

WIPO Coordination Committee

Seventy-Third (47th Ordinary) Session
Geneva, October 3 to 11, 2016

ANNUAL REPORT BY THE ETHICS OFFICE

prepared by the Secretariat

1. The following is a report on the activities of the WIPO Ethics Office in 2015. Since its establishment in June 2010, the Ethics Office has reported on its activities to the Member States. This report is the fifth report to the Assemblies.

2012 – 2016: 5 YEARS OF REPORTING ON

ACTIVITIES AND IMPACT OF THE WIPO ETHICS OFFICE

The Ethics Office was created in June 2010, in line with WIPO's Strategic Realignment Program (SRP) value "Environmental, Social, and Governance Responsibility".

At the end of its first full calendar year of operation, the Ethics Office commenced a cycle of annual reporting on its activities. In the 2012 Annual Report on Human Resources, the Ethics Office presented a report of its activities and impact in 2010/2011.¹

¹ WO/CC/66/1, WIPO Coordination Committee, Sixty-Sixth (43rd Ordinary) Session, October 1 to 9, 2012.

In 2013 and 2014, the second and third reports of the Ethics Office, reporting on the activities of 2012 and 2013 respectively, were presented as dedicated Annexes to the Annual Reports on Human Resources.²

In 2015, the fourth report of the Ethics Office's activities, covering the year 2014, was presented as a separate Annual Report by the Ethics Office to the WIPO Coordination Committee.³

The 2016 Report, the fifth report of the Ethics Office on its activities and impact in 2015, follows this format.

I. BACKGROUND

2. The Convention Establishing the World Intellectual Property Organization refers to the importance for the Organization of securing the highest standards of efficiency, competence and integrity. The establishment of a comprehensive ethics and integrity system at WIPO is an initiative under the SRP, which began to be mainstreamed into WIPO activities following the conclusion of the SRP in 2013.

II. STRUCTURE

3. The WIPO Ethics Office was established in June 2010. The Ethics Office is headed by the Chief Ethics Officer, who reports to the Director General. Its activities fall into four main areas:

- (a) promotional activities;
- (b) confidential advice to senior management, managers and all staff members;
- (c) norm-setting and policy development; and
- (d) implementation of policies assigned to the Ethics Office.

4. The Office is independent of WIPO's other services.

III. PROMOTIONAL ACTIVITIES

Ethics and Integrity Training

5. Since the launch of the WIPO ethics and integrity policy in 2012, there has been mandatory training for all staff at every level of the Organization. The training program is managed by the Ethics Office in close collaboration with the Human Resources Management Department (HRMD) and the Project Management Office of the SRP, and is delivered by external trainers.

² WO/CC/67/2, WIPO Coordination Committee, Sixty-Seventh (44th Ordinary) Session, September 23 to October 2, 2013 and WO/CC/70/1, WIPO Coordination Committee, Seventieth (45th Ordinary) Session, September 22 to September 30, 2014.

³ WO/CC/71/3 Rev., WPO Coordination Committee, Seventy-First (46th Ordinary) Session, October 5 to 4, 2015.

Objectives

6. The training is tailored to the Organization's values and policies on ethical conduct, and is in line with good training practices and commonly recognized ethical principles.

Specifically, it is designed to:

- enhance the culture of ethics;
- raise awareness across the Organization about principles, policies, tools and considerations relating to ethical behavior at WIPO;
- increase trust among colleagues and managers, and trust in the Organization;
- promote accountability in decision-making; and
- strengthen ethical leadership – “tone at the top”.

Outcomes

7. The desired outcomes are to:

- ensure a common understanding of the meaning of “ethics and integrity” in a professional setting, and of the importance of ethical conduct to the reputation of the Organization;
- ensure that all staff receive training in core ethical principles;
- promote a consistent message on ethics and expected standards of conduct in WIPO; and
- raise awareness about mechanisms that are in place to support personnel.

Nature of the training

8. The training consists of a review of ethical principles and values that apply at WIPO; an activity in which participants are presented with a series of case studies, and must identify ethical issues and work to resolve them using a decision-making model; an introduction to the Ethics Office, its activities and the services it provides to staff; and a discussion about common obstacles to behaving ethically, and how to address them. The training comprises a half-day of face-to-face sessions, led by external trainers with experience in providing ethics training in the United Nations (UN) common system. A competitive process was used to select the training provider.

WIPO Code of Ethics as a learning reference

9. The external provider and the Ethics Office developed a detailed Participant Guide, which each staff member received in hard copy at the training session. The first half of the Guide is the workbook that participants use during the training, which contains key learning points and notes on the cases. The second half reproduces the complete Guide to Ethics at WIPO, prepared by the Ethics Office as a take away tool and for use as a reference in daily work life. The training protocol ensured optimal transmission of institutional messages.

10. Staff also received their personal hard copies of the Guide to Ethics. The WIPO Code of Ethics and the Guide to Ethics at WIPO were launched at the start of the training programs.

WIPO CODE OF ETHICS: VALUES AND PRINCIPLES

The six values listed in the Code of Ethics are:

- Independence;
- Loyalty;
- Impartiality;
- Integrity;
- Accountability; and
- Respect for Human Rights.

The seven principles listed in the Code of Ethics relate to:

- Conflict of interest;
- Abuse of authority;
- Commitment to a respectful working environment;
- Gifts, honors, favors or other benefits;
- Resources of the Organization;
- Confidentiality of information;
- Post-employment.

WIPO ETHICS TRAINING 2012 - 2015

Total Number of Participants: 1618

Categories of Training:

- Sessions at Induction Courses
- Regular Ethics Training Courses



11. All staff including new recruits (a total of 1618 employees) has been trained since the launch of the WIPO ethics and integrity policy. It is mandatory for Staff joining the Organization to participate both in induction courses and in the training courses on Ethics. All induction

courses include a session on Ethics. The information represented in the graph relates to the training provided to staff since training on Ethics and Integrity commenced in 2012.

Impact, as measured by post-training surveys

12. An online survey was sent to participants enrolled in the 2015 training courses. 44 participants responded, which qualifies as a representative sample.

13. The survey confirmed that the training had been well received, with 43 per cent of respondents rating the course "excellent", and 41 per cent "good".

14. While participants overall felt that the training content and method were good, some respondents indicated that the time accorded did not allow for in-depth analysis of cases. Participants also felt that topics such as outside activities and conflict of interest needed to be expanded. The Ethics Office took note of the comments in designing Ethics awareness building events for the year 2016.

15. Further feedback provided included:

- appreciation for the open format for discussions which made the training interactive and allowed almost all attendees a chance to voice their opinions and have their concerns on specific subjects addressed;
- the issue of trust was found to be very important in a working environment. Misunderstanding of situations could lead to conflict;
- the case studies were found to be useful to delineate fact and opinion/perception. It was also found interesting to learn about conflict of interest when representing the Organization (e.g. taking gifts to/receiving gifts from a Member State);
- the case studies relating to the working environment allowed for better knowledge of the WIPO Code of Ethics;
- appreciation of the Work Book;
- ethical conduct could be applied in real-life situations.

Intranet site

16. A comprehensive review and updating of the dedicated WIPO Ethics Intranet site, created in 2012, has been scheduled for 2016. The WIPO Code of Ethics, and the Guide to Ethics at WIPO (which includes a compilation of relevant WIPO policies and principles, with clear explanations), as well as links to relevant resources and background information, are posted on the site.

IV. CONFIDENTIAL ADVICE TO SENIOR MANAGEMENT, MANAGERS AND ALL STAFF MEMBERS

17. On September 15, 2015, a Chief Ethics Officer was appointed.⁴ Prior to that, from August 2014 onwards, a Chief Ethics Officer was in charge of the Office on an *ad interim* basis.

⁴ Following a competition, Ms. Chitra Radhakishun, national of Suriname, was appointed as Chief Ethics Officer, WIPO Ethics Office, Office of the Director General.

18. In 2015, the Ethics Office received the following requests for advice:

- four on outside activities;
- one on gifts and/or hospitality;
- three on employment-related matters;
- four on declarations of interests/investments;
- three on conflicts of interest;
- one on protection against retaliation.

Four requests for advice were outside the mandate of the Ethics Officer. Where possible, staff members were informed about other options available or referred to other WIPO units.

V. NORM-SETTING AND POLICY DEVELOPMENT

Financial Disclosure Policy

19. Following the implementation in 2013 of the WIPO Declaration of Interest Policy, and the disclosure of financial interests in compliance with the International Public Sector Accounting Standards (IPSAS), internal work was undertaken to develop a new financial disclosure policy for senior staff and other designated members of staff. This work was temporarily suspended in 2014, due to the regretted absence of the Chief Ethics Officer, and resumed in 2016. The Organization intends to achieve the appropriate balance between the need for information and staff members' right to privacy. It will also seek to take account of the risk management framework and internal controls system that the Secretariat is currently implementing. It is expected that the work will be concluded by the end of 2016.

VI. IMPLEMENTATION OF POLICIES ASSIGNED TO THE ETHICS OFFICE

Policy to Protect against Retaliation for Cooperating in an Oversight Activity or Reporting Misconduct or other Wrongdoing

20. The Policy to protect against retaliation (PaR) for cooperating in an oversight activity or reporting misconduct or other wrongdoing ("Whistleblower protection policy"), has been in effect at WIPO since 2012 and constitutes the general framework for the protection of all personnel against retaliation for participation in an oversight activity as defined in this Policy or who make a whistleblower report.

21. In accordance with the PaR policy, the Ethics Office receives complaints of retaliation and conducts preliminary reviews to determine whether a complainant has engaged in a protected activity. Based on its preliminary review of a complaint, the Ethics Office determines whether *prima facie* there is a case of retaliation, and for adequate protection of the staff member concerned.

22. In 2015 the Ethics Office concluded two preliminary reviews that had been ongoing at the end of the previous reporting period, and initiated and concluded another one. As the complaints were determined to fall outside of the PaR Policy, no further action by the Ethics Office was therefore required. Comparison shows that WIPO's numbers of inquiries are comparable to that of other UN's bodies.

Declarations of Interest and IPSAS-Mandated Disclosures of Related Party Transactions

23. The WIPO Ethics Office is responsible for the implementation of the Declaration of Interest program for WIPO staff members at the level of D1 and above, and a limited number of other high-risk categories. Compliance with IPSAS has created additional disclosure requirements for staff members at the level of D2 and above. A 100 per cent rate of compliance with IPSAS disclosure requirements concerning related party transactions was achieved for the 2015 reporting period.

VII. HARMONIZATION WITH BEST PRACTICES OF THE UNITED NATIONS COMMON SYSTEM

24. In 2015, the WIPO Ethics Office actively engaged with the Ethics Network of Multilateral Organizations (ENMO), which aims to promote system-wide collaboration on ethics-related issues within the UN system. The ENMO serves as a broad forum of ethics functions from UN system entities, affiliated international organizations and international financial institutions, and allows for the exchange of ethics policies and practices.

25. The WIPO Coordination Committee is invited to take note of the "Annual Report by the Ethics Office" (document WO/CC/73/2).

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