

## 169th SESSION OF THE EXECUTIVE COMMITTEE

*Virtual Session, 24 September 2021*

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*Provisional Agenda Item 3.4*

CE169/4  
9 August 2021  
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### ANNUAL REPORT OF THE ETHICS OFFICE FOR 2020

#### **Introduction**

1. Established in 2006, the Ethics Office of the Pan American Health Organization (PAHO) works to promote the Organization's values and commitment to ethical behavior, transparency, accountability, and equity.
  2. The Ethics Office is an independent entity within the organizational structure of the Pan American Sanitary Bureau (PASB) and has a direct reporting relationship to the Governing Bodies of PAHO through the Executive Committee. Within PASB, the Ethics Office reports to the Deputy Director for performance evaluation and routine administrative matters, including biennial work plans, budget, staffing needs, and the approval of duty travel and leave.
  3. The Ethics Office is guided by the principles of integrity, independence, and impartiality in pursuing its mandate of ensuring ethical conduct in every facet of the Organization's work and compliance with the rules and policies designed to promote the highest standards of ethical behavior. The Ethics Office performs its functions without any external influence from staff, management, or third parties outside the Organization.
  4. Access to the Ethics Office is available to all PASB personnel, irrespective of contractual status. Personnel are encouraged to seek advice on how to comply with the principles of ethical behavior set out in the PAHO Code of Ethical Principles and Conduct (the Code) and in other policies that regulate the conduct of international civil servants. The Ethics Office plays a central role in promoting and shaping a culture of ethics and integrity in PASB, providing guidance and training to help personnel make the right ethical choices, and integrating the principles set forth in the Code into the daily professional practice of all personnel.
  5. By employing a variety of methods and resources, such as printed materials, face-to-face training sessions, interactive technology, and multimedia tools, the Ethics Office promotes high ethical standards and awareness both at Headquarters and in the PAHO/WHO Representative (PWR) Offices and Centers. The Ethics Office stays abreast
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of emerging trends and shifting priorities in the areas of ethics and compliance, which enables it to develop new policies and initiatives that are then incorporated into learning activities.

6. The Ethics Office is the coordinator of the PAHO Integrity and Conflict Management System (ICMS),<sup>1</sup> which brings together all the resources in the Organization responsible for addressing matters of organizational integrity and conflict resolution. ICMS members meet regularly to ensure consistent application and interpretation of PAHO rules and policies, to discuss matters of mutual interest, and to suggest changes and improvements in the Organization's ethical policies, as well as in the conflict resolution system.

7. It is important to highlight that 2020 brought unprecedented changes in the way people lived and worked. Due to the COVID-19 pandemic, the workplace shifted overnight from working collaboratively alongside colleagues to a virtual environment. Nevertheless, PASB personnel remained tasked with advancing PAHO's mission and upholding the core values of equity, excellence, solidarity, respect, and integrity. Since its establishment, the Ethics Office has played a key role in strengthening these values by promoting ethical behavior, transparency, accountability, and equity.

8. The COVID-19 pandemic, while posing challenges in certain aspects of the Ethics Office's work, allowed for opportunities in other areas and compelled the Office to adjust its practices to meet the "new normal". In this report, the Ethics Office outlines its activities, achievements, and challenges in 2020. The areas covered include: *a*) advice and guidance provided to PASB personnel in response to consultations; *b*) briefing and training activities to foster an improved ethical culture; *c*) new initiatives that were implemented in 2020 to improve awareness and reduce the risk of potential conflicts of interest; and *d*) future actions planned to further enhance the ethical culture in PASB.

9. Highlighted below are the principal activities undertaken and the results achieved by the Ethics Office in 2020 in each of the key areas described above.

### **Advice and Guidance**

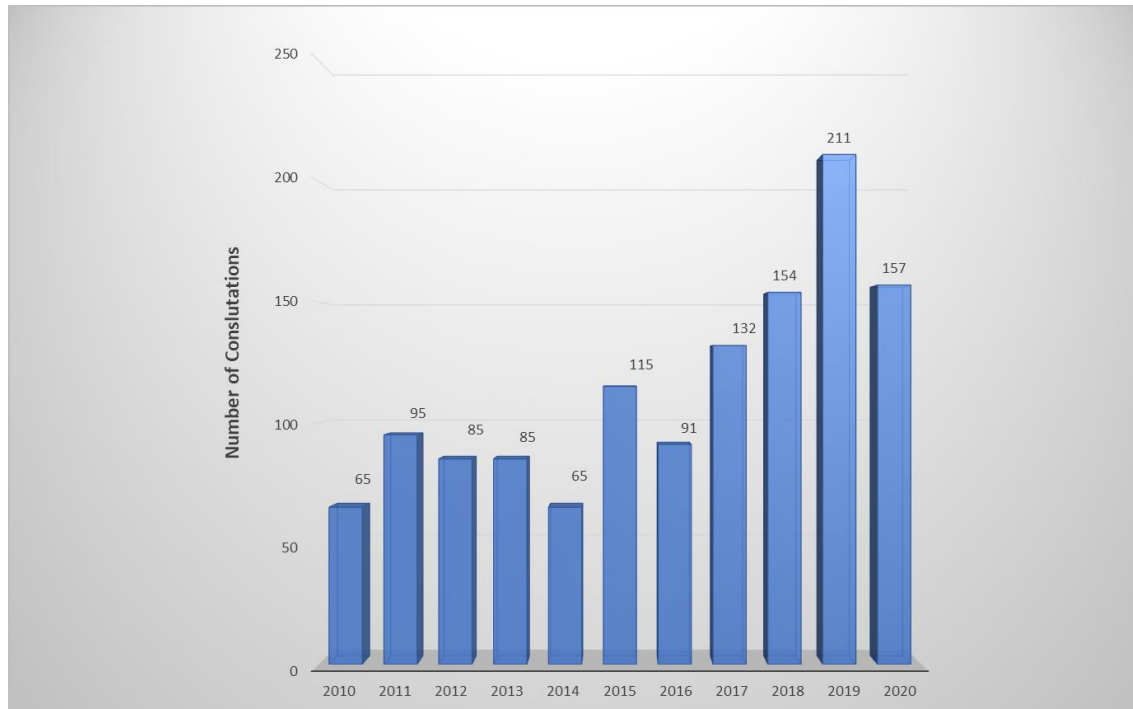
10. At its core, the main role of the Ethics Office is to help PASB personnel meet their responsibilities and obligations under the Code. All personnel are encouraged to seek advice from the Ethics Office whenever they have questions or are unsure of the potential implications of their actions. By providing authoritative guidance and advice, the Ethics Office helps personnel avoid potential conflicts of interest, thereby safeguarding the reputations of both the Organization and the individuals themselves.

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<sup>1</sup> The ICMS is composed of members from the Ethics Office, Office of the Ombudsman, Office of the Legal Counsel, Human Resources Management, Information Security Office, Office of Internal Audit, Investigations Office, Board of Appeal, and PAHO/WHO Staff Association.

11. The Ethics Office received 157 consultations in 2020 (Figure 1) from personnel on a wide range of issues.<sup>2</sup> While this number represents a decrease from the record 211 inquiries received in 2019, it is still the second largest number of consultations received in a single year, surpassing the 154 consultations received in 2018. These results reflect a continued growth in inquiries fielded by the Ethics Office during the past six years and an atmosphere that encourages personnel to seek guidance and advice.

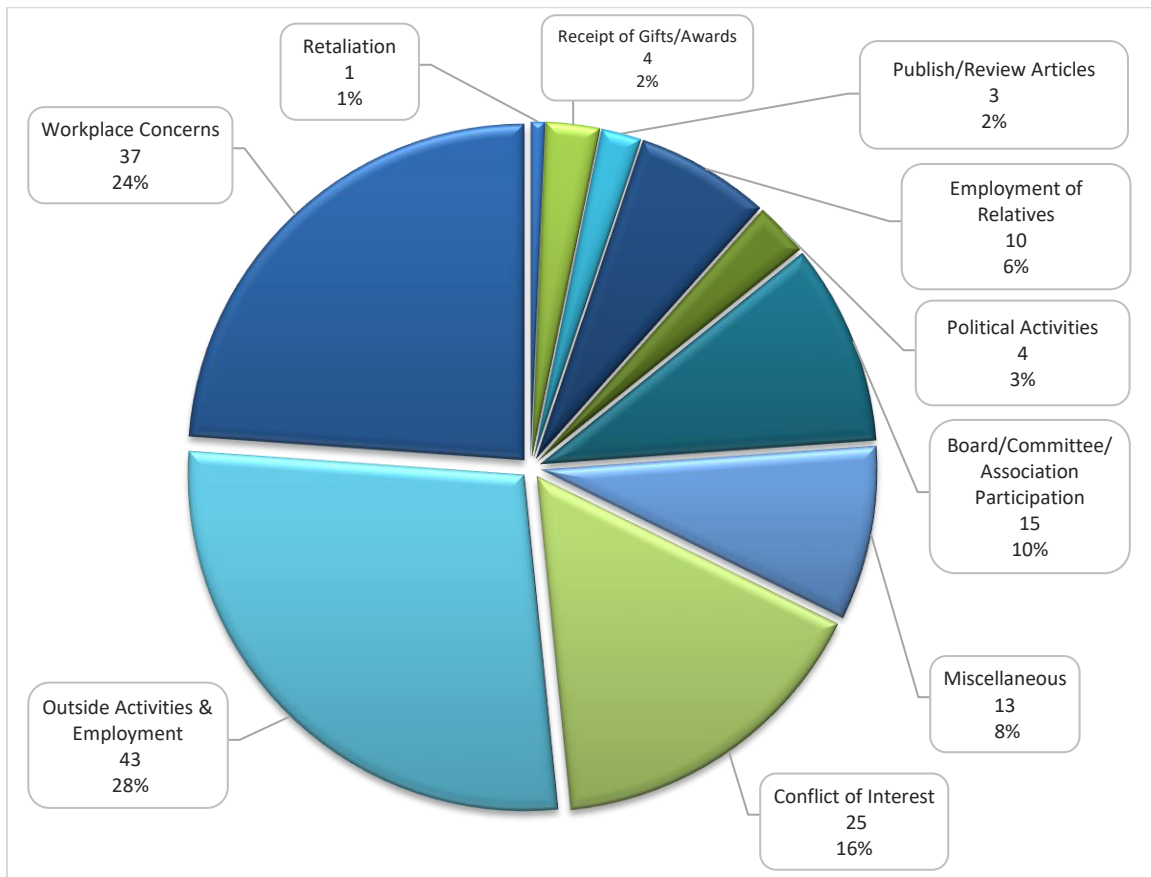
**Figure 1. Consultations by Year, 2010-2020**



12. The types of consultations received in 2020 are shown in Figure 2. The majority of queries (43) received by the Ethics Office in 2020 pertained to outside activities and external employment. This number represented a slight 14% decrease from the previous year, which can be attributed to the pandemic and the mandatory lockdowns, which caused a reduction in opportunities for personnel.

13. The Ethics Office received 37 queries about general workplace concerns. This was a notable—but not unexpected—decline from the 61 queries received in 2019. The decline can also be attributed to the Organization-wide mandate for telework, which reduced day-to-day interactions among personnel and the attendant potential for interpersonal conflict.

<sup>2</sup> The Ethics Office received an additional 33 queries through the PAHO Helpline that were classified as “external nonconforming” because they were not ethics-related but rather questions about personal medical concerns, general questions about PAHO, or other queries outside the purview of the Ethics Office. Nineteen of these inquiries were COVID-related. All external nonconforming inquiries received a response and were directed to other avenues pertinent to their query.

**Figure 2. Consultations by Type, 2020**

14. Twenty-five queries related to potential conflicts of interest, representing a 38% decrease from the year before. Again, this decline was likely prompted by the reduction in opportunities caused by the pandemic.

15. In addition, the Ethics Office received: *a)* 15 queries about serving as a board member of an outside organization or association; *b)* 10 queries related to the employment of family members or relatives of serving PASB personnel; *c)* four queries concerning gifts from suppliers or vendors; *d)* three queries referring to the publication of books; and *e)* 13 other queries pertaining to miscellaneous issues.

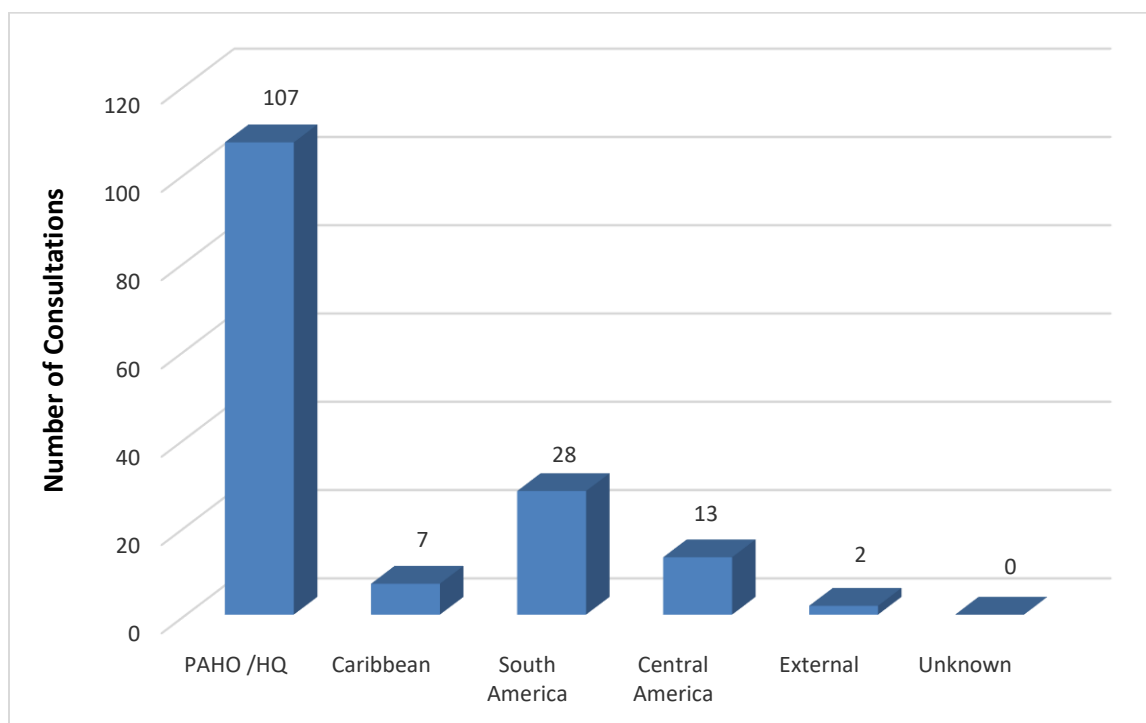
16. The Ethics Office also received one claim of retaliation. This claim was reviewed in accordance with the PAHO Policy to Protect Against Retaliation for Reporting Wrongdoing or Cooperating in an Investigation or Audit and was referred to the Investigations Office for consideration.

17. In the past, the category “outside activities and employment” included queries about involvement in political activities. However, given the sensitive nature of the subject, the Ethics Office decided to report this matter as a separate category in 2020. The four

queries received during the year were mainly about personnel participating in nonpartisan voter registration initiatives or making financial donations to political candidates and/or parties. The latter issue became the subject of internal consultations, which culminated in the issuance of a Public Information Bulletin allowing such contributions to be made (see also paragraph 44 below).

18. Figure 3 below shows that 68% (107) of all consultations came from personnel at PAHO Headquarters, while 31% (48) came from personnel in the PWR Offices and Centers, disaggregated as follows: 18% (28) from South America, 8% (13) from Central America, and 5% (7) from the Caribbean. Two consultations (1%) came from external sources, including one from a retiree.

**Figure 3. Consultations by Location, 2020**



19. Another important responsibility of the Ethics Office is to manage the Organization's Declaration of Interests (DOI) program, which requires all senior staff and selected staff in designated employment categories (including executive management, country representatives, department directors, unit chiefs, administrative officers, and all procurement and finance personnel), to disclose any personal or outside activity that may give rise to a conflict of interest. In 2020, the Ethics Office issued the DOI questionnaire to 249 staff members and received 207 responses. The Ethics Office followed up with 26 staff members to request additional information and ensured that any issues were resolved in favor of the Organization. The Ethics Office also continues to follow up with staff who have not yet returned their completed questionnaires. The DOI program is conducted on an annual basis.

### **Briefing and Learning Opportunities**

20. Except for its online induction course, all training carried out by the Ethics Office in the past has been in person. Face-to-face learning has been found to be the most effective modality for participants to focus on the material and retain it for future recall. In-person training enabled the Ethics Office to utilize a wide range of interactive learning tools, hands-on exercises, and role-playing to ensure that its training is both informative and engaging. This format also creates better rapport and participants are more comfortable asking questions during and after the training activity.

21. The onset of the pandemic and the resulting office closures in March 2020 forced the Ethics Office to cancel several planned training activities both at HQ and in the Country Offices during the first part of the year. It was originally envisioned that these training sessions would resume later in the year; however, the delay in resuming normal activities lasted much longer than was initially expected. As a result, only a limited amount of training was carried out in 2020.

22. In view of the unprecedented situation, the Ethics Office changed its approach to training and developed a new virtual program, which is interactive and uses a variety of innovative training techniques. This virtual program forms the basis for renewed training activities in 2021. Thereafter, once all activities resume, online training will continue to be used in conjunction with in-person learning in order to expand the training outreach of the Ethics Office.

23. Finally, the Ethics Office curriculum on the iLearn platform continues to be utilized and had over 1,300 enrollees. The 2.5-hour curriculum has three components: *a)* a United Nations course on prevention of harassment, sexual harassment, and abuse of authority in the workplace; *b)* a United Nations video entitled “To Serve with Pride: Zero Tolerance for Sexual Exploitation and Abuse”; and *c)* a user survey. The curriculum is mandatory for all PASB personnel, regardless of position or type of contract.

### **Other Actions and Initiatives**

24. An opportunity that arose because of the pandemic was that the meetings of the Integrity and Conflict Management System (ICMS), which took place virtually, were held more frequently than in previous years. PAHO uses a collaborative approach for policy development and the ICMS met on 15 occasions in 2020 to consider new or revised policies prepared by the Ethics Office. This collective approach ensures that different perspectives are considered, and that the best possible policy is implemented in the end.

25. One of the key policies developed in 2020 pertains to the prevention of sexual exploitation and abuse of vulnerable/beneficiary populations. This policy prohibits PASB personnel from engaging in any type of sexual conduct with people who depend on the services or assistance rendered by the Organization. It considers such acts to be

misconduct, which constitutes grounds for disciplinary measures and possible criminal prosecution. Implementation of this policy will be followed by an awareness campaign and by practical measures on the ground to show that PAHO is an ethical organization and does not tolerate any form of sexual exploitation or abuse.

26. In addition, a comprehensive review was undertaken in 2020 of the PAHO Policy to Protect Against Retaliation for Reporting Wrongdoing or Cooperating in an Investigation or Audit, taking into consideration best practices as well as the recommendations of the Joint Inspection Unit's Review of Whistle-Blower Policies and Practices in United Nations Systems Organizations (JIU/REP/2018/4). Key recommendations of the Joint Inspection Unit that have been accepted and incorporated in the revised policy or instituted in PAHO include:

- a) Extending the right of recourse to personnel in cases where a non-finding of retaliation is made, including at the preliminary inquiry stage.
- b) Issuing annual bulletins to remind personnel about the mechanisms available for reporting suspected misconduct and the protections against retaliation.
- c) Publicly posting an annual report of disciplinary cases, specifying the allegations, findings, and outcomes, to promote accountability and transparency.
- d) Carrying out periodic surveys to gauge the ethical climate in the Organization.

27. This policy, which has been renamed the Protection Against Retaliation Policy, is in the final stages of the internal review process and will be issued in 2021.

28. The PAHO Policy on the Prevention and Resolution of Harassment in the Workplace was also updated in 2020. Noteworthy changes include clarifying the issue of intent and specifying that a harassment complaint need not only be filed by the person alleging harassment but may also be submitted by any concerned person or entity, including the PAHO Staff Association.

29. Furthermore, the PAHO Asset Accountability Policy was updated in 2020. This policy holds staff accountable when assets belonging to the Organization are lost or stolen due to negligence. It was revised to reduce the financial liability of staff to reflect the increasing use of PAHO-owned assets outside the workplace to perform official tasks and the resulting higher risk of loss or theft.

30. The Ethics Office continued its efforts to mitigate conflicts of interest and developed a disclosure form specifically designed for newly selected staff. The purpose of this form is to identify any possible conflict of interest prior to appointment. The Ethics Office reviews each form to verify whether a disclosed activity might give rise to a conflict of interest. If so, it works with the selected candidate to resolve any actual or perceived conflict. In 2020, the Ethics Office reviewed 50 disclosure forms and worked with 10 candidates to resolve conflicts prior to their joining the Organization.

31. In addition, the Ethics Office issued three Organization-wide bulletins in 2020 addressing involvement in political activities, as follows:

- a) February 2020: To highlight the rights and restrictions of PASB personnel regarding participation in political activities, such as voting, running for or holding political office, or participating in election campaigns (Political Activities and Conduct of PASB Personnel, PIB-HQ-CO-Centers-20-3153).
- b) June 2020: To address whether PASB personnel may participate in peaceful protests and demonstrations (Participation in Protests, PIB-HQ-CO-Centers-20-3234).
- c) August 2020: To clarify that PASB personnel are allowed, in their *personal* capacity, to make financial contributions to political candidates and/or political parties (Financial Contributions to Political Parties and/or Candidates, PIB-HQ-CO-Centers-20-3269).

32. Finally, as part of its efforts to stay abreast of developments in the ethics field, PAHO participates in the Ethics Network of Multilateral Organizations (ENMO). ENMO serves as a forum in which members from about 40 international organizations exchange information and experiences and collaborate on issues of common interest. Philip MacMillan, the Ethics Program Manager at PAHO, served as Vice-Chair of the 12th ENMO Conference, hosted virtually by the World Bank in July 2020, and served as Chair of the 13th Conference, which was hosted by the European Central Bank in Frankfurt, Germany in July 2021.

### **Future Actions**

33. The Ethics Office has several priorities moving forward. Progress has been made toward issuing the new Antifraud and Corruption Policy. Implementation of this policy will be accompanied by an awareness campaign and specific training activities.

34. In 2020, the Ethics Office completed the selection process for a vendor to help with the development of a new code of ethics to replace the current Code of Ethical Principles and Conduct. The new code will be at the forefront of best practice in international organizations, be more engaging and will set the tone for ethical conduct in the Organization for years to come.

35. The new sexual exploitation and abuse policy, which will be issued in 2021, will be accompanied by practical measures on the ground so that beneficiary populations are aware that sexual abuse and exploitation is not tolerated in PAHO and will know how to report any concerns.

36. The finalization and issuance of the revised Protection Against Retaliation Policy will also take place in 2021, and will similarly be accompanied by an awareness campaign and specific training activities.



37. Finally, a survey will be conducted in 2021 to gauge the ethical climate in the Organization. This survey will be administered by an outside vendor to provide more independence and transparency and to allow comparisons with other companies and organizations. The results of this survey will be used to develop appropriate action plans and strategies, and will also serve as a benchmark for future surveys to assess progress in the area of ethics and compliance.

**Action by the Executive Committee**

38. The Executive Committee is invited to take note of this report, solicit additional information or clarification on the work and activities of the Ethics Office in 2020, and provide additional guidance to the Organization as it sees fit.

Annex

## Analytical Form to Link Agenda Item with Organizational Mandates

1.	<b>Agenda item:</b> 3.4 Annual Report of the Ethics Office for 2020
2.	<b>Responsible unit:</b> Ethics Office (ETH)
3.	<b>Preparing officer:</b> Mr. Philip MacMillan
4.	<b>Link between Agenda item and <a href="#">Sustainable Health Agenda for the Americas 2018-2030</a>:</b> Not applicable.
5.	<b>Link between Agenda item and the <a href="#">Strategic Plan of the Pan American Health Organization 2020-2025</a>:</b> <i>Outcome 27:</i> Strengthened PASB leadership, governance, and advocacy for health
6.	<b>Link between Agenda item and the <a href="#">Program Budget of the Pan American Health Organization 2020-2021</a>:</b> <i>Outcome 27:</i> Strengthened PASB leadership, governance, and advocacy for health <i>Output 27.2:</i> The Pan American Sanitary Bureau operates in an accountable, transparent, compliant, and risk management-driven manner, with organizational learning and a culture of evaluation <i>OPT Indicator 27.2.d:</i> Proportion of personnel who believe that PAHO has a strong ethical culture
7.	<b>List of collaborating centers and national institutions linked to this Agenda item:</b> Not applicable.
8.	<b>Best practices in this area and examples from countries within the Region of the Americas:</b> Not applicable.
9.	<b>Financial implications of this Agenda item:</b> This Agenda item has no specific financial implications, but the Ethics Office continues to rely on the requisite level of funding to enable it to fulfill its mandate.