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COUNCIL — 222ND SESSION

Subject No. 7: Organization and Personnel

ANNUAL REPORT ON ACTIONS TAKEN IN RESPONSE TO COMPLAINTS OF MISCONDUCT AND RETALIATION – 2020

(Presented by the Secretary General)

EXECUTIVE SUMMARY

On 26 June 2020, the Council adopted, at its seventh meeting of the 220th Session, a consolidated revised text of *The ICAO Service Code* (C-DEC 220/7, refers). Paragraph 90 of Annex I to the Service Code, “The ICAO Framework on Ethics”, requires the Secretary General to submit to the Council an annual report on actions taken in response to matters referred and investigation reports provided by the investigative entity on complaints of misconduct as well as recommendations made by the Ethics Officer and the external ethics entity on complaints of retaliation or threats of retaliation.

Accordingly, this paper presents a report on actions taken in response to complaints of misconduct and retaliation, for the period January to December 2020.

<i>Strategic Objectives:</i>	This working paper relates to all Strategic Objectives and Supporting Implementation Strategies.
<i>Financial implications:</i>	Not applicable.
<i>References:</i>	<i>The ICAO Service Code.</i>

1. INTRODUCTION

1.1 At its seventh meeting of its 220th Session, held on 17 June 2020, the Council adopted a consolidated text of the revised ICAO Service Code (C-DEC 220/7, refers), as decided by the Council on 22 May 2020 (C-DEC 220/1, refers).

1.2 Paragraph 90 of the ICAO Framework on Ethics (“Ethics Framework”) requires the Secretary General to submit to the Council an annual report on actions taken in response to matters referred and investigation reports provided by the investigative entity on complaints of misconduct as well as recommendations made by the Ethics Officer and the external ethics entity on complaints of retaliation or threats of retaliation. The annual report, which shall contain anonymized information on disciplinary and administrative measures taken in response to substantiated cases of misconduct and retaliation, shall be publicly available on the ICAO website.

1.3 Accordingly, this paper presents a report on actions taken in response to complaints of misconduct and retaliation, as required under paragraph 90 of the Ethics Framework, namely, “to matters referred and investigation reports provided by the investigative entity on complaints of misconduct¹ as well as recommendations made by the Ethics Officer and the external ethics entity on complaints of retaliation or threats of retaliation,”² for the period 1 January to 31 December 2020.

1.4 However, it should be noted that, exceptionally only for 2020, this report also includes actions taken in response to complaints of misconduct and retaliation, as applicable, to matters referred and investigation reports provided by the ICAO Investigations Committee and/or any external investigation entities, for the first half of 2020, before the consolidated revised text of the Ethics Framework was formally decided and adopted by the Council, in June 2020.

2. ACTIONS TAKEN IN RESPONSE TO COMPLAINTS OF MISCONDUCT AND RETALIATION – 2020

2.1 The following provides a breakdown of actions taken in response to complaints of misconduct and retaliation for the year 2020 according to paragraph 90 of the Ethics Framework:

a) eight cases were **closed** either by the Investigations Committee or the external investigative entity (the UN’s Office of Internal Oversight Services (OIOS));

b) in one case, a **disciplinary measure** was imposed on a staff member who had behaved aggressively towards, and had created a hostile work environment for, another staff member, and who had also engaged in a consistent pattern of hostile interpersonal engagement;

c) in three cases, administrative measures were taken, including informal resolution, enhanced ethics training, and team-building exercises. The first case resulted from a breakdown in interpersonal relations between two staff members. The second case related to a complaint from one staff member against another, concerning harassment and insubordination. The third involved allegations of harassment of one staff member against another; and,

d) no complaint of retaliation was provided.

¹ Paragraphs 52, 57 and 58, Ethics Framework, refer.

² Paragraph 73, Ethics Framework, refers.

2.2 It should be noted that in several cases either disciplinary processes or administrative measures were initiated in 2020, but were not fully completed. These cases will form part of the 2021 report to the Council.

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