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FINANCE COMMITTEE

Hundred and Fifty-fourth Session

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2013 Annual Report of the Ethics Committee

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EXECUTIVE SUMMARY

- This document contains the Ethics Committee Annual Report for 2013 and an extract from the report of the 98th Session of the Committee on Constitutional and Legal Matters (Rome, 17 – 19 March 2014) which reviewed it.
- The report provides summary information regarding the work of the Ethics Committee at its meetings of May (at FAO Headquarters) and November (by videoconference) 2013.
- The Ethics Committee reviewed the Ethics Office 2013 Annual Report. The latter presented the activities of the Ethics Office from January to October 2013 in each of its four core functions: i) Financial Disclosure Programme; ii) Ethics-Related Education and Awareness Raising; iii) Advisory Services; and iv) Ethics Programme Development, including an update on the progress of the Financial Disclosure Programme.
- Regarding the implementation of the Financial Disclosure Programme, it was reported that 232 staff members were required to file financial disclosure statements by 31 March 2013. There was a 100% completion rate and none of the 232 staff members presented a conflict of interest.
- The Ethics Committee received information on FAO's strategy for partnerships with the private sector.
- The Ethics Committee held discussions on the issue of its *modus operandi*, bearing in mind that there will be a need to make a determination as to whether it should be established on a permanent basis or whether its *modus vivendi* should be re-examined. The Ethics Committee also reviewed the question of its meetings and decided that it would continue to meet in person and by videoconference, as needed.

GUIDANCE SOUGHT FROM THE FINANCE COMMITTEE

- The Finance Committee is invited to take note of the Annual Report of the Ethics Committee for 2013 and highlight any particular issues as deemed appropriate.

Draft Advice

- **The Finance Committee takes note of the FAO Ethics Committee's Annual Report for 2013.**

INTRODUCTION

1. Under its Terms of Reference, the Ethics Committee submits an annual report on its activities to the Director-General, the Committee on Constitutional and Legal Matters (CCLM) and the Finance Committee. This report provides summary information on the two meetings held by the Committee in 2013.
2. The FAO Ethics Committee operates as an advisory panel on all matters pertaining to ethics within the Organization, ensures general oversight over the functioning of the ethics programme and provides assurance that the ethics programme is operating effectively. The Ethics Committee also reviews and advises on all relevant ethics policies, regulations and rules, training, disclosure programmes and conflict of interest prevention.
3. The FAO Ethics Committee consists of three reputable individuals external to the Organization whose nomination is approved by the Council on the recommendation of the Finance Committee and the CCLM, one Deputy Director-General, and the Legal Counsel as *ex officio* member. As of 1 January 2013, the Committee was composed of Mr Ngonlardje Kabra Mbaidjol, Ms Anne Marie Taylor and Mr José Zalaquett (external members), Mr Daniel Gustafson, Deputy Director-General (Operations) and Mr Antonio Tavares, Legal Counsel. On 16 January 2013, Ms Anne Marie Taylor tendered her resignation for health reasons. She was replaced by Ms Suomi Sakai.

FUNCTIONING OF THE ETHICS COMMITTEE

4. The Ethics Committee held two meetings in 2013. The first meeting was held at FAO Headquarters on 27-28 May. The following members participated in it: Mr Gustafson, Mr Mbaidjol, Mr Tavares and Mr Zalaquett. The second meeting was held on 18 November by video conference and counted with the participation of all members. Both meetings were chaired by Mr Mbaidjol.
5. The Committee asked the Ethics Officer to continue acting as Secretary of the Ethics Committee while noting that the latter should not have any supervisory function *vis-à-vis* the Ethics Office.

DELIBERATIONS OF THE COMMITTEE

6. The following issues were in the agenda of the Ethics Committee in 2013:
 - Ethics Office 2012 Annual Report;
 - Ethics Office Workplan for 2013;
 - The Financial Disclosure Electronic System;
 - FAO's Relationships with the Private Sector;
 - Ethics Office 2013 Annual Report; and
 - *Modus operandi* of the Ethics Committee.
7. At its May 2013 meeting, the Ethics Committee reviewed the Ethics Office 2012 Annual Report and proposed some editorial changes. The Committee advised the Ethics Office to publish a summary of its 2012 Annual Report in the FAO intranet in the form of an Activity Report, after the report had been reviewed by the Finance Committee.
8. The Ethics Committee also reviewed the Ethics Office Workplan for 2013, including an update on the progress of the Financial Disclosure Programme.
9. The Ethics Committee received information on the electronic system for Financial Disclosure used by the World Food Programme (WFP). It was invited to consider the adoption of this system to be shared across FAO, WFP and the International Fund for Agricultural Development (IFAD).
10. The Ethics Committee also received information on FAO's strategy for partnerships with the private sector. The Committee expressed its concern with potential risks involved with these partnerships and highlighted the need for relevant procedures. The Committee considered that there was scope for the Ethics Office to be involved in the related ethical issues.

11. At its November 2013 meeting, the Ethics Committee reviewed the Ethics Office 2013 Annual Report and proposed some editorial changes. The report presented the activities of the Ethics Office from January to October 2013 in each of its four core functions: i) Financial Disclosure Programme; ii) Ethics-Related Education and Awareness Raising; iii) Advisory Services; and iv) Ethics Programme Development.
12. Regarding the implementation of the Financial Disclosure Programme, it was reported that 232 staff members were required to file financial disclosure statements by 31 March 2013. There was a 100% completion rate and none of the 232 staff members presented a conflict of interest.
13. The Ethics Office also reported that it organized workshops in FAO headquarters and 59 decentralized country offices during 2013 and that it was developing an e-learning training programme for implementation in December 2014.
14. The Ethics Office informed that it provided confidential advice and guidance on regulations, rules and standards of the Organization to promote ethical decisions in workplace dilemmas to some 117 staff members between January and October 2013.
15. The Ethics Office informed that other activities included: i) serving as Secretariat to the FAO Ethics Committee; ii) participating in UN inter-agency *fora* to share information, experiences and best practices; and iii) serving as Senior Focal Point at FAO for the Protection from Sexual Exploitation and Abuse.
16. At both 2013 meetings, the Ethics Committee held discussions on the issue of its *modus operandi*. It noted that, at its 96th Session (held on 4-6 March 2013), the Committee on Constitutional and Legal Matters considered that it was important for the membership to be aware of the work of the Ethics Committee in view of the need to make a determination as to whether it should be established on a permanent basis or whether its *modus vivendi* should be re-examined. Views were exchanged on the role of the Ethics Office, which has asserted itself in FAO, within the overall mechanisms of oversight in the Organization. Discussions were also held on issues that could be further explored by the Ethics Committee such as the Organization's collaboration with the private sector, civil society and other agencies. The Ethics Committee also reviewed the question of its meetings and decided that it would continue to meet in person and by videoconference, as needed.

Extract from the Report of the 98th Session of the Committee on Constitutional and Legal Matters (Rome, 17 – 19 March 2014)

[...]

III. ETHICS COMMITTEE – ANNUAL REPORT 2013

13. The CCLM reviewed document CCLM 98/3 “Ethics Committee – Annual Report 2013” providing summary information on the work of the Ethics Committee during 2013. In this connection, the CCLM was informed that the report had been prepared by the Legal Office as the position of Ethics Officer, who usually acted as Secretary of the Ethics Committee, was vacant.

14. The CCLM was informed that an Ombudsman/Ethics Officer had been recruited and was expected to assume functions by early May 2014. The CCLM noted the views of Management which considered the combination of the functions of ombudsman and ethics as a cost-effective and cost-savings measure. The CCLM was informed that Management further considered both functions as compatible and that the situation would be kept under review.

15. The CCLM took note of the issues covered by the deliberations of the Ethics Committee. In particular, it noted that some aspects related to FAO’s Strategy for Partnerships with the Private Sector would be kept under review by the Ethics Committee. The CCLM invited the Ethics Committee to provide more detailed information on the result of its deliberations on this matter in future reports.

16. The CCLM welcomed the information regarding the implementation of the Financial Disclosure Programme. In particular, it noted that 232 staff members had filed financial disclosure statements by 31 March 2013 and that none of them presented a conflict of interest.

17. The CCLM noted that the Ethics Committee Annual Report for 2013, together with an extract of the CCLM’s report, would be submitted to the Finance Committee at its forthcoming session.

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