

Agenda item 3(d)
Human resources

CE/118/3(d) rev.1
Madrid, 12 May 2023
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Executive summary

The structure of the Secretariat continues to be implemented as laid out by the Secretary-General in his report on Management vision and priorities (document [CE/108/5\(b\) rev.1](#)) and further initiatives and activities announced in the Statement of Policy and Management submitted to the 113th session of the Executive Council (document [CE/113/4](#)), within the approved resources and number of staff positions, which remains at 106.

Due to a significant increase in the activities of the Programme of Work, the Organization has reinforced its workforce through the hiring of affiliated personnel, namely Service Contract holders who are hired to provide temporary and non-permanent support. Following the significant increase in individuals under this contractual modality and an internal assessment, it is proposed that the current number of 106 staff positions be increased to meet the permanent demands of the Organization and ensure the effective delivery of its Programme of Work.

This report also includes information on gender distribution of personnel. As of 1 March 2023, the total number of staff stands at 90 and the number of Service Contract holders stands at 94. Women represent 57.8% of the staff and men 42.2%, with the proviso that this representation varies across categories.

Amendments to the Statute of the International Civil Service Commission, as approved by the United Nations General Assembly, were accepted by the Secretary-General, entailing no changes to the UNWTO's internal legal framework.

Two (2) staff positions have been filled following the issuance of vacancy announcements and several others competitive recruitment process are still ongoing.

The implementation of an electronic HR system has been completed, covering the areas of entitlement and leave administration, recruitment, learning and development, performance management and reporting.

The Organization continues to promote the development of young talent through the signature of Memorandums of Understanding with educational institution, fostering the professional growth of young individuals.

Improved analysis on learning and development activities is being fostered, including health and well-being initiatives, and psychosocial support.

Gender equality, diversity and inclusion as well as work-life balance, continue to be at the forefront of the Organization's commitment, demonstrated through participation in various mechanisms and system-wide initiatives. With a view to further aligning the Organization's policies with those of the United Nations common system, various amendments to the Staff Regulations and Rules are being proposed.

This report also includes information on judgments concerning UNWTO delivered by the International Labour Organization Administrative Tribunal (ILOAT) and information on the review of the jurisdictional set-up of the United Nations common system.

The independent report of the Ethics Officer for the period of 1 May 2022 to 30 April 2023 is annexed to this document (Annex I).

DRAFT DECISION¹

Agenda item 3(d)
Human resources
(document CE/118/3(d) rev.1)

The Executive Council,

Having examined the report,

1. *Takes note* of the information provided on the human resources of the Organization;
2. *Expresses* its satisfaction at the work currently being carried out by those persons in service of the Organization and their contribution to the Programme of Work, especially in view of the rising demands on the Organization with its limited resources and the extraordinary circumstances deriving from the COVID-19 pandemic;
3. *Expresses* its satisfaction on the management of the UNWTO workforce and the initiatives to foster the health and well-being of all personnel;
4. *Expresses* its satisfaction on the various initiatives of the Organization in the areas of gender equality, diversity and inclusion, and work-life balance, among others, and supports the development of policies in this regard;
5. *Endorses* the allocation of additional staff positions in view of the increased activities in the Programme of Work of the Organization and the permanent nature of the work;
6. *Takes note* of the acceptance of the proposed amendments to the Statute of the International Civil Service Commission (ICSC) conveyed by the Secretary-General;
7. *Expresses* its satisfaction on the improved electronic human resources tools, improving efficiency and delivery of human resources services as well as data-driven solutions;
8. *Approves* the proposed amendments to Staff Rules 17 (1), 20 (1) and 20 (3), decides that, on an exceptional basis, all of them be effective as of 1 January 2023; and further recommends that the General Assembly approve the amendment to Staff Regulation 20 at its next session;
9. *Encourages* Member States to send concrete proposals to the Organization for the financing of Junior Professional Officers;
10. *Encourages* Member States to send to the Organization, Officials on Loan, especially in view of the rising demands of the Organization with its limited resources and to ensure additional human resources for the Regional Office for the Middle East in Riyadh, Kingdom of Saudi Arabia; and
11. *Thanks* the Ethics Officer for her report on the activities carried out from 1 May 2022 to 30 April 2023.

¹This is a draft decision. For the final decision adopted by the Council, please refer to the Decisions document issued at the end of the session.

I. Reporting on the human resources situation of the Organization

1. This document contains updated information on the human resources situation of the Organization as of 1 March 2023. As in previous reports on human resources, it provides updated personnel statistics and information on human resources matters.

II. Budget authority and organizational structure

2. The introduction of management changes communicated by the Secretary-General in his report on the Management Vision and Priorities (document [CE/108/5\(b\) rev.1](#)) and further initiatives and activities announced in the Statement of Policy and Management submitted to the 113th session of the Executive Council (document [CE/113/4](#)), continues to be undertaken with the approved resources and number of staff positions, which remain at 106, while maintaining the possibility to allow financing of additional posts using extra-budgetary funds.

Breakdown of actual personnel data

3. Information on the number of staff and their distribution by grade, gender, nationality and age as of 1 March 2023, is contained in Tables 1, 2, 3 and 4 below. As in previous reports to the Executive Council, the relevant breakdown has been made by category of staff within the UN common system: Professional category and above (with grades ranging from P.1 to ASG) and General Service category (with grades ranging from G.1 to G.7) and as indicated in the Organization's Programme of Work and Budget.

Table 1(a): Staff distribution by grade and gender as of 1 March 2023

Grade	P.1	P.2	P.3	P.4	P.5	Above	Total
Female	7	4	5	5	7	1	29
Male	1	4	7	8	4	2	26
Subtotal	8	8	12	13	11	3	55
Grade	G.2	G.3	G.4	G.5	G.6	G.7	Total
Female	0	1	2	1	13	6	23
Male	1	1	0	3	4	3	12
Subtotal	1	2	2	4	17	9	35

Table 1(b): Staff distribution by grade as of 1 March 2023

Grade	P.1	P.2	P.3	P.4	P.5	Above	Total
Subtotal	8	8	12	13	11	3	55
Grade	G.2	G.3	G.4	G.5	G.6	G.7	Total
Subtotal	1	2	2	4	17	9	35

Table 2: Staff distribution by category and gender as of 1 March 2023

Gender	P and Above	GS Category	Total
Female	29	23	52
Male	26	12	38
Total	55	35	90

Table 3: Staff distribution by category and nationality (including SG and ED positions) as of 1 March 2023

Country	GS	P and above	Country	GS	P and above
Algeria	1	1	Netherlands		2
Argentina		3	Nicaragua	1	
Austria	1	1	Niger		1
Bosnia and Herzegovina	1		Peru		1
Cambodia		1	Portugal	2	1
Canada		1	Republic of Korea		2
China		1	Republic of Moldova	1	
Colombia		1	Romania		1
Dominican Republic		1	Russian Federation		1
France		5	Saudi Arabia		1
Georgia		3	Seychelles		2
Germany	1	2	Spain	19	13
Ghana		1	Switzerland	1	
Hungary		1	United Kingdom		1
Indonesia	1		United States of America	1	
Italy	2	4	Uruguay		1
Lebanon		1	Uzbekistan	1	
Lithuania	1				
Morocco	1	1	Total number per category of staff	35	55
			Total number of staff	90	

4. Thirty-six (36) nationalities are currently represented in the Secretariat's staff. It is important to reiterate the Organization's commitment to recruiting staff from as wide a geographical basis as possible, while maintaining the highest standards of competence, efficiency and integrity, and taking into account the limited number of staff positions.
5. Women represent 57.8% of the staff and men represent 42.2%, with the indication that this representation varies across categories.

Table 4: Staff distribution by age and category as of 1 March 2023

Age	GS Category	P and Above	Total
30 to 39	4	11	15
40 to 49	18	20	38
50 to 54	5	10	15
55 to 59	5	6	11
60	2	1	3
61	0	0	0
62 or over	2	4	6
Total	36	52	88

6. Staff members holding a managerial fixed-term appointment and the Secretary-General are not included in Table 4 above.
7. As previously presented in the Human Resources report to the 103rd Executive Council, a new scheme was implemented on 1 January 2016 for personnel not subject to the UNWTO Staff Regulations and Rules. The scheme was developed pursuant to recommendations of the JIU report on the "Use of non-staff personnel and related contractual modalities in the United Nations System Organization" [JIU/REP/2014/8](#). The Executive Council is presented, in Tables 5 and 6 below, with information on the number of Service Contract holders, who are part of this scheme, and their distribution by gender, nationality and age, as of 1 March 2023.

Table 5: Service Contract holders' distribution by nationality and gender as of 1 March 2023

Country	Female	Male	Country	Female	Male
Argentina	1		Japan		1
Azerbaijan		1	Kenya	1	1
Belarus	1		Lebanon	3	
Belgium		1	Malaysia	1	
Bosnia and Herzegovina		1	Mexico		1
Canada	1		Niger		1
Chile		1	North Macedonia	1	
China	1	1	Philippines	3	
Colombia		1	Portugal	2	
Ecuador	1		Romania	2	
Egypt	3	4	Slovenia	2	
Ethiopia	1		Spain	20	10
France	3		Sudan		1
Georgia	1	1	Switzerland	1	
Greece		1	Syrian Arab Republic	1	
India	1		Tajikistan		1
Indonesia	1		United Kingdom	2	2
Iran, Islamic Republic of	1		Uruguay	1	
Ireland	1		Uzbekistan		1
Italy	2	3	Venezuela		1
Total				59	35
Total number of Service Contract holders				94	

Table 6: Service Contract holders' distribution by age as of 1 March 2023

Age	SC Holder
29 or under	14
30 to 39	45
40 to 49	33
50 to 54	2
55 to 59	0
60 to 61	0
62 or over	0
Total	94

III. Human resources matters

8. Since its previous report on human resources matters, several developments have taken place, as indicated below.

UNWTO workforce

9. As presented in the present report to the Executive Council, the activities of the Organization continue to be undertaken with the approved resources and number of staff positions, which remain at 106, while maintaining the possibility of financing additional posts using extra-budgetary funds. This mechanism has allowed the creation of some additional staff posts, funded through extra-budgetary funds, mainly in the context of the newly established Regional Office for the Middle East in Riyadh, Kingdom of Saudi Arabia.
10. Considering the significant growth in activities and projects over the recent years, as well as the stretched financial resources, the Organization has reinforced its workforce through the hiring of affiliated personnel who are not subject to the Staff Regulations and Rules, namely service contract holders. These individuals are hired to provide administrative support services or specialist support, on a temporary and non-permanent basis. The contractual conditions are mainly based on conditions for non-staff contracts applied in other UN organizations.
11. Table 7 below provides an overview of the evolution of staff posts funded through regular funds as well as extra-budgetary funds, and the number of service contract holders, for the period 2018-2023. Table 8 provides an overview of the staffing situation at the Organization's Headquarters and at its Regional or Liaison Offices.

Table 7: Evolution of staff posts and Service Contract posts during the period 2018-2023

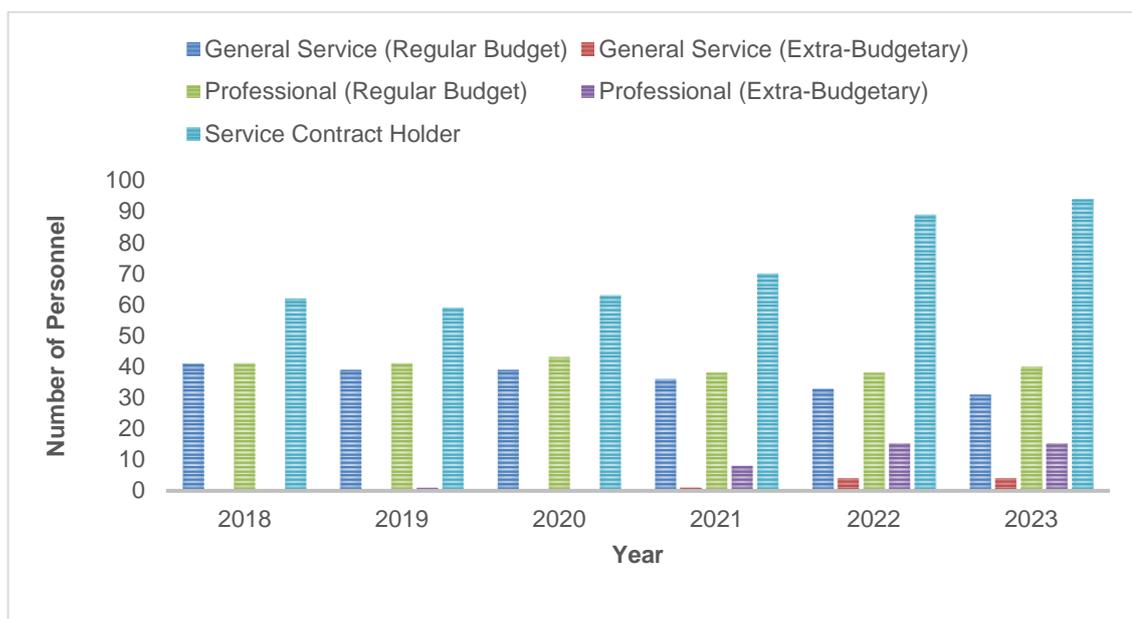
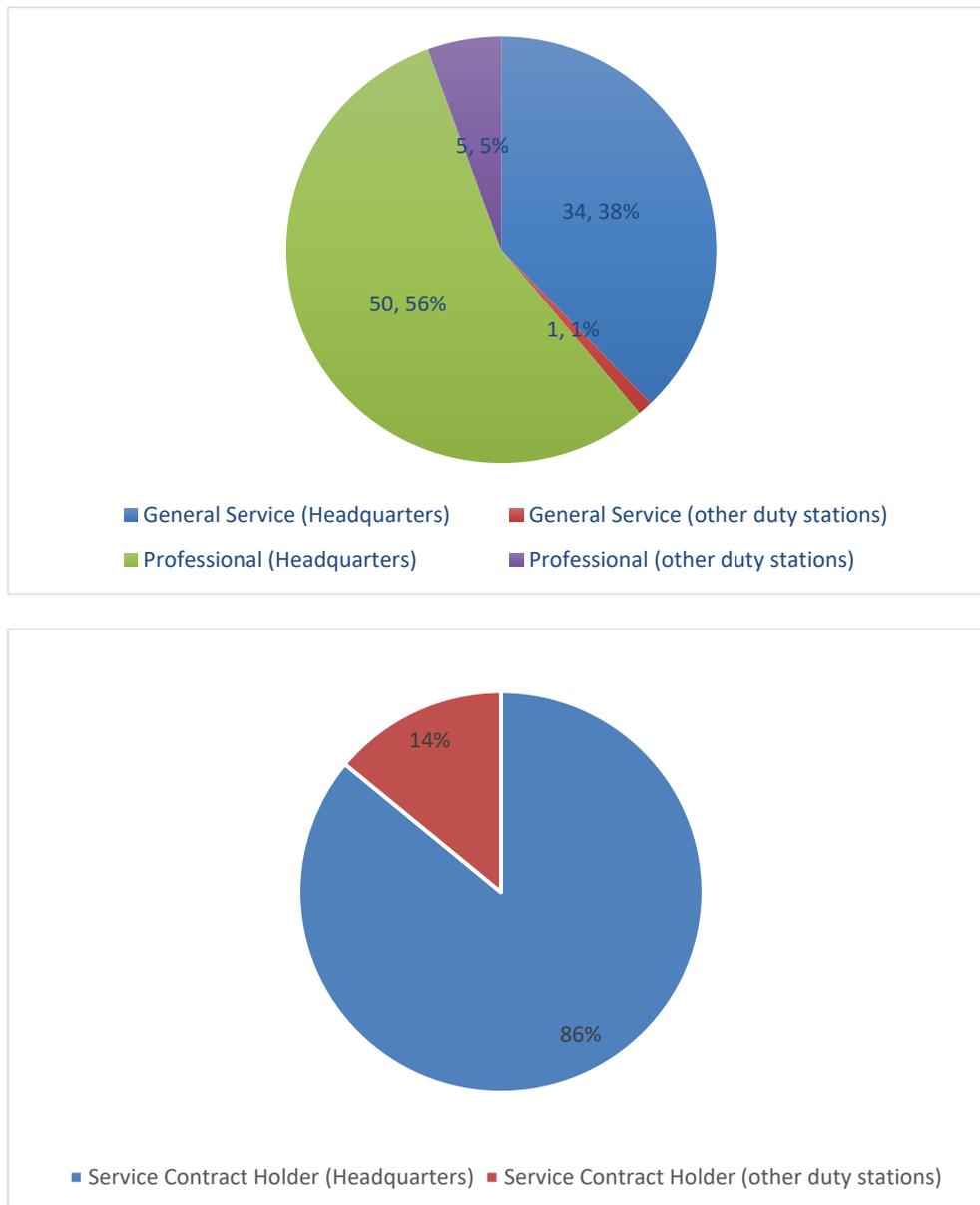


Table 8: Distribution of staff and service contract holders at Headquarters and Regional or Liaison Offices



12. Following an internal assessment, the Organization has identified that some of the non-permanent positions filled through the service contract mechanism have become permanent in nature and should therefore be replaced with appropriate staff positions, these being more permanent in nature. The need to attract and retain the best talent and position UNWTO as an employer of choice is fundamental. Offering attractive and competitive conditions of service contributes directly to this.
13. It is therefore proposed that additional fixed-term positions under the regular budget of the Organization be allocated to ensure that the Programme of Work can be carried out effectively, ensuring improved employment conditions for its members of personnel.

Amendment to the Statute of the International Civil Service Commission (ICSC)

14. Pursuant to a letter dated 16 November 2022, the Chair of the ICSC informed the Organization of the decision of the Fifth Committee of the United Nations General Assembly (UNGA) contained in document [A/C.5/77/L.5](#), proposing to amend articles 10 and 11 of the statute of the ICSC.
15. The proposed amendments to the ICSC statute, set out in paragraph 16 below, were recommended in response to the conflicting judgments issued, respectively, by the Administrative Tribunal of the

International Labour Organization (ILOAT) on 3 July 2019² and the United Nations Appeals Tribunal (UNAT) on 19 March 2021³ in relation to salaries of the post adjustment multipliers that were determined by the ICSC on the basis of its 2016 cost-of-living survey in Geneva, which resulted in a reduction of salaries.

16. On 30 December 2022, through resolution [77/256](#), the United Nations General Assembly decided to amend Articles 10 (b) and 11 (c) of the Statute of the ICSC, to read as follows:

“Article 10

The commission shall make recommendations to the General Assembly on:

(...)

(b) The salary scales of salaries and the value of the post adjustments multiplier for staff in the Professional and higher categories;

Article 11

The commission shall establish:

(...)

(c) The ~~classification of duty stations for the purpose of applying~~ post adjustments applicable to each duty station.

17. The UNGA also reaffirmed the authority of the ICSC to establish post adjustment multipliers under Article 11 of the ICSC Statute and urged all common-system organizations to reaffirm their commitment to a unified United Nations common system approach and invited them to complete the formal acceptance of the amended ICSC Statute. The proposed amendments to the ICSC Statute, whose acceptance may be made by notifying in writing the Secretary-General of the United Nations, do not entail any changes to the UNWTO’s internal legal framework.
18. By letter dated 3 March 2023 addressed to the UN Secretary-General, the Secretary-General confirmed UNWTO’s acceptance of the proposed amendments to the ICSC Statute and noted that he would report to the 118th session of the Executive Council.

Selection processes

19. Following the issuance of vacancy announcements, the following positions have been filled:

Vacancy reference	Post title, grade and department	Name of incumbent and nationality	Duty station
UNWTO/HHRR/VAC/29/IEID/2021	Programme Officer (P.2) Innovation, Education and Investments	Ms. Addaia Arizmendi (Spain)	Madrid (Spain)
UNWTO/HHRR/VAC/06/OFSG/2022	Director, External Relations (P.5) Office of the Secretary-General	Mr. Beka Jakeli (Georgia)	Madrid (Spain)

² Judgments 4134 to 4138.

³ <https://www.un.org/en/internaljustice/files/unat/judgments/2021-UNAT-1110.pdf>

20. Following the issuance of vacancy announcements, the recruitment and selection process for the following posts is currently being undertaken. The outcome of the selection processes will be communicated in a subsequent human resources report:
- (a) Manager (P.3), Information and Communication Technologies (UNWTO/HHRR/VAC/21/ICTC/2019), Madrid (Spain);
 - (b) Legal Officer (P.2), Office of the Legal Counsel (UNWTO/HHRR/VAC/02/LGCO/2022), Madrid (Spain);
 - (c) Programme Officer (P.2), Innovation, Education and Investments (UNWTO/HHRR/VAC/05/IEID/2022), Riyadh (Kingdom of Saudi Arabia).

Electronic HR tools

21. As announced in previous human resources reports, the efficiency of internal processes is being improved through the implementation of an IT system, allowing the Organization to increase its effectiveness and client-responsiveness. The IT system has been implemented in early 2023 and will allow for a sustainable approach and data-driven solutions. The system consists of several modules covering the areas of entitlement and leave administration, recruitment, learning and development, performance management and reporting.

Memorandums of Understanding

22. To promote the professional development of young students, several Memorandums of Understanding (MoUs) have been signed between the Organization and educational institutions, fostering the Internship Programme of UNWTO and allowing students to gain professional experience in the Organization.

Learning and development / health and well-being

23. To foster the career development of personnel, the Organization carried out a training analysis, in consultation with the Staff Association Committee, department supervisors and their teams.
24. The learning and development activities foreseen for the current period cover *inter alia* the areas of language skills, computer literacy, in-house procedures, writing skills, project management, presentation skills/public speaking, communication skills, conflict prevention and resolution, health and well-being, multi-cultural diversity and inclusion, team-building activities, managerial competences and leadership skills, burnout prevention, psychological safety, fraud and corruption, prevention of harassment and sexual exploitation and abuse, disability inclusion and accessibility, and gender equality.
25. As announced in previous Human Resources Reports to the Governing Bodies, following the COVID-19 pandemic, the Organization implemented in July 2022 the function of the Staff Counsellor, aimed at providing psychosocial services to UNWTO personnel, and train them in tools adapted to their needs to positively cope with stress.
26. As in previous years, the Organization intends to participate in the UN system-wide initiative of “UN World Mental Health Month”, providing dedicated information and resources on health and well-being topics.

Officials on Loan

27. In 2023, there has been an increasing interest among Member States in the Organization’s capacity-building option, whereby tourism experts and officials may be sent by a Member State, on a non-reimbursable basis, to participate in the activities of the Secretariat for a set period of time. This arrangement is formally being done through a Memorandum of Understanding. Member States are particularly encouraged to avail of this option, especially in view of ensuring additional human resources for the newly established UNWTO Regional Office for the Middle East in Riyadh, Kingdom of Saudi Arabia.

Junior Professional Officers

28. The UNWTO concluded with the UNDP an Agreement concerning the management of the UN-wide Junior Professional Officer programme. Interested Member States may place their young professionals at UNWTO for 1-3 years by financing the post through this framework agreement.

Health and accident insurance

29. The Organization renewed its health and accident insurance policy until 31 December 2023, without any changes to the premiums.
30. Considering that the Organization recently established a Regional Office for the Middle East in Riyadh, Kingdom of Saudi Arabia, the Organization negotiated an agreement for the provision of access to local health providers to ensure appropriate health care access of its personnel based in Riyadh, following discussions with other local United Nations agencies.

Policies

31. To ensure continued alignment of policies with United Nations common-system organizations while ensuring the efficient administration of resources, several policies have been issued, developed or revised by the Organization, in the areas of flexible-working arrangements, parental leave, competencies and values, contractual mechanisms for members of personnel who are not subject to the Staff Regulations and Rules, salaries and emoluments, health insurance services, harassment, including sexual harassment, sexual exploitation and abuse, and gender equality, diversity and anti-discrimination, among others.

Participation in UN initiatives and activities

32. The Organization has participated in various UN system-wide reviews and projects related to gender parity, workplace mental health and well-being, review of health insurance schemes, salaries and allowances, use of non-staff personnel and related contractual modalities and pre-tribunal appeal mechanisms.

Gender, diversity and inclusion

33. The Organization continues to implement the framework of the United Nations system-wide action plan for mainstreaming gender equality and the empowerment of women (UN-SWAP). The UN-SWAP is an accountability mechanism that was approved by the UN system Chief Executives Board for Coordination (CEB).
34. The Organization also participates, since 2021, in the UN system-wide dashboard on gender parity, as part of its efforts to ensure transparency across the Organization and the UN system.

Amendments to the Staff Regulations and Rules

35. In conformity with Regulation 33 (b) of the UNWTO Staff Regulations, “[t]he Staff Rules may be supplemented or amended by the Executive Council on the proposal of the Secretary-General provided that the amendments are compatible with the Staff Regulations”.
36. For its 118th session, the Secretary-General proposes several amendments to the Staff Rules for approval by the Executive Council and an amendment to the Staff Regulations for recommendation by the Executive Council so that it may be submitted to the Assembly for approval in accordance with Staff Regulation 33 (a).

Staff Rule 20 (3) – Maternity leave

37. The amendment to Staff Rule 20 (3) is proposed pursuant to a change in the parental leave framework, established by the International Civil Service Commission and approved by the United Nations General Assembly in resolution 77/256 to replace the current maternity, paternity and adoption leave provisions with a parental leave provision of 16 weeks for all parents; and to provide an additional period of 10 weeks for the parent who gives birth. This is in line with recommendations

from the ICSC to ensure alignment of a unified parental leave scheme for all United Nations system organizations. Moreover, the United Nations General Assembly in resolution 77/256 also encourages executive heads of other UN common-system organizations to follow such practice. If approved, the corresponding revised administrative issuance would be promulgated. It is proposed that the new parental leave scheme be applied with retroactive effect as of 1 January 2023, in line with the decisions of other UN common-system agencies and to ensure a harmonized approach in the UN system.

38. In line with global trends, more governments and employers are recognizing the importance of parental leave and are taking new measures to increase the scope and length of paid time off for new parents. The Organization, as part of the United Nations common system, should align with the United Nations policies and ensure an inclusive and fair parental leave system for its personnel.

Staff Rule 20 (1) – Health protection

39. For the purpose of ensuring language consistency, the proposed amendment would be made pursuant to the change of Staff Rule 20 (3) on Maternity leave.

Staff Rule 17 (1) – Special Leave

40. For the purpose of ensuring consistency, the proposed amendment would be made pursuant to the change of Staff Rule 20 (3) on Maternity leave.

Staff Regulation 20 – Social Security

41. For the purpose of ensuring language consistency, the proposed amendment would be made pursuant to the change of Staff Rule 20 (3) on Maternity leave. If said amendment is approved by the Executive Council, the amendment to Staff Regulation 20 would be submitted to the General Assembly at its next session, for approval.

Current text	Proposed new text
Regulation 20 Social Security	Regulation 20 Social Security
The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Organization.	The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity parental leave, and reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Organization.
Rule 17 (1) Special Leave	Rule 17 (1) Special Leave
(a) Special leave, with full or partial salary or without salary, may be granted by the Secretary-General to an official for advanced study or research in the interest of the Organization, in cases of extended illness, for child care, or for other exceptional or urgent reasons.	(a) Special leave, with full or partial salary or without salary, may be granted by the Secretary-General to an official for advanced study or research in the interest of the Organization, in cases of extended illness, for child care, or for other exceptional or urgent reasons.
(b) Periods of special leave without salary of one month or more shall not count as service for the purpose of calculating entitlement to annual leave, advancement within grade, sick leave, education grant, grant on death, repatriation grant and termination indemnities. No contributions will be paid by the Organization to the official's pension fund and health insurance scheme during any period of special leave without pay. Periods of special	(b) Periods of special leave without salary of one month or more shall not count as service for the purpose of calculating entitlement to annual leave, advancement within grade, sick leave, education grant, grant on death, repatriation grant and termination indemnities. No contributions will be paid by the Organization to the official's pension fund and health insurance scheme during any period of special leave without pay. Periods of special leave without

<p>leave without salary of six months or more shall have the effect of postponing entitlement to home leave by a corresponding period.</p> <p>(c) Notwithstanding the provisions of this Rule, continuity of service shall not be considered to have been broken by periods of special leave.</p> <p>(d) [deleted]</p> <p>(e) Officials shall not accrue service credit towards home leave during periods of special leave without pay of one year or more.</p> <p>(f) Before being placed on special leave without pay, an official may be required to exhaust his accrued annual leave credit.</p> <p>(g) A special leave of five working days shall be granted to any official upon his marriage, or upon the death of the father, mother, brother, sister, spouse or a child.</p> <p>(h) A special leave of up to four weeks shall be granted to an official for paternity purposes.</p> <p>(i) A special leave of up to eight weeks may be granted to an official in the case of an adoption of a child.</p>	<p>salary of six months or more shall have the effect of postponing entitlement to home leave by a corresponding period.</p> <p>(c) Notwithstanding the provisions of this Rule, continuity of service shall not be considered to have been broken by periods of special leave.</p> <p>(d) [deleted]</p> <p>(e) Officials shall not accrue service credit towards home leave during periods of special leave without pay of one year or more.</p> <p>(f) Before being placed on special leave without pay, an official may be required to exhaust his accrued annual leave credit.</p> <p>(g) A special leave of five working days shall be granted to any official upon his marriage, or upon the death of the father, mother, brother, sister, spouse or a child.</p> <p>(h) A special leave of up to four weeks shall be granted to an official for paternity purposes.</p> <p>(i) A special leave of up to eight weeks may be granted to an official in the case of an adoption of a child.</p>
<p>Rule 20 (1) Health Protection</p>	<p>Rule 20 (1) Health Protection</p>
<p>In addition to the provisions made pursuant to Rule 19 (1) above, a mandatory participatory staff health insurance scheme shall be arranged by the Secretary-General with a reputable insurance company, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Organization.</p>	<p>In addition to the provisions made pursuant to Rule 19 (1) above, a mandatory participatory staff health insurance scheme shall be arranged by the Secretary-General with a reputable insurance company, including provisions for health protection, sick leave and maternity parental leave, and reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Organization.</p>
<p>Rule 20 (3) Maternity leave</p>	<p>Rule 20 (3) Parental leave</p>
<p>(a) An official shall be entitled to maternity leave with full salary and allowances upon presentation of a certificate, signed by a duly qualified medical practitioner, that her confinement will probably take place within six weeks. At the request of the official and upon production of a certificate from a duly qualified medical practitioner indicating that she is fit to continue work, the Secretary-General may permit the maternity leave to commence less than six weeks but not less than two weeks before the probable date of confinement. Maternity leave shall extend for a period of sixteen weeks from the time it is granted, except that in no case shall it terminate less than ten weeks after the actual date of confinement.</p>	<p>(a) Under conditions established by the Secretary-General, an official shall be granted:</p> <p>(i) Sixteen weeks of parental leave with full pay in the case of the birth or adoption of a child.</p> <p>(ii) An additional period of ten weeks of prenatal and postnatal leave with full pay for the parent who gives birth, bringing the total duration of their parental leave to twenty-six weeks.</p> <p>(b) Officials may avail of the sixteen weeks of parental leave mentioned in paragraph (a) (i) above any time within a year following the</p>

<p>(b) Upon presentation of a certificate, signed by a duly qualified medical practitioner, that she is pregnant, an official shall be temporarily transferred to other work if, in the opinion of the doctor, her post involves work which may prejudice her health.</p> <p>(c) For a period of one year following her return from maternity leave, an official shall be entitled to time off for two thirty-minute periods daily to nurse her child.</p>	<p>date of their child's birth or adoption, provided that it is completed during that year.</p> <p>(c) Parental leave in the case of the birth or adoption of a child under paragraph (a) (i) above may not be granted more than once in any twelve-month period to be counted from the date of birth or adoption of the child. This paragraph (c) shall not apply to a parent who gives birth.</p> <p>(d) Sick leave shall not normally be granted for maternity cases during the prenatal and postnatal leave mentioned in paragraph (a) (ii) above, except where serious complications arise.</p> <p>(e) Annual leave shall accrue during periods of parental leave.</p> <p>(e) (f) For a period of one year following her return from maternity parental leave, an official shall be entitled to time off for two thirty-minute periods daily to nurse her child.</p>
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IV. Clarifications from the Organization in response to the Report of the Ethics Officer on the activities carried out in 2022-2023

42. The Organization wishes to provide clarifications to the Report of the Ethics Officer on the activities carried out in 2022-2023, contained as Annex I to the present Human Resources Report.
43. Pursuant to the decision from the Executive Council (CE/DEC/6/CIX) to review the PaR policy in order "to establish appropriate mechanisms for handling such complaints"; the review was completed by the Ethics Officer in 2019. The proposed text of a new Section 9 of the PaR policy dealing with "Allegations against the Executive Head of the Organization" was included in full in the report of the Ethics Officer for the period 2019-2020 (cf. its paragraph 14). This section was included in full as part of the proposed policy on "*Protection against retaliation for reporting misconduct or cooperating with duly authorized fact-finding activities (whistleblowing policy)*", which intended to replace the current whistle-blowing policy in force, which was revised to include several other amendments. In March 2020, the Ethics Officer was provided with the proposed final version of said policy prior to circulation for internal approval. It should be noted that in accordance with internal administrative issuances, the responsibility for the preparation and review of issuances lies with the initiator and his or her sphere of competence. In this context, the Organization recognizes the challenges faced by the Ethics Officer in coordinating the response needed to continue the circulation of the revised policy in a timely manner. Going forward, we are committed to working collaboratively to ensure effective communication and coordination in implementing our policies and procedures. To date, the policy is being finalized for final issuance.
44. Concerning the complaints received by the Ethics Officer and reported to the Executive Council, it would be beneficial if the Ethics Officer could make an assessment as to whether these are substantiated so that the Human Resources Department or Management could take effective action, as required.
45. Regarding the alleged lack of information on the exercise concerning the reclassification of posts, the Organization wishes to note that the exercise was initially announced to all personnel in February 2020. After the outset of the COVID-19 pandemic the following month and in view of global financial uncertainty, an internal circular to all personnel informed of the temporary postponement of said exercise. In January 2022, the Organization informed all personnel via internal circular that the reclassification exercise would be resumed and provided tentative timeframes for its completion. It also allowed other members of personnel who had not initially submitted their request for reclassification in February 2020, to submit their request accordingly. Following this announcement, a significant number of requests were received by the

Organization, representing approximately 30% of eligible members of personnel. Understandably, the Organization was required to properly assess the financial and structural impact of these requests to continue to maintain a sound financial stability. The requests have been reviewed and two rounds of reclassifications have been finalized. Personnel have been informed accordingly via administrative issuance of the results of the first round of reclassifications and those for which a decision has been deferred due to justified financial or other reasons. The outcome of the second round of reclassifications was recently concluded and will be announced to personnel in due course. This process has been carried out in line with the relevant policies, fully aligned with those of the United Nations and the Specialized Agencies.

46. Concerning the impartiality and objectivity of the Appointment and Promotion Board (APB), the Organization wishes to highlight that the APB is constituted in accordance with the Staff Regulations and Rules and aligned with those of other United Nations agencies. Despite the small size of the Organization, the Organization ensures that the APB is duly represented to avoid any perceived or actual conflict of interest by ensuring representation from the Office of the Secretary-General, the Human Resources Department, the relevant supervisor and a member appointed by the Secretary-General following the recommendation from the Staff Association Committee (SAC).
47. To continue to foster the health and well-being of personnel, the Organization is finalizing its policies on harassment, including sexual harassment, and abuse. Considering that the mandate of the Ethics Officer includes receiving complaints of unethical conduct, including harassment, it is consistent with these Terms of Reference that the development of these policies is done in consultation with the Ethics Officer for appropriate input and advice.
48. The Organization, in its commitment to personnel and its Members, continues to develop policies and procedures to foster transparency and avoid any perceived or actual discrimination towards its personnel. The Organization is not aware of the Ethics Officer having reached out to seek more details or explanations from Senior Management on the allegations presented in her report, which would have helped her understand the rationale behind their actions.

V. Judgments concerning UNWTO delivered by the International Labour Organization Administrative Tribunal (ILOAT)

49. This note is a follow-up to the information reported to the 116th session of the Executive Council through the Human Resources Report.
50. At the time of delivery of the initial judgments, the Tribunal did not immediately award any compensation for the material damages claimed (primarily loss of salaries and pension), but decided that, "if any" material damages had to be paid, they needed to be further determined following a detailed claim by the complainants and a detailed response by the Organization.
51. Following the delivery of these judgments, the two complainants submitted their respective claims for material damages to UNWTO requesting the payment of a combined amount close to 3 million EUR.
52. Following the replies to their claims, both complainants submitted their claims further to the Tribunal for a final decision on the appropriate amount of material damages to be paid to them.
53. On 28 November 2022, the Tribunal delivered Judgments Nos. 4576 and 4577, whereby it assessed the claim for material damages of the complainants and awarded them 200,000 EUR and 280,000 EUR, respectively.
54. While the total amount claimed by both complainants (material and moral damages and legal costs) exceeded 3.3 million EUR, the Tribunal ultimately awarded around 18% of that claim.
55. The complainants have received the compensation awarded by the Tribunal insofar as the judgments are res judicata and must be executed as ruled. Nevertheless, the Organization has filed an application of interpretation and revision of Judgment No. 4577 before the Tribunal at the same time as the complainant has applied for its execution.

56. The Secretariat continues to be supported by external legal counsel before the ILOAT and remains active in the context of exploring any remedial actions available to safeguard the interests of the Organization. The Secretariat will report accordingly to the Executive Council.

VI. Review of the jurisdictional set-up of the United Nations common system

57. Through its resolution 74/255B, adopted on 27 December 2019, the United Nations General Assembly (UNGA) requested the UN Secretary-General, “in his capacity as Chair of the United Nations System Chief Executives Board for Coordination, to conduct a review of the jurisdictional set-up of the common system and submit the findings of the review and recommendations to the General Assembly as soon as practicable”.
58. This request was made by the UNGA following its concerns stemming from the report of the ICSC for 2019, in which a series of judgments issued by the International Labour Organization Administrative Tribunal (ILOAT) on 3 July 2019⁴ were discussed. Through the judgments issued, the ILOAT set aside decisions made by the ICSC with regard to the post adjustment multipliers applicable to staff members serving in Geneva, Switzerland, based on its 2016 cost-of living survey in that city. The ILOAT ultimately ruled that the ICSC had exceeded the authority conferred upon it through its Statute, in particular by taking a decision instead of making a recommendation to the UNGA on this subject matter.
59. In 2021 however, the United Nations Appeals Tribunal (UNAT) also issued a series of judgments on the same matter in which it upheld the rulings made by the United Nations Dispute Tribunal (UNDT) that the ICSC decisions were valid.⁵ The UNAT therefore dismissed appeals lodged by Geneva-based staff, and held that the Secretary-General had acted in accordance with the ICSC decisions, as later endorsed by the UNGA, and decided to dismiss the appeals on that basis.
60. As a result of the above diverging judgments by the two tribunal systems, two levels of pay are effective in the Geneva duty station, one for UN entities under the ILOAT jurisdiction and another for those under the jurisdiction of the UNAT.
61. To this extent, in accordance with the UNGA request under the aforementioned resolution, the UN Legal Counsel and the International Labour Organization (ILO) established a Working Group of the UN Legal Advisors Networks on the Review of the Jurisdictional Setup of the UN Common System (hereinafter “the working group”), to develop the proposals requested by the UNGA. and have been conducting an ongoing review of the current tribunal set up with the aim of preventing such a future occurrence.
62. This note aims at informing the Executive Council of the proposals currently being considered for preventing future divergences, with specific regard to ICSC recommendations and decisions
63. As of April 2023, there are currently four options being considered:
- (a) Increased informal exchanges between the UNDT, UNAT, and ILOAT;
 - (b) Establishment of a joint chamber of the UNAT and ILOAT, to be convened on an as-needed basis and with narrowly circumscribed jurisdiction;
 - (c) The designation of one tribunal which would be conferred exclusive jurisdiction to hear cases related to the implementation of recommendations and decisions of the International Civil Service Commission; and
 - (d) The establishment of an appeal mechanism, with limited jurisdiction over cases relating the Commission’s recommendations and decisions.
64. In the most recent discussions, it has been the opinion of the UN and ILO that option 2, a Joint Chamber, appears to be the most viable solution going forward, however, there are still differing views between all the stakeholders (participating organizations, tribunal judges etc.) in regard to the four proposals.

⁴ ILOAT Judgments Nos. 4134 to 4138.

⁵ UNAT Judgments 2021-UNAT-1107 to 1113.

65. In April 2023, the Secretariats of several Organizations submitted their joint comments on the Final Draft Proposals Circulated as part of the Review of the Jurisdictional Setup of the United Nations Common System expressing their disagreement with three of the four proposals, and supporting only the proposal for increased informal exchanges between the Tribunals. In particular, these joint comments raised concerns regarding a perceived need for review and related process, whether the ongoing review takes into account amendments to the ICSC Statute made following the ILOAT judgments (see paragraphs 14-18 above), the lack of unequivocal support from Tribunals, the cost implications, and whether there is a need for review of the functioning of ICSC.
66. It should be noted, however, that the proposals which have been developed during this review will still be subject to further rounds of consultation and feedback between the various stakeholders.
67. It has been decided by the UN General Assembly, in accordance with A/RES/77/257, that the review of the jurisdictional set-up of the United Nations common system is to be concluded by 31 December 2023. As such, it is envisioned that the ILO will submit the final proposals to its Governing Body in November 2023, for approval, with its International Labour Conference to make any final approvals, as appropriate in Summer 2024.

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Annex I: Report of the Ethics Officer on the activities carried out in 2022-2023

On 2 May 2018, the Secretary-General designated Ms. Marina Diotallevi, Head of the Ethics, Culture and Social Responsibility Department as the independent in-house Ethics Officer. The appointment was acknowledged by the Executive Council ([CE/DEC/15\(CVIII\)](#)). The Ethics Officer reports directly to the Secretary-General and the Executive Council.

Annual Report of the Ethics Officer

The present Report has been prepared by the UNWTO Ethics Officer and is presented to the 118th session of the Executive Council for information and decision.

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I. Introduction

1. The in-house Ethics Function was established in May 2018 as a separate and independent entity within the UNWTO Secretariat ([CE/DEC/12\(XCIV\)](#)). Previous to that date, the Ethics Function was externalized to UNOPS based in Copenhagen (from 2013 to 2016) and subsequently to a retired UNWTO official based in Chile (from 2017 to 30 April 2018).
2. The decision of the Secretary-General to have an in-house Ethics Officer for the first time (NI/04/18) was taken pursuant to a recommendation from a KPMG audit report on “Quality Review of Internal Policies” (NI/02/18) aiming at strengthening UNWTO’s internal governance and enabling the implementation of necessary internal reforms and ethical policies.
3. Due to the small size of the Organization, the responsibilities of the independent Ethics Function at UNWTO were assigned - as a dual function - to Ms. Marina Diotallevi of the Head of UNWTO’s Ethics, Culture and Social Responsibility Department.
4. The present Report is the fifth and last report of the current in-house UNWTO Ethics Officer; it is the tenth Annual Report of the Ethics Officer since the establishment of the Ethics Function in 2013.

II. Background and general information

5. In accordance with the benchmarks applied by the United Nations, the Ethics Function is aimed at promoting an ethical organizational culture based on integrity, accountability, transparency and respect. It is an internal, management system to uphold the integrity of personnel.
6. The Ethics Function at UNWTO was first established in 2013 by decision [CE/DEC/12\(XCIV\)](#) of the Executive Council. In the same decision, the EC approved the terms of reference of the Ethics Function in UNWTO which include the standards suggested by the United Nations Joint Inspection Unit (JIU) in its report “Ethics in the UN System” ([JIU/REP/2010/3](#)), with the addition of a number of other discretionary functions.

7. The terms of reference of the Ethics Function at UNWTO are as follows:

- **JIU standard functions:**
 - (i) Development and dissemination of ethical standards;
 - (ii) Development and implementation of mandatory ethics training;
 - (iii) Provision of confidential ethics advice and guidance to all personnel of the Organization whatever their contractual status;
 - (iv) Administering the organization's policy for the protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations (so-called "whistle-blower protection policy");
 - (v) Administering the organization's financial disclosure programme.
- **Additional functions agreed by the Executive Council in 2013 are:**
 - (vi) Receiving complaints of unethical conduct, including harassment, and advising on whether there appears to be a *prima facie* case thereof, and suggesting to management the best approach for handling the case;
 - (vii) Using the ethics hotline to receive not just ethical issues in a narrow sense (i.e. JIU suggested), but to receive all reports or complaints of misconduct, with appropriate referral;
 - (viii) Assisting with mediation between staff if requested by the SG; and/or
 - (ix) Assisting in the identification of suitable investigators where cases necessitate an investigation.
- **One additional function agreed by the Executive Council at its 109th session held in Manama, Bahrain, 30 October-1 November 2018 (CE/DEC/6(CVIX)) authorizing the UNWTO Ethics Officer to:**
 - (x) Conduct an initial consideration of complaints concerning allegations of misconduct against the Executive Head of the Organization with a view to recommending actions as appropriate.

III. Activities of the Ethics Officer during the period 1 May 2022 to 15 April 2023

A. **Protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations**

8. UNWTO's policy on Protection against Retaliation (PaR) for reporting misconduct and for cooperating with duly authorized audits or investigations -also known as Whistle-blower policy- (Circular NS/768) was issued on 2013 for the purpose of:
- (i) encouraging and protecting staff members who disclose information relating to misconduct that may not otherwise be discovered or cooperate with a duly authorized fact-finding activity;
 - (ii) ensuring the Organization can effectively address such cases and manage risks; and
 - (iii) ensuring the Organization functions in a transparent and accountable manner with the objective of enhancing good corporate governance.
9. The Ethics Office confidentially receives reports of misconduct or complaints of retaliation and conducts a preliminary assessment to determine, *inter alia*, whether there is a sufficient *prima facie* case that may entail the referral of the case for formal investigation.

10. During the period covered by this report, no reports of misconduct or complaints of retaliation have been received by the Ethics Officer.
11. With regards to complaints against the Secretary-General of the Organization, it should be noted that in 2018 the Ethics Officer had been instructed by the Executive Council ([CE/DEC/6/CIX](#)) to review the PaR policy in order “to establish appropriate mechanisms for handling such complaints”; this review was completed in 2019. The addition of a new Section 9 dealing with “Allegations against the Executive Head of the Organization” to the text of the 2013 PaR policy was proposed, the full text of which was incorporated in the 2020 Report of the Ethics Officer (cf. [CE/112/3 \(e\) Annex 1, para. 14](#)). For ease of reference this text read as follows:

“9. Reporting allegations of misconduct against the Executive Head of the Organization

- 9.1 Pursuant to its decision 6 (CVIX) of 2019, the Executive Council authorizes the UNWTO Ethics Officer to conduct an initial consideration of any complaint of misconduct against the Secretary-General with a view to recommending future actions as appropriate.
- 9.2 UNWTO members of personnel may report to the Ethics Officer any allegations of misconduct/wrongdoing concerning the Executive Head of the Organization, including any related requests for protection against retaliation. The time limit for submitting a report is not later than one (1) year after the protected activity has taken place.
- 9.3 Upon receipt of a formal complaint, the UNWTO Ethics Officer will notify the Chair of the Executive Council of the allegations made against the Secretary-General, if possible, within a period of 5 working days.
- 9.4 The UNWTO Ethics Officer will conduct a prima facie review into the misconduct/wrongdoing and retaliation case to determine if:
- (a) the allegations are imputable to the Secretary-General, or to other administrative instances of the Organization.
 - (b) The allegations may, if proven, constitute misconduct as per the definition in section 2.2 above.
 - (c) The allegations of misconduct were received within the time limits.
 - (d) The allegations appear to have been made in good faith and the alleged retaliation does not appear to be the consequence of the lawful enforcement of Staff Regulations and Rules; and
 - (e) The retaliation or the threat of retaliation existed (protected activity).
- 9.5 The Ethics Officer will seek to complete the preliminary assessment within 45 days of receiving the report and will present his/her determination and recommendations thereon to the Chair of the Executive Council for action, as appropriate.
- 9.6 The Ethics Officer will notify in writing the complainant of the outcome of the preliminary assessment.
- 9.7 Upon receipt of the determination and recommendations of the Ethics Officer, the Executive Council will decide on whether to refer the matter for formal investigation.
- 9.8 In the event that a full investigation is considered necessary to look into the allegations, Executive Council will refer the case to an external investigator or to the United Nations Office of Internal Oversight Services (UN OIOS).”

12. The new Section 9 on Allegations against the Executive Head of the Organization was then channeled in 2020 through the Human Resources Department which, together with the Office of the Legal Counsel, also suggested minor amendments to update the other sections of the PaR policy before submitting the final draft of this policy first for the approval of the Secretary-General and then to the Executive Council.
13. Therefore, it was with great surprise two years later in 2022 that the Ethics Officer read in the Human Resources report of that same year ([CE/116/3\(d\) rev.2, Chapter V. Clarifications from the Organization in response to the Report of the Ethics Officer on the activities carried out in 2021-2022, para. 44](#)) the following text: "In March 2020, the Ethics Officer was provided with the proposed final version of said policy prior to circulation for internal approval. To date, this police continues to be with the Ethics Officer..."
14. After following up on the matter with Human Resources, the Ethics Officer learned that the revision of the PAR policy was delayed because of the lack of a response from the Legal Department, and after clarifying the issue, the text on the Allegations against the Executive Head of the Organization remains valid as published by the Ethics Officer in 2020. The new PaR policy can therefore now finally proceed through the internal approval process and the submission to the Executive Council.
15. However, the Ethics Officer profoundly regrets two aspects of this incident, which are:
 - (a) The delay of two years before the Human Resources Department raised the issue of the impediment to proceed with internal approval of the PaR policy as well as the assignation of blame to the Ethics Function for this delay when, in fact, the true reason for the delay was a pending response from another Department.
 - (b) The Report of the Ethics Officer is published yearly as an annex to the Human Resources report to be submitted to the Executive Council (EC) sessions. However, although finalized on time, the 2022 Ethics Report was retained by the Office of the Secretary-General and its posting on the EC website delayed by over three weeks. It was finally included in the HR report only one week prior to the EC session when the Human Resources report was republished for the third time in a revised version (CE/116/3(d) Rev.2). This delay enabled the Administration to respond to the Ethics Report (even before its publication), by adding a new *Chapter V. Clarifications from the Organization in response to the Report of the Ethics Officer on the activities carried out in 2021- 2022*. The Ethics Officer observes that this is not the most appropriate or established procedure to respond to a report of an independent Ethics Function, as the format and content clearly reflect precipitated assertions without prior verification.

B. Outreach, training and education

16. The Ethics and Integrity e-learning course is a mandatory course in order to strengthen the ethical culture throughout the Organization that all UNWTO personnel at all levels without exception have to complete. The last mandatory Ethics and Integrity e-learning course was taken by all members of personnel between March and June 2019 (Information Note IC/10/19).
17. Until 2021, the course was provided free-of-charge through the platform of the United National System Staff College, with the purpose of increasing awareness about the core values and standards of integrity to be observed within the workplace environment. However, it had to be discontinued in 2021 as it became no longer available on the UNSSC platform.
18. After several intents to secure access for UNWTO personnel to similar Ethics courses developed by other organizations of the UN system, the Ethics Officer succeeded in 2022 to obtain the authorization from the United Nations Ethics Office to use the Ethics and Integrity e-learning course of the United Nations Secretariat, free-of-charge for UNWTO.
19. The UN Ethics and Integrity course is used as an ethics onboarding course for newly recruited personnel who are requested to complete it within the first months of joining the Organization (IC/10/19 Rev.1). Furthermore, following recommendations by the Joint Inspection Unit (JIU) to provide Ethics and Integrity refresher courses on a regular basis to all UN personnel, the Ethics Officer invited members of personnel who had already taken the previously available course, to also complete the new course since it is more complete and up to date than the previous one.
20. At the date of this report, the Ethics Officer has received confirmation of the completion of the new Ethics and Integrity course by 127 members of personnel however is disappointed to observe that many top and senior management officials have not yet completed the course within the indicated deadline.

21. Throughout the period under consideration, the intranet pages of the ethics site have been updated on a regular basis and completed with links to relevant documents of UNWTO's institutional bodies related to the mandate of the Ethics Function.

C. Advice and guidance

22. Pursuant to its advisory mandate, the Ethics Office provides independent confidential ethics advice and guidance to UNWTO personnel, management, and departments in order to ensure that decision-making is consistent with the values, principles and rules of the United Nations. Dedicated telephone and email helplines have been made available for confidential advice.
23. During the period under review, the Ethics Officer was directly approached by, or has reviewed requests of seventeen members of personnel of whom nine were women and eight men. Advice and guidance provided by the Ethics Officer included clarification or interpretation of the UNWTO regulations, rules and standards concerning prohibited or restricted activities, such as personal conflicts of interest, outside activities and acceptance of gifts and honors.
24. Six formal requests for outside activities addressed to the Secretary-General have been channeled, as per established practice, through the Human Resources Department to the Legal Counsel and the Ethics Officer for appropriate advice before their submission to the Secretary-General for final decision.
25. Confidential advice and guidance was provided by the Ethics Officer during this period on abuse of authority and inconsistent instructions by supervisor (one member of personnel); strained working relations with supervisor and/or colleagues (three members of personnel); specific clarification on outside activities (one member of personnel); special advice on internal regulation on receiving honors, favors, gifts and remuneration (one member of personnel), non-honoring of commitments from the previous administration (one former member of personnel) and incorrect contents in documents provided by the Human Resources Department (one former official); as well as about the rights of international civil servants (one member of personnel). One staff member further observed the non-compliance by a few officials with the declared smoke-free environment within the UNWTO Headquarters.
26. In one case concerning a long-standing problematic workplace relationship, the interested official formally requested the Ethics Officer to intermeditate with the relevant internal services. The Ethics Officer therefore held meetings with both the Chief of Human Resources and the Chief of Administration and Finance, as well as with the supervisor of the official concerned in order to accelerate the process leading to an internal decision and a suitable solution to the situation.
27. In this context and with regards to the comments in the 2022 HR report ([CE/116/3\(d\) Rev.2, para. 45](#)), which read "Concerning the complaints received by the Ethics Officer and reported to the Executive Council, it is regrettable that no assessment is being made as to whether these are substantiated and that except for one, none of these have been reported internally (with due anonymity) so that the Human Resources Department or Management could take effective action, as required". The Ethics Officer wishes to underline the difference between "complaints" which are official and must be duly reported to management for action and "confidential advice sought" by members of personnel which cannot be disclosed by the Ethics Officer unless expressly authorized by the interested person. In this latter case in such a small Organization such as UNWTO, maintaining due anonymity in many confidential matters consulted is extremely challenging since injustices and unfair treatment towards certain officials that occur in the Secretariat are known and observed by fellow colleagues. Reporting these confidential consultations to the relevant internal services would only deteriorate the situation of the affected officials as they would be easily identified even with the best efforts employed by the Ethics Officer to assure their anonymity.
28. The Ethics Officer has also received comments from several colleagues concerning the way the reclassification process is being carried out. After its initial announcement in 2020, and several subsequent postponements, the first phase of the reclassification exercise consisting in interviews with an external classification expert took place in autumn 2022. The outcome of this reclassification resulted in six positive reclassifications and one status quo among a large number (almost 35) of requests for reclassification re-submitted since the 2020 announcement. It also appears that a second phase of reclassification interviews with a very small number of officials occurred earlier this current year without any further information provided.

The issues raised by colleagues in this context are twofold:

- (a) The lack of information provided by the Human Resources Department to those colleagues who submitted a request with applicants unaware whether it was successfully shortlisted by the Appointment and Promotions Board (APB) as eligible for reclassification or not. In past reclassification exercises this information was usually provided in writing to each applicant.
- (b) Concerns about the impartiality and objectivity of the panel that decided whether a request for reclassification was eligible for reclassification. It is the role of the Appointment and Promotions Board (APB) to recommend to the Secretary-General which of the requests submitted by staff should continue through the procedure of reclassification of their post (the APB intervenes also in all matters related to appointments, promotions, special merit increases and special post allowances). As already mentioned in the Ethics Officer reports of 2020, 2021 and 2022 referring to the amendment of Staff Rule 15(1)(b) approved in 2019, the Secretary-General replaced the Deputy Secretary-General as the Chair of the APB. Following this amendment, the Ethics Officer notes that the members designated by the Secretary-General to sit on the APB, except for the Chief of Human Resources, either report directly to the Secretary-General or are employed inside the Office of the Secretary-General - including the President of the Committee of the Staff Association who sits in the APB. The Ethics Officer is of the opinion that the lack of a clear separation between decision-making role of the Secretary-General and the advisory function of the APB is a factor that can be detrimental to the credibility of the board since the advisory function may be perceived as an extension of the prerogatives of the Secretary-General. Additionally, the fact that most of the APB members report directly or exclusively to the Secretary-General makes the APB an inherently biased body and prone to real conflicts of interest.

D. Financial Disclosure Programme

29. The UNWTO financial disclosure programme (FDP) of November 2013 (Circular NS/774), has been revised and replaced by Administrative Instruction (AI/915/19) on the Declaration of Interest Statements, as promulgated by the Secretary-General on 9 July 2019.
30. The new Declaration of Interest (DOI) Policy of the Organization sets an obligation for a specific group of UNWTO staff members to file their DOI Statements on an annual basis and submit them to the Ethics Officer.
31. Pursuant to AI/915/19, the following staff members have an obligation to file an annual declaration of interest statement:
 - (a) All staff members at the P.5 level and above.
 - (b) The Chief Procurement Officer and all staff members whose principal occupational duties are the procurement of goods and services for UNWTO.
 - (c) The Director of Administration and Finance, the Chief of Budget and Finance, UNWTO's Treasurer and all staff members whose principal occupational duties relate to the investment of the assets of the Organization or of any accounts for which UNWTO has a fiduciary or custodial relationship.
 - (d) Staff members whose direct access to confidential procurement (staff in the General Service or staff in the Office of the Legal Counsel) or investment information, or whose engagement in a procurement activity for a limited duration or under specific exceptional circumstances, warrants the completion of a declaration of interest statement.
 - (e) All staff members serving in the Procurement Review Committee.
 - (f) Other staff members, members of personnel and individuals designated by the Secretary-General, where he or she deems it appropriate and necessary in the best interests of the Organization.
32. The list of staff members required to file a DOI Statement is provided to the Ethics Officer by the Human Resources Department, after approval of the Secretary-General.
33. On 8 August 2022, the Ethics Officer received a list containing the names of eighteen officials for the purpose of completing the DOI Statement for the year 2021.

34. A personalized communication of the Ethics Officer was addressed on 10 August 2022 to the eighteen designated officials, including the Secretary-General, with a request to complete the online DOI form and to submit it by 15 September 2022. Sixteen filed their respective Declaration within the deadline, one filed it with one day of delay and another filed it over 6 months later after receiving a reminder from the Ethics Officer.
35. Of these eighteen, there were nine staff members (50%) where no actual conflict of interest was found. Nine staff members (50%) where there could have been a possible appearance of conflict of interest: of whom four (22%) with a spouse, mother or sister working in the UN System; two (11%) owned stock options or had a financial interest in companies which had no relation to UNWTO; two (11%) either received an income from non-UNWTO sources or whose spouse received supplement for transport from non-UNWTO sources; and one (5,5%) had an outside activity with a UNWTO partner institution which was duly authorized by the Secretary-General, thus no conflicts of interest were found in any these nine cases.

E. Standard setting and policy support

Policy reviews

36. The Ethics Officer has provided comments to the 2022 UN-SWAP Report for a United Nations system-wide action plan for mainstreaming gender equality and the empowerment of women in UN entities.
37. The Ethics Officer was requested to provide feedback to the Note by the (UN) Secretary-General containing the CEB responses to the “Overview of actions to be taken by participating organizations on the recommendations of the Joint Inspection Unit” concerning the JIU “Review of the ethics function in the United Nations System”.
38. The Ethics Officer also contributed information to the questionnaire addressed to UNWTO for a new JIU Review of Accountability Frameworks in the United Nations system organizations: corporate questionnaire. The Ethics Officer was further requested to reply to a JIU follow-up questionnaire related to JIU document A460: Review of the internal pre-tribunal stage appeal mechanisms available to staff members in the United Nations system organizations.
39. Additionally, the Ethics Officer contributed to the request of the external auditors to provide updates on the implementation of KPMG’s recommendations included in KPMG’s 2018 Internal Control and Compliance Gap Assessment; and also contributed to the questionnaire on Compliance with the Law by UNWTO’s external finance auditors.
40. Concerning a pending UNWTO policy and the comments of the Administration in 2022 HR Report CE/116/3(d) rev.2 ([Chapter V. Clarifications from the Organization in response to the Report of the Ethics Officer on the activities carried out in 2021-2022, para. 44](#)), which read: “..the signature of a framework agreement with UN OIOS for investigation requires the establishment of a policy on “Addressing discrimination, harassment, including sexual harassment, and abuse of authority”, which is currently pending with the Ethics Officer...”, the Ethics Officer would like to simply refer to her report of 2021 annexed to both [CE/114/2\(c\)](#) and [GA/24/5\(c\)](#) which, in paragraph 38, states the following:

“38. The Ethics Officer has been collaborating with the Human Resources Department and the Office of the Legal Counsel in the preparation of UNWTO’s future policy on “Addressing discrimination, harassment, including sexual harassment, and abuse of authority” based on UN Secretary-General’s bulletin (ST/SGB/2019/8). However according to UN practice, such conduct, also known as “prohibited conduct”, normally requires at some stages the intervention of the Office of Internal Oversight Services (OIOS), especially with regards to investigations of such complaints. Ethics Officers in general have no role in these cases except in the event that a retaliation has occurred; in which case the Ethics Officer is notified and would only partially intervene to assess the existence of such a retaliation. In the absence of an internal OIOS, the formulation of UNWTO’s policy on these matters had to be deferred until an agreement with an external OIOS body for investigation is signed. Despite constituting at present the only independent function in the Organization, the Ethics Function cannot be considered as a substitute to the OIOS in this domain.”

41. The Ethics Officer has however consulted anew with peer officers in charge of ethics and compliance in the corresponding UN System ethics network, ENMO (see chapter IV below), who confirmed that in their respective organizations the policy and the handling of the discrimination and abuse of authority cases fall under the responsibility of their independent internal oversight offices since these

cases generally require investigation. Ethics Officers are only mandated to intervene when retaliation aspects are involved. An additional consultation with the external OIOS-GVA to which UNWTO has outsourced a periodical audit function, reconfirmed this aspect.

42. The Ethics Officer wonders if the assignation of blame to the Ethics Function for the stalling of this specific internal process would not rather appear as an alibi or excuse of the UNWTO Administration for continuing to delay the signing of an agreement with an external UN Oversight Office for the purpose of outsourcing the investigation function, repeatedly announced since 2019.

OIOS external audit

43. The United Nations Office for Internal Oversight Services (OIOS), to which UNWTO has outsourced its internal audit function, conducted a preparatory risk assessment consultation in August 2022 for the preparation of the 2023 Audit on Human Resources Management, to which the Ethics Officer was requested to participate in order to identify potential risks in this area.

IV. The Ethics Network of Multilateral Organizations

44. The UNWTO Ethics Officer participated both in the 14th Conference of the Ethics Network of Multilateral Organizations (ENMO) which was held in-person at the UNESCO headquarters in Paris, France, from 5-8 July 2022, as well as in the in meeting of the CEB affinity group immediately prior the 14th ENMO meeting.
45. The Ethics Network was founded in 2010 within the framework of the Chief Executives Board for Coordination (CEB) to promote system-wide collaboration and coherence in the field of ethics and integrity, with the participation of ethics officers from the United Nations Secretariat, funds and programs, the United Nations specialized agencies, and international financial institutions. The Ethics Network counted 46 organizations among its Members in 2022.
46. The various, interesting themes discussed during meeting were Conflicts of interest and outside activities (from personal to semi-official); Behavioral science to increase ethical behavior and prevent misconduct; Innovation in prevention and training in a hybrid environment; Whistleblowing: Latest Trends in Encouraging Internal Whistleblowing and Providing Protection; and Ethics of Artificial intelligence.
47. The Ethics Officer also participated in the quarterly virtual ENMO meeting on the topic of ethical leadership and its impact on actions and behavior on the ethical culture, the first of which was held in March 2023; as well as in the virtual CEB Chapter Discussion on the protection against retaliation held in the same month.
48. Full information on the work of the Ethics Network is provided in the Report of the United Nations Secretary-General to the General Assembly of the United Nations on the Activities of the Ethics Office (document [A/77/75](#)).

V. Final considerations

Amendments to Staff Rules

49. The Ethics Officer concurs with the Administration in its remarks in the 2022 HR report ([CE/116/3\(d\) Rev.2, Chapter V. Clarifications from the Organization in response to the Report of the Ethics Officer on the activities carried out in 2021-2022, para. 47](#)), in that the review of the amendment of Staff Regulations and Rules falls outside the terms of reference (ToR) of the Ethics Officer. However the Ethics Officer also notes that many of other functions that the HR Department periodically attempts to add to her Terms of Reference also fall outside the scope of the Ethics Officer mandate, in particular those related to policies on discrimination, abuse of authority, sexual abuse and exploitation, in which cases only an Internal Oversight Office (OIOS) has the mandate to intervene.
50. The Ethics Officer also notes that according to the internal procedure concerning amendments to the Basic Documents (internal Circular NS/770 of 2013) - that also covers the Staff Regulations and Rules -, the described official circuit for verification of such proposed amendments does not include a role for the Ethics Officer. For this very reason, in her report of 2022 (para 40), the Ethics Officer had therefore suggested "that the Ethics Function be included in the official Procedure and circuit for amendments to Basic Documents". Circular NS/770 of 2013 was issued at a time when the Ethics Function was being established as an outsourced function: the current in-house Ethics Officer is therefore of the opinion that it would be useful to update this procedure to (a) include in the circuit

the Ethics Function in order to avoid in future ethical inconsistencies in new proposed amendments to the Rules and Regulations, and (b) to also revise the terms of the circuit that are related to the Legal verifier since major changes occurred in 2017 and the External Legal Advisor no longer exists.

51. Furthermore, the Ethics Officer was pleased to read that the Administration had consulted the Staff Association, however, notes that similarly to the Ethics Officer, the Staff Association also had no official role in the internal amendments circuit. The Ethics Officer can suppose that this consultation was perhaps facilitated thanks to the easy and direct communication channels that exist between the Secretary-General and the President and the Vice President of the Committee of the Staff Association, who both serve in the Office of the Secretary-General.
52. In this context, the Ethics Officer wishes to recall the reason for the decision of the Secretary-General to establish an in-house Ethics Officer for the first time in 2018 (NI/04/18), which was to strengthen UNWTO's internal governance and enable the implementation of necessary internal reforms and ethical policies pursuant to a recommendation from a KPMG audit report on "Quality Review of Internal Policies" (NI/02/18). This initial KPMG recommendation is repeated every year as a reminder in the second paragraph of the Ethics Officer reports.

Way forward

53. Despite timid attempts by the Administration to improve transparency, mostly for minor staff related issues, more important matters are kept opaque and are not systematically disclosed and circulated as they had been under previous administrations.
54. UNWTO's management style continues to be highly centralized and decisions permeable to arbitrariness, affected by prejudices and make use of routine exceptions to the rules thus allowing for cases of favoritism, privileges and perks to flourish for a few chosen officials, while undermining the integrity of the system.
55. The absence of a proper independent mechanism in the UNWTO Secretariat such as the Office of Internal Oversight Services (OIOS) and its internal Investigation Division, which is operating in all other organizations of the UN System, is an impediment to the exercise of regular scrutiny over the accountability of administrative decision-making.
56. The biennial external audits outsourced to OIOS-GVA on specific areas, such as those on project management carried out in 2021 and the one on human resources management expected for 2023, offer insufficient safeguards for a healthy and effective international public administration.
57. For this reason, the Ethics Officer reiterates her recommendation to proceed with the signature of an agreement between UNWTO and the UN Office for Internal Oversight Services (OIOS) for the externalization of internal investigations, at least until an appropriate independent internal control mechanism can be established within the UNWTO Secretariat.
58. In view of the upcoming vacancy of the Ethics Function, the outgoing Ethics Officer further recommends to the governing body to return to the previous formula of outsourcing the Ethics Function to another UN organization as was the case prior to 2018 when the function was externalized to a professional independent Ethics Officer of UNOPS.
59. Taking into consideration that for the past five years the Ethics Officer has operated without a budget, the Ethics Officer would further recommend that the governing body commits sufficient resources to the future Ethics Function so as to enable it to fulfil its mandate fully and effectively.

Marina Diotallevi
Ethics Officer, UNWTO
15 April 2023