



# General Assembly

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## Seventy-seventh session

Item 145 of the provisional agenda\*

### Joint Inspection Unit

## Review of the ethics function in the United Nations system

### Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly his comments and those of the United Nations System Chief Executives Board for Coordination on the report of the Joint Inspection Unit entitled “Review of the ethics function in the United Nations system” ([JIU/REP/2021/5](#)).

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\* [A/77/150](#).



## I. Introduction

1. In its report entitled “Review of the ethics function in the United Nations system” (A/77/258),<sup>1</sup> the Joint Inspection Unit undertakes a review with the main objectives of informing legislative organs, governing bodies and the executive heads of United Nations system organizations about the current state of the ethics function across the United Nations system and the progress made since the Unit’s most recent review, carried out in 2010, and identifying good practices and lessons learned so as to support organizations in validating and, where necessary, strengthening their ethics function.

## II. General comments

2. Organizations welcome the report and its findings and appreciate the comprehensive and comparative information it contains, which accessibly systematizes key features of the ethics functions across the United Nations system.

3. The report allows entities to review their policies and practices as they continue to strengthen the ethics function. It is noted that, since the publication of the most recent Joint Inspection Unit review on this topic, functions in many organizations have been strengthened and there is increasing convergence as regards their responsibilities and roles. At the same time, consistent with the range of different entities reviewed, there is significant diversity as regards institutional set-up of the function, including contractual arrangements for the head of ethics offices, staffing levels and relations with the entities’ governing structures. Another finding is the involvement of ethics functions of the specialized agencies and other organizations in the prevention of sexual harassment and abuse and the variations that exist in this regard.

4. In reference to paragraphs 56 to 63 of the report, in which the Joint Inspection Unit addresses the appropriateness of a shared function, some organizations seek clarifications on how or why a shared function is “advisable” or “more appropriate” when a dedicated post is not possible. In reference to paragraph 81, they query what constitutes an “appropriate level of resources”, noting that if the percentage of the shared staff member’s time is increased nominally, there is still only one staff member shared between two organizations. They further share concerns about the challenges that dual-function roles present and reiterate these should be carefully considered.

5. In reference to paragraphs 65 and 66 of the report, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) is assessing how best to address these findings within available resources and will explore both proposed options. Meanwhile, UN-Women will continue to be supported by the United Nations Ethics Office, which will coordinate the formalization of the service relationship by initiating a memorandum of understanding that will appropriately allocate costs.

6. Organizations partially support the review’s recommendations.

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<sup>1</sup> The report of the Joint Inspection Unit is available under the symbol [JIU/REP/2021/5](#).

### III. Comments on specific recommendations

#### Recommendation 1

**The executive heads of United Nations system organizations who have not yet done so should with immediate effect ensure that the contracts of newly appointed heads of Ethics Offices are issued for a full term.**

7. Organizations partially support this recommendation, underscoring that it may be more appropriate for each organization to determine the terms of the contracts and retain some flexibility.

8. Some entities report already being in compliance with the proposed recommendation, while others plan to end the probationary period for future contracts.

9. In the case of the United Nations Secretariat, the Secretary-General, in his report on the activities of the Ethics Office (A/73/89), proposed three measures to bolster the independence of the head of the Ethics Office: a five-year term limit, renewable once; security of tenure for the term being served; and no re-employment with the Secretariat (ibid., para. 94 (d), (e) and (f)). In his subsequent reports (A/74/78, A/75/82 and A/76/76), the Secretary-General further explained the proposal. The General Assembly has not reached a decision on these proposals.

#### Recommendation 2

**The legislative organs and governing bodies of the United Nations system organizations that have not yet done so should request that organizations update the terms of reference of their respective audit and oversight committees by the end of 2023 to include, where necessary, provisions for ethics, and ethics as a desirable area of expertise for new committee members.**

10. Organizations note this recommendation is addressed to the legislative organs and governing bodies.

11. Clarifications on the kind of “expertise” envisioned for committee members would help to determine if the proposed recommendation is met or not. In this regard, a proposal has been put forward by the Independent Oversight Advisory Committee of the World Food Programme that suggests revising the final clause of the recommendation to read “ethics is a possible area of expertise”, as it is challenging to determine what level of expertise is appropriate.

12. The United Nations Secretariat notes that the Secretary-General, in his report on the activities of the Ethics Office, proposed an enhanced role of the Independent Audit Advisory Committee to oversee some of the work of the Ethics Office. In his subsequent reports on the same subject, the Secretary-General further explained the proposal.

#### Recommendation 3

**The executive heads of the United Nations system organizations who have not yet done so should ensure that periodic refresher courses in ethics are introduced as mandatory for all staff and non-staff of their respective organization, irrespective of seniority, category and level, every three years, from 2023 onwards.**

13. Organizations partially support this recommendation.

14. While several organizations report already being aligned with the proposed recommendation, others note that the current wording assumes that there is already such mandatory training in place, which is not the case in all entities.

15. In other cases, entities report it would not be possible to require new mandatory trainings every three years owing to limited resources allocated to their ethics offices to design, roll out and monitor an ethics refresher course every three years starting in 2023.

#### **Recommendation 4**

**The executive heads of the United Nations system organizations who have not yet done so, supported by the ethics functions of their respective organizations, should, at the latest by 2025, 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.**

16. Organizations partially support this recommendation.

17. Entities whose financial disclosure requirements fall under the Staff Regulations and Rules of the United Nations note that they would not be in the position to unilaterally propose changes to mandatory filing obligations stipulated under such rules.

18. Accordingly, if the “effectiveness and efficiency” of financial disclosure programmes within entities that are bound by the Staff Regulations and Rules of the United Nations are to be assessed, that assessment must be conducted at the level of the United Nations Secretariat, taking into consideration current obligations and stipulations under the Staff Regulations and Rules of the United Nations and [ST/SGB/2006/6](#).

19. Others seek clarification on what is meant by “value for money” and what would be the criteria for evaluating effectiveness and efficiency.

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