



**ASSEMBLY — 41ST SESSION**

**ADMINISTRATIVE COMMISSION**

**Agenda Item 55: Developments regarding the ICAO Ethics Framework and Establishment of Rules of Procedures regarding the Secretary General and the President of the Council**

**DEVELOPMENTS REGARDING THE ICAO ETHICS FRAMEWORK AND  
ESTABLISHMENT OF RULES OF PROCEDURES REGARDING THE SECRETARY  
GENERAL AND THE PRESIDENT OF THE COUNCIL**

(Presented by the Council of ICAO)

**EXECUTIVE SUMMARY**

This information paper reports on the progress made on the status of the implementation of the ICAO Framework on Ethics (Annex I to the ICAO Service Code) since the revised version of the ICAO Service Code became effective as of 9 July 2020, the date of its publication. In addition, an update is provided on the implementation of Appendices G, H, and I to the Rules of Procedure for the Council approved on 26 April 2021.

Action: The Assembly is invited to:

- a) take note of the progress made on the implementation of the revised ICAO Framework on Ethics and the implementation of the Appendices G, H and I to the Rules of Procedure for the Council.

<i>Strategic Objectives:</i>	This information paper relates to all Strategic Objectives and Supporting Strategies.
<i>Financial implications:</i>	The ICAO activities referred to in this paper are expected to be undertaken within the resources available in the 2023-2025 Regular Budget and/or from extra-budgetary contributions as guided by the ICAO Business Plan 2023-2025.
<i>References:</i>	<i>The ICAO Service Code (Doc 7350/9)</i> <i>Rules of Procedure for the Council (Doc 7559)</i> <a href="#">Annual Reports of Investigative Entity on Cases of Misconduct (icao.int)</a> <a href="#">Annual Reports on Actions Taken in Response to Complaints of Misconduct and Retaliation (icao.int)</a> <i>Annual Report of the Ethics Officer</i>

## 1. INTRODUCTION

1.1 The ICAO Framework on Ethics (Annex I to the ICAO Service Code) approved by the Council at the sixth meeting of its 193rd Session has been amended on several occasions.

1.2 This paper provides a progress report on the status of the implementation of the revised ICAO Framework on Ethics, including the updates to existing rules and procedures set out in the Staff Rules and Personnel Instructions, the implementation of the Appendices G, H, and I to the Rules of Procedure for the Council (Doc 7559), the roll-out of training and outreach initiatives for staff members, as well as the establishment of a mechanism for the reporting and handling of all cases of misconduct with an investigative entity and a mechanism for the direct reporting and handling of complaints of retaliation that the Ethics Officer cannot handle as per the ICAO Service Code.

1.3 It should be noted that the current ICAO Ethics Officer reported for duty effective 1 September 2020.

## 2. THE REVISED ICAO SERVICE CODE, AMENDMENTS TO RELEVANT REGULATORY FRAMEWORK, STAFF RULES AND PERSONNEL INSTRUCTIONS

2.1 On 26 June 2020, the Council at the seventh meeting of its 220th Session, adopted a consolidated text of the revised ICAO Service Code (Article X - Disciplinary Matters and Annex I - ICAO Framework on Ethics) as decided by the Council on 22 May 2020. Amendment 32 to the ICAO Service Code became effective as of 9 July 2020, the date of its publication.

2.2 The ICAO Framework on Ethics was reviewed to include, inter alia, new procedures for handling misconduct by ICAO personnel, including the role of an independent investigative entity to handle and investigate allegations of misconduct and an enhanced policy on protection against retaliation to increase staff confidence in reporting allegations of misconduct in good faith and in cooperating with duly authorized audits and investigations.

2.3 Following the publication of Amendment 32 to the ICAO Service Code, substantive work was undertaken to align the applicable regulatory framework, including Policies, Staff Rules and Personnel Instructions, with the provisions of the revised ICAO Framework on Ethics. Specifically, the following instruments were amended and promulgated:

- a) Staff Rule 110.1 (Disciplinary measures and processes);
- b) Staff Rule 101.1 (Standards of Conduct of International Civil Service);
- c) Personnel Instruction PI/1.6 (Procedures in relation to the ICAO Framework on Ethics);
- d) Personnel Instruction PI/1.3 (Prevention of Sexual Harassment);
- e) Personnel Instruction PI/1.3.1 (Prevention of Sexual Exploitation and Sexual Abuse);
- f) ICAO Anti-Fraud and Anti-Corruption Policy, and;

- g) Appendices G, H, and I of the Rules of Procedure for the Council.

### **3. UPDATE ON RULES OF PROCEDURE REGARDING THE SECRETARY GENERAL AND THE PRESIDENT OF THE COUNCIL**

3.1 The Council, at the first meeting of its 223rd Session, formally approved the Appendices G, H, and I to the Rules of Procedure of the Council (Doc 7559) concerning rules and procedures to address the allegations of misconduct or retaliation against the President of the Council (Appendix G) and the Secretary General (Appendix H). Appendix I represents a code of conduct for the President of the Council and the Secretary General, with the Council attaching utmost importance to promoting the highest standards of ethical behaviour and leadership in ICAO.

3.2 Appendices G, H and I of the Rules of Procedure for the Council were published on 3 March 2022.

3.3 Furthermore, the Council approved Amendment 38 of the ICAO Service Code, which became effective on 23 June 2021 that introduced revisions to the ICAO Framework on Ethics, in order to align the ICAO Service Code with the provisions of Appendices G and H to the Rules of Procedure for the Council.

### **4. MOUS WITH EXTERNAL INVESTIGATIVE AND ETHICS ENTITIES WITHIN THE UNITED NATIONS SYSTEM**

4.1 As required by the revised ICAO Framework on Ethics, the Organization entered into a Memorandum of Understanding (MOU) with an investigative entity within the United Nations system to establish a mechanism for the reporting and handling of all cases of misconduct. Following consultation with the Council Small Group on Ethics, the Organization signed an Agreement with the United Nations Office for Internal Oversight Services (OIOS) in January 2022.

4.2 In addition, the Organization is in the final stage of its negotiations for an MOU with an external ethics entity within the United Nations system to establish a mechanism for the direct reporting and handling of complaints of retaliation that the Ethics Officer cannot handle, in accordance with the ICAO Framework on Ethics. The Secretariat is finalizing the details of such Agreement with the United Nations Ethics Office.

4.3 Following the Amendment 38 of the ICAO Service Code, the above MOUs also require the external investigative and ethics entities to handle allegations of misconduct as well as requests for protection against retaliation, including with regard to possible interim protection measures, in accordance with the procedures established respectively in Appendices G and H to the Rules of Procedure for the Council referred to in paragraphs 3.1 and 3.2 above.

### **5. ANNUAL REPORTING**

5.1 Pursuant to the provisions of the revised ICAO Framework on Ethics, OIOS submitted to the Council, during its 222nd and 225th Sessions, annual reports of all complaints of misconduct it

handled on behalf of ICAO in 2020 and 2021 respectively. The OIOS annual reports contained sufficient details of the cases while respecting the utmost confidentiality and privacy rights of staff members involved. The reports, which also presented summaries of concluded investigations in an anonymized format, and findings and recommendations of such investigations pertaining to systemic improvement, were made publicly available on the ICAO website.

5.2 To foster and further strengthen an organizational culture of ethics, integrity, transparency, and accountability within the Organization, the revised ICAO Framework on Ethics requires the Secretary General to submit to the Council an annual report on actions taken in response to matters referred and investigation reports provided by OIOS in the preceding year on complaints of misconduct and retaliation. Further to this requirement, the Secretary General submitted to the Council, at its 222nd and 225th Sessions, annual reports detailing disciplinary actions and administrative measures taken respectively in 2020 and 2021 in response to cases referred back and investigation reports provided by OIOS. The Secretary General's annual reports, which presented for Council's consideration anonymized information on disciplinary and administrative measures taken in response to substantiated cases of misconduct, were made publicly available on the ICAO website

5.3 As required by the ICAO Framework on Ethics, the ICAO Ethics Officer also provides an annual report to the Council on activities undertaken, which is made publicly available on the ICAO website.

## **6. COMMUNICATIONS AND OUTREACH**

6.1 In 2021 and 2022, the Secretariat issued several Staff Notices and organized a series of townhall meetings to inform all ICAO personnel on the latest development related to the implementation of the ICAO Framework on Ethics. ICAO personnel were also reminded about their obligations and responsibilities as international civil servants and to abide by and uphold the highest standards of integrity in all matters affecting their official duties, thus following the concept of integrity as enshrined in the ICAO Standards of Conduct and the Charter of the United Nations. At the same time, all personnel were reminded of their obligation to report any concerns relating to misconduct directly to the OIOS, the external investigative entity.

6.2 In 2021, the Ethics Office launched a series of ethical awareness messages on the standards of conduct applicable to all ICAO personnel, such as integrity, loyalty, independence, impartiality, tolerance and understanding, non-discrimination, and gender equality. The Office also issued a holiday season gift advisory message recalling staff the regulatory framework on acceptance of gifts, as well as advisory message on the importance of being mindful of their independence and impartiality as international civil servants.

## **7. ETHICS AND INTEGRITY TRAINING SESSIONS**

7.1 With the support of an external training provider, the Secretariat has designed and conducted 20 ethics training workshops on Working Ethically and Leading Ethically during 2020. The workshops were to reaffirm ICAO's commitment to ethical and responsible professional conduction, focus on the understanding of the ICAO framework on ethics, as well as the practical use of an effective ethical decision-making model

7.2 Following the recommendation of the Ethics Officer, the Secretary General launched the first Leadership Dialogue in May 2021 on Acknowledging Dignity through Civility: How can I communicate for a more harmonious workplace? This initiative, which requested managers to engage in conversation with their direct reports on shared responsibility to create a more effective and mutually respectful work environment, was implemented throughout the organization and welcomed by ICAO personnel.

7.3 In early 2021, the Secretariat mandated ICAO senior leadership to attend the *Introduction to Ethical Leadership* training, organized by the UN Office for Human Resources and the UN Ethics Office through the UN System Staff College (UNSSC). Other ICAO managers were also encouraged to take such training course.

7.4 In collaboration with the UN System Staff College, ten online training modules on ethics covering a variety of courses for staff and leadership are being developed. Such courses will cover, inter alia, topics such as prevention of sexual exploitation and abuse, anti-fraud and anti-corruption, ethics and integrity, conflict of interest for senior leadership and managers, and protection against retaliation. It is anticipated that 3 to 4 modules will be developed per year starting from 2022.

## **8. ACTIONS TAKEN TO ADDRESS SEXUAL HARASSMENT IN THE ORGANIZATION**

8.1 An action plan was implemented to address sexual harassment in the Organization, including a zero tolerance policy for sexual harassment which aligned ICAO's efforts, such as the revision to Personnel Instruction PI/1.3 (Prevention of sexual harassment) in June 2021, with the United Nations policy on addressing discrimination, harassment, including sexual harassment, and abuse of authority. The revised PI/1.3 was also harmonized with the UN System Model Policy on Sexual Harassment endorsed by the United Nations System Chief Executives Board for Coordination in November 2018.

8.2 Following the promulgation of the revised Personnel Instruction PI/1.3, ICAO has been actively training personnel on the prevention of sexual harassment through a mandatory training course for all staff, including on key aspects such as awareness-raising, skill-building, diversity, respect, equality, and bystander techniques for intervening in a situation of sexual harassment. Also included in the training are specific references to ICAO's rules and policies in this area.

## **9. FUTURE ACTIONS**

9.1 The Organization is committed to further strengthening and streamlining the implementation of the ICAO Framework on Ethics including through its programme of activities on ethics principles and values. Efforts will be accelerated to improve coordination, to strengthen the cooperation and to harmonize the activities of all relevant actors in ICAO who play a key role in upholding ethics principles and values in ICAO. Specifically, the Organization will continue to invest in providing ethics-related training to all personnel.

9.2 Through the implementation of the ongoing ethics-related activities as well as the planned activities outlined in the ICAO Business Plan 2023-2025, the Organization is on track to ensuring that ICAO personnel have the appropriate means and understanding of the necessary values, actions, and

personal characteristics to uphold the ethics principles and values of the Organization, including demonstration of ethical leadership examples at the senior management level.

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