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# FINANCE COMMITTEE

**Hundred and Eighty-third Session**

**Rome, 9 - 13 November 2020**

**Further update on the status of recommendations presented in the JIU Report, Review of Whistleblower Policies and Practices in United Nations System Organizations (JIU/REP/2018/4)**

Queries on the substantive document may be addressed to:

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### EXECUTIVE SUMMARY

- The JIU *Review of Whistle-blower Policies and Practices in United Nations System Organizations (JIU/REP/2018/4)* was submitted to the 178th session of the Finance Committee (November 2019),<sup>1</sup> following guidance by the Joint Meeting of the 126th session of the Programme Committee and 175th session of the Finance Committee (March 2019).
- An update on the status of recommendations presented in the JIU Report was submitted to the 180th Session (June 2020).<sup>2</sup> The Finance Committee requested a further update, specifically on JIU Recommendation 1<sup>3</sup> on handling allegations of misconduct against the Head of Organization.
- The Committee may wish to recall that FAO endorses JIU/REP/2018/4, as well as the related CEB comments (A/73/665/Add.1).
- The newly appointed Ethics Officer and Ombudsman joined FAO respectively in March 2020 and August 2020.

### GUIDANCE SOUGHT FROM THE FINANCE COMMITTEE

#### Draft Advice

#### **The Committee:**

- **is invited to take note of the information provided in the *Further update on the status of recommendations presented in the JIU Report, Review of Whistleblower Policies and Practices in United Nations System Organizations*, and submit any comments it may wish to make to the Council.**

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<sup>1</sup> FC 178/10

<sup>2</sup> FC 180/14

<sup>3</sup> CL 164/7 paragraph 40.b)

1. As reported in document FC 180/14, FAO has fully implemented Recommendations 3, 4, 8, 9 of the JIU report. An updated status report on the remaining recommendations is provided below, and FAO is pleased to note that Recommendations 2, 5 and 10 have since also been implemented.

**Recommendation 1:** *Legislative bodies should adopt measures by 2020 to ensure that all policies related to misconduct/wrongdoing and retaliation specify appropriate channels and modalities, such as independent oversight committees, for reporting and investigating allegations against the executive head of the organization, as well as against any other functions that may entail a potential conflict of interest in the handling of such issues.*

2. FAO confirms its position that it is advisable to have a UN system-wide approach that applies to all heads of UN Organizations and Agencies. In this regard, the FAO Secretariat has been consulting with other UN organizations and agencies concerning a UN system-wide approach to this matter.

**Recommendation 2:** *In United Nations system organizations that do not have an external and independent mechanism for appeals when a prima facie case of retaliation is not determined, the executive head should instruct the relevant office(s) to develop, by 2020, appropriate options to address this deficiency for his or her timely consideration, and to outline any agreed-upon mechanisms and processes in updates to protection against retaliation policies.*

3. Following initial transitional arrangements regarding the prima facie review of complaints of retaliation,<sup>4</sup> FAO published Administrative Circular 2020/05 which provides that starting from 1 September 2020, prima facie review of complaints of retaliation would be handled by the Ethics Officer, in compliance with the Whistleblower Protection Policy [“the Policy”].<sup>5</sup>

**Recommendation 5:** *By the end of 2019, executive heads of United Nations system organizations should develop comprehensive communication tools for all personnel on what, how, where and to whom to report misconduct/wrongdoing, including harassment and retaliation, in all the working languages of the organization.*

4. Notwithstanding the concerns expressed by the CEB, which FAO shares, the development of comprehensive communication tools is ongoing and progress has been made since the arrival of the Ethics Officer. The mandatory training for all staff on the prevention of harassment, sexual harassment and abuse of authority provides detailed indications on how and to whom to report misconduct/wrongdoing. Furthermore, following recommendation of the Oversight Advisory Committee, FAO’s online training course on *FAO Whistleblower Protection Policy* has become mandatory for all staff.

**Recommendation 6:** *Executive heads of United Nations system organizations should develop, by 2020, standard operating procedures for proactively protecting those who report misconduct/wrongdoing from retaliation, which should include undertaking relevant risk assessments and clearly identifying available support mechanisms and resources.*

5. The Ethics Officer, in consultation with the Office of Inspector General (OIG), has undertaken a review of the Policy against best practice indicators provided in the JIU Report. The analysis concluded that a number of preventative measures are already embedded in the Policy and, those not included, would be considered in a proposed revision of the Policy. In parallel, the Ethics Office has been developing an internal standard operating procedure (SOP) to assist the Ethics Officer in reviewing requests for protection against retaliation, in undertaking such task in a way that is consistent with the Policy.

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<sup>4</sup> FAO Administrative Circular 2019/07 “*FAO Whistleblower Protection Policy Transitional arrangements regarding the prima facie review of complaints of retaliation*”

<sup>5</sup> FAO Administrative Circular 2019/06 “*FAO Whistleblower Protection Policy*”

**Recommendation 7:** *Executive heads of United Nations system organizations should develop standard operating procedures by 2020 for handling retaliation cases, with specific checklists and protocols for investigation, support services and communication.*

6. Current investigations practice includes engagement with all complainants so that the risks of potential or perceived retaliation can be assessed. In addition, the relevant policies are shared with all parties involved in an investigation, being the subject, complainants, and witnesses. The Office of the Inspector General is currently in the process of amending the investigations guidelines, to also include an update to OIG internal SOPs to reflect specific concerns on retaliation.

**Recommendation 10:** *By the end of 2019, executive heads of United Nations system organizations should ensure that all supervisors and managers are required to complete specific training on whistleblowing policies and on how to appropriately respond to and handle misconduct/wrongdoing and retaliation reports.*

7. FAO has been engaging senior level managers in training on harassment, sexual harassment and abuse of authority. The e-learning mandatory course on Whistleblower Protection Policy is available to all staff, in addition to the section on whistleblowing in the mandatory training course on UN Ethics and Integrity. During the last quarter of 2020, FAO's staff at P-5 level and above will be invited to attend a training workshop on *Leading Ethically at FAO*.

**Recommendation 11:** *By 2020, executive heads of United Nations system organizations should conduct global staff surveys on a biennial basis, in order to gauge staff views on "tone at the top" issues, accountability and ethics-related topics and to develop a comprehensive action plan to address the issues identified. Rec 11 - global staff surveys on a biennial basis (tone at the top, accountability and ethics)*

8. FAO notes that it has carried out an employee satisfaction survey in December 2019, and it is foreseen that the next survey would be carried out in 2022.