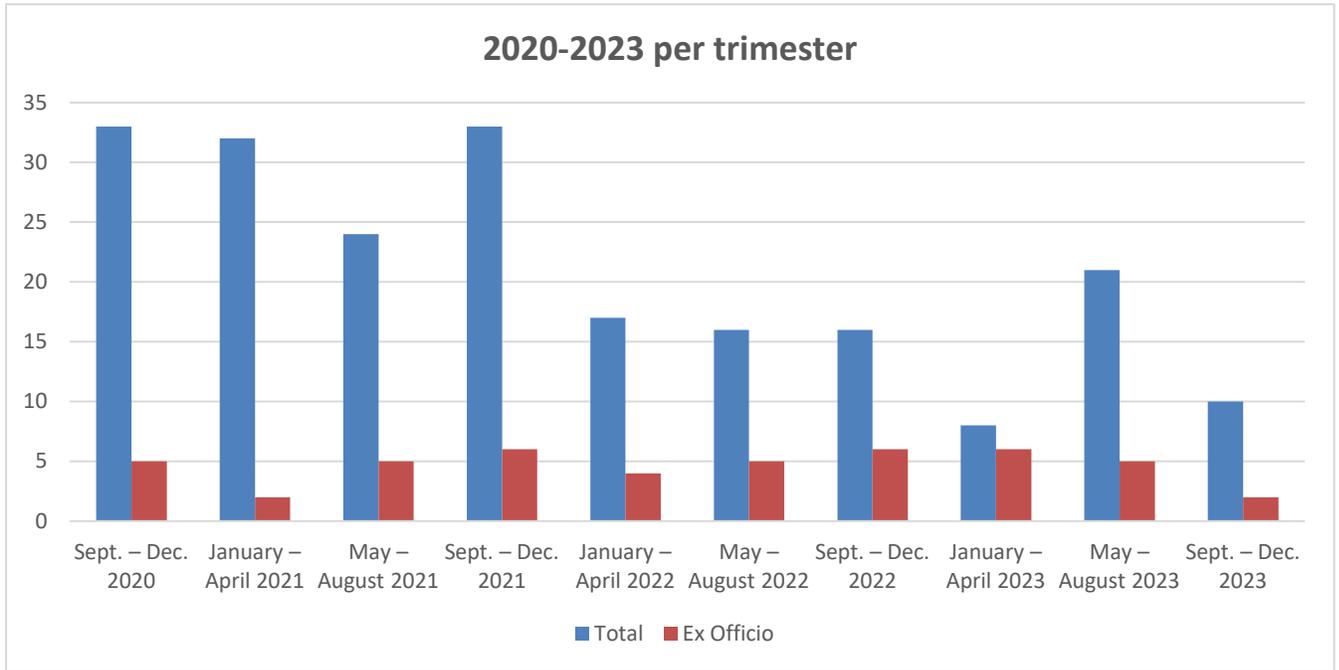


APPENDIX B

Standard-setting and policy support



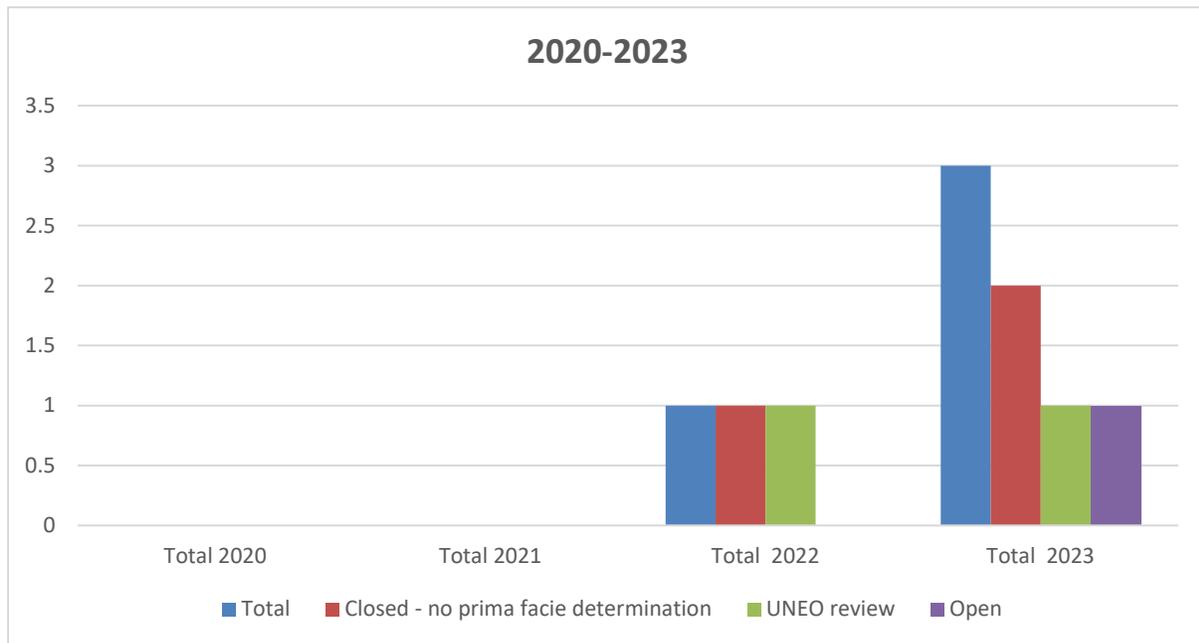
	<u>Sept. – Dec. 2020</u>	<u>Total 2021</u>	<u>Total 2022</u>	<u>Total 2023</u>
Total	33	89	49	39
<i>Ex Officio</i>	5	13	15	13



	<u>Sept. - Dec.</u> 2020	<u>Jan. - Apr.</u> 2021	<u>May - Aug.</u> 2021	<u>Sept. - Dec.</u> 2021	<u>Jan. - Apr.</u> 2022	<u>May - Aug.</u> 2022	<u>Sept. - Dec.</u> 2022	<u>Jan. - Apr.</u> 2023	<u>May - Aug.</u> 2023	<u>Sept. - Dec.</u> 2023
Total	33	32	24	33	17	16	16	8	21	10
<i>Ex Officio</i>	5	2	5	6	4	5	6	6	5	2

APPENDIX C

Requests for protection against retaliation



	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Total	0	0	1	3
Closed	0	0	1	2
UNEO review	0	0	1 ²⁷	1 ²⁸
Open	0	0	0	1 ²⁹

— END —

²⁷ Concurrence with the no *prima facie* determination of the ICAO Ethics Officer and closed.

²⁸ Concurrence with the no *prima facie* determination of the ICAO Ethics Officer and closed.

²⁹ Pending information from the complainant.